
OFFICIAL REPORT

(HANSARD)

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NORTHERN IRELAND ASSEMBLY

Monday 20 October 2008

The Assembly met at 12 noon (Mr Deputy Speaker [Mr Molloy] in the Chair).

Members observed two minutes' silence.

COMMITTEE BUSINESS

Public Authorities (Reform) Bill

Extension of Committee Stage

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 12 December 2008, in relation to the Committee Stage of the Public Authorities (Reform) Bill (NIA Bill 19/07).

The Public Authorities (Reform) Bill passed its Second Stage on 30 June and was referred to the Committee for the Office of the First Minister and deputy First Minister on the same day. The Bill seeks to transfer the functions of the Fisheries Conservancy Board to the Department of Culture, Arts and Leisure and to abolish the Disability Living Allowance Advisory Board for Northern Ireland. The Bill also contains a number of repeals of primary legislation relating to organisations that have been abolished, including Enterprise Ulster, the Pig Production Development Committee and Laganside Corporation.

The Bill forms part of the legislative programme to implement the review of public administration. The Committee for the Office of the First Minister and deputy First Minister has considered the Bill on a number of occasions and has agreed to write to the Department requesting an amendment to the Bill. The Committee seeks an extension until 12 December 2008 to allow the Department time to consider the Committee's proposed amendment. I ask Members for their support.

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 12 December 2008, in relation to the Committee Stage of the Public Authorities (Reform) Bill (NIA Bill 19/07).

COMMITTEE BUSINESS

Report from the Committee for Social Development on the Administration of Disability Living Allowance

Mr Deputy Speaker: Due to the unavoidable absence of both the Chairperson and Deputy Chairperson of the Social Development Committee, the Committee has agreed that Miss Michelle McIlveen will move the motion on its behalf. The Speaker is content that the Committee has reached an agreement about the revised arrangement, and the motion may proceed.

The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes to make a winding-up speech, and all other Members who are called to speak will have five minutes.

Miss McIlveen: I beg to move

That this Assembly approves the Report of the Committee for Social Development on the Administration of Disability Living Allowance and calls on the Department for Social Development to implement the recommendations.

I thank the Speaker for permitting me to propose the motion on behalf of the Chairperson of the Committee for Social Development.

Disability affects the lives of a large number of people in Northern Ireland. The Northern Ireland survey of people with activity limitations and disabilities from July 2007 found that people in around 18% of households face limitations in their daily living as a consequence of a disability or a long-term condition. Disability living allowance (DLA) is a tax-free, non-means-tested social-security benefit for people under the age of 65 who have an illness or disability and who need help getting around or help with personal care.

DLA was introduced in 1992, in recognition of the fact that existing benefits did not meet the needs of some groups of disabled people. Today, around 170,000 people in Northern Ireland — roughly 10% of the population — receive either the mobility or care component, or both components, of the disability living allowance. The two separate components of DLA — mobility and care — can be assessed on several different levels and can be combined to give 12 possible outcomes. Members will agree that that makes for a complicated system for both claimants and the Department, and the complexity increases further when the self-assessment element of DLA is added.

Faced with limited information on the administration of DLA, the Committee for Social Development produced the report to initiate discussion, highlight concerns and make recommendations for improvement.

The report on the administration of DLA is centred on different areas. I shall deal with information collection first. While reviewing the administration of DLA, the Committee found that the Department could not provide information on the numbers and types of disallowed or unsuccessful applications. The UK Department for Work and Pensions (DWP) maintains the Department's information system. Apparently, that system cannot be reconfigured for Northern Ireland, and a local database is not maintained. The Appeals Service (Northern Ireland) introduced a computer system that captures such information on 1 July 2007, and the Committee could obtain only information on DLA appeals from that date.

The Committee believes that accurate data on all applications — successful, unsuccessful, appealed or otherwise — are essential for the appropriate management of DLA. Therefore, the Committee recommends that the Department develop a cost-effective information system to collect data on disallowances and unsuccessful applicants who enter the appeals process.

Members should consider the application process. DLA claimants are faced with a lengthy 48-page application form. Although work has been undertaken to improve the form, the Committee believes that that aspect of the application process can be an unnecessary barrier for vulnerable claimants or those with limited literacy and numeracy skills. The Committee recommends that the application form undergo a further revision, given the importance of the forms and the requirement for some claims to be renewed regularly. Widespread consultation should take place with key stakeholders on a revised and simplified DLA application form.

I shall now talk about the decision-making process for DLA applicants. Decision-makers have a difficult task: they must consider the information provided and apply complex rules to arrive at their assessment; and they must work to achieve clearance-time targets. The Committee recommends that the clearance-time target be redefined for those cases in which more detailed and time-consuming evidence is required.

As before, the Committee found it difficult to comment at length on that aspect of the administration of DLA because of the absence of detailed information. The Committee recommends that the Department invests in a cost-effective data-collection system for all evidence sought by decision-makers so as to allow for proper monitoring and analysis.

In respect of the decision-making process, the Committee has reviewed the role of medical practitioners and recommends that the Department reviews the complexity and level of completion of the GP reports used in DLA assessments. The Committee had further

concerns about the reports produced by examining medical practitioners and whether those reports fairly assessed the impact of a person's disability on his or her mobility or care needs. The Committee, therefore, recommends that a survey be undertaken of all DLA claimants who have undergone a medical examination. Such a survey would establish the level of satisfaction and would inform improvement of that aspect of the service.

Furthermore — and, again, with a view to informing improvement — the Committee recommends that the Department considers the appointment of senior officials with adjudication experience to monitor the accuracy of all DLA decision-making. The Committee was also concerned with apparent anomalies in respect of different periods of awards made to claimants suffering, ostensibly, from the same disabilities. The Committee recommends that the Department reviews those inconsistencies.

The Committee also considered the DLA dispute procedure. A surprisingly large number of applications result in referral to the DLA dispute procedure. The Committee believes that, in some cases, the process can be unnecessarily lengthy. It is recommended that the Department amends procedures to allow reconsidered appeals to be processed in the same time frame as the first appeal. In order to reduce the number of appeals, it is recommended that the Department increases the emphasis on evidence-gathering at the initial stages of claims. Evidence should come from a wider variety of sources, and better use should be made of medical records. It is hoped that that will reduce the number of appeals resolved as a result of the later acceptance of additional evidence.

To further reduce the number of appeals, it is recommended that the Department revises its procedures and requires presenting officers to attend all appeal tribunal hearings. That will ensure that lessons are learnt and fed back. It is hoped that constructive feedback from presenting officers will lead to fewer appeals, less cost for the Department and, ultimately, less anxiety for claimants. To improve confidence and transparency in the appeals process, it is also recommended that the president of The Appeals Service (Northern Ireland) should have sufficient information to allow him oversight of the entire DLA appeals process, including timely information on appeals made.

As I said earlier, DLA is an important benefit for many people in Northern Ireland, and the Committee recognises the difficulties that the Department faces in administering the benefit. It is the Committee's hope that the report's recommendations will be helpful to the Department and will assist in the improvement of the administration of DLA in Northern Ireland. On behalf of the Committee for Social Development, I commend the report to the Assembly. I look forward to

hearing the views of Members and the Minister on the Committee's recommendations.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. As Members are aware, most of the legislation that comes before the Committee for Social Development is parity legislation. If the Committee cannot change the legislation, it can certainly consider the effectiveness of its administration, and that forms the thrust of the report.

As has been stated, DLA is a benefit that was introduced in 1992, and it gives people with disabilities the opportunity to fill out a self-assessment questionnaire when completing the claim forms. In the beginning, that approach worked reasonably well, but as the benefit evolved, the Department's administration of the benefit became more inconsistent and more difficult for claimants to understand.

12.15 pm

I am aware of a case that clearly highlights the inconsistency of the Department's adjudication procedures. DLA was applied for in respect of two children with Down's syndrome — one child was awarded the benefit for two years, and the other was awarded it indefinitely. However, those children have the same condition — one that they have to live with for their entire lives.

The claim form, which has 48 pages and repeats questions, is challenging. The Committee suggests that the maintenance of parity would not be compromised if a different claim form were used. The form could be simplified and yet obtain the same information. It should have a specific mental-health section to enable claimants to explain their problems in detail.

The interpretation of medical evidence must be greatly improved. Favourable GP reports about a patient's suitability for DLA are often ignored, but the Department quotes less informative reports ad nauseam. People here deserve a better service. The Department must take account of the decisions of the Office of the Social Security and Child Support Commissioners in DLA cases. Commissioners decided that the effect that a condition has on a claimant needs to be considered, rather than the cause.

The Committee has made 13 recommendations, one of which is a redefinition of clearance-time targets for cases that require particular types of evidence or further evidence. That would ensure that decisions are both timely and correct. Another recommendation is for the Department to examine whether claimants with similar circumstances are awarded DLA for the same length of time. The Committee recommends that the Department appoint a senior official with adjudication expertise to oversee all departmental decision-making.

The Committee recommends that presenting officers should be present at every appeal tribunal hearing. Indeed, Mr Maclynn, president of the Appeals Service, subpoenaed the Department in an effort to ensure the attendance of presenting officers. He felt that that would give better definition to the appeals process, but his plan was never implemented. In the area that I represent, the appeals tribunal centre in Newry probably deals with more appeals than any area outside Belfast. However, the Department is represented at about only 36% of those appeals tribunals.

The Committee also recommends that the Department supply the president of the Appeals Service with all relevant information to grant him independent oversight of the entire appeals process. In particular, the president should be supplied with timely information on appeals. Approximately 170,000 people here are in receipt of DLA. Contrary to the bad publicity and innuendo, the Department's figures show that it has the lowest level of fraud. Indeed, fewer than 0.01% of DLA claims are fraudulent.

The report is detailed and comprehensive, and the Committee should be praised for its compilation. The Committee's recommendations can only help to alleviate the problems faced by people applying for DLA, and those already in receipt of the benefit. I ask the Assembly to approve the report. Go raibh míle maith agat.

Mr A Maginness: I welcome the Committee for Social Development's report. It is a fine piece of work, which I hope the Department and the Minister will welcome as a useful contribution to the administration of disability living allowance in Northern Ireland. The report is well written and thorough, and it contains a number of helpful recommendations.

I hope that some, if not all, of those recommendations can be put to good use by the Department. Disability living allowance is an important aspect of the social-security system in Northern Ireland. It affects 170,000 people — a sizeable part of the population of Northern Ireland — in some way or another.

The Committee's report includes the basic observation that the form is very long, repetitive and unnecessarily complex. The Department should consider that observation carefully. The Committee is wedded to the concept of parity with regard to benefits, not with regard to the administration of the system. I hope that the Department takes on board the idea of reconfiguring the application form and some of its questions so that it meets the local circumstances of people in Northern Ireland. We must be cognisant of, and sensitive to, the reality that some applicants for benefit do not have high literacy skills. It is important to show compassion and an understanding of the difficulties that those people face.

As Michelle McIlveen — who spoke on behalf of the Committee Chairperson — and other Members said, it is important to consider the quality of evidence that is provided to the Department for its decision-making when processing DLA. Poor-quality evidence will result in poor decision-making. It is as simple as that. The quality of the evidence must be improved, and it must be ensured that the medical evidence that is given is sufficient to meet the needs of the applicant as well as the Department's needs in assessing the applicant's circumstances. It is important that the Department takes that on board also.

I wish to raise the issue of what I call the data gap. There is a serious data failure in relation to DLA, and that must be improved. Data must be collected in order to understand more fully how the system works. That will allow a better system to be put into operation.

It is important that all those points are taken on board. There are anomalies in awards, and that must be addressed. The Department must revisit many aspects of the system. The report is helpful, and I hope that the Department takes it on board.

Ms Lo: I thank the Committee, departmental staff and those who submitted oral and written evidence during the compilation of the report. The report provides a good insight into the challenges of the administration of disability living allowance. Many people — almost one in 10 in Northern Ireland — receive DLA. In 2007-08, on average, 2,000 fresh DLA claims were made each month. On top of that, almost 1,400 renewal applications, 1,000 supersession requests, 800 reconsideration requests and 600 appeal requests were made each month.

By all accounts, that is a large volume of work, which also involves a complicated assessment process that relies on judgment and interpretation of detailed medical evidence, and includes, at times, medical reports or examinations. All in all, (SSA) staff do their job effectively, but efforts must be made to achieve excellence and continuous improvement.

The Committee's report provides some learning points for the Department. I support all the recommendations; in particular, those relating to data collection, the self-assessment claim form, gathering evidence at the initial claim stage, and the need for presenting officers to be at all appeal tribunals.

The report criticises the lack of data available to the Committee about unsuccessful applicants and about further evidence collected during the decision-making process. Clearly, the Department must have that information to evaluate and benchmark standards in SSA practices.

The self-assessment form is the size of a book and is not straightforward — it is particularly difficult for people with literacy or mental-health problems. Also,

one can imagine how difficult it can be for people whose first language is not English to plough through all those pages. The Department recently promoted a great strategy aimed at encouraging hard-to-reach groups to claim their rightful benefit entitlements. Therefore, obstacles, such as complicated forms, must not be put in the way of those who are already vulnerable.

Many new claimants also seek help from advice centres in their own communities. Sadly, the voluntary sector faces a serious funding crisis caused by the loss of peace funding, diminishing support from lottery funding, shrinking neighbourhood-renewal support and by the impact of the comprehensive spending review. Many advice-worker posts have gone in those communities, creating problems for people who want help in completing the forms.

Figures in the Committee's report reveal that over the past few years, half of the appeals tribunal decisions went in favour of the appellants. It is right that the report recommends better evidence gathering at the decision-making stage. It will ensure that more comprehensive assessments are made, wrong decisions are avoided, and delays, appeals and unnecessary costs are minimised.

The Northern Ireland Audit Office report, 'Decision-Making and Disability Living Allowance', acknowledged that the SSA intended that presenting officers attend 100% of appeals hearings. However, the Committee's report showed that in Belfast in 2006 and 2007, for example, the attendance rate of presenting officers was less than 30%. That is not good enough.

Mr Deputy Speaker: The Member must bring her remarks to a close.

Ms Lo: The benefit of presenting officers attending appeals is clearly stated in the Committee's report, which I urge the Department to consider carefully.

Mr Armstrong: The report's key point can be found in one sentence in the executive summary:

"It is vital that those who are entitled to Disability Living Allowance get the correct award, for the correct period, without any undue delay."

If that is adhered to, the rest is straightforward.

12.30 pm

As has been stated, the report's terms of reference mean that it is solely concerned with the administration of DLA and not with policy issues surrounding uptake and fraud, among other things. There are many genuine concerns about those matters, but they must wait for another day.

Disability living allowance affects some of the most vulnerable people in our society, and it is vital that we strike a balance between creating a system whereby claimants who are entitled to DLA actually receive their

entitlements and ensuring that those who are not entitled to receive benefits are prevented from doing so.

Like other MLAs, I have been contacted by many constituents who have been bewildered by the complexities involved in completing the relevant forms. Therefore, I fully support the Committee's recommendations, as they are designed to improve the administrative process and to ensure that it is made less confusing for claimants. That should help to alleviate the current situation whereby £190 million in DLA is underpaid in the United Kingdom. That is money to which people are entitled, and it should make a real difference to the lives of vulnerable people and their families.

I am mindful of the fact that Northern Ireland has a higher ratio of people claiming DLA than the rest of the United Kingdom. There may be sound reasons for that, but the Department has a duty to investigate the matter and to find out why that is the case and what can be done about it.

In October 2007, it was announced that the number of people claiming DLA in Northern Ireland was increasing by 1,000 per month, and it had reached a record high of 174,343 claimants, which amounts to more than 10% of the population. The most common reasons for claiming were arthritis, which accounted for more than 30,000 claims, and heart disease, which accounted for more than 11,000 claims.

There are very real public-health implications and challenges arising from such figures, and those must be recognised by the Health Minister's commitment to the public-health agenda. If we work together and, in many cases, that means people taking personal responsibility for their health and well-being by stopping smoking and by eating and drinking sensibly, we should be able to improve the nation's health, have a better quality of life and reduce the number of people who require DLA. That will benefit people's health, and it will also benefit taxpayers.

Mr Craig: I commend the report from the Committee for Social Development on the administration of disability living allowance.

The allowance was introduced in 1992 to incorporate both attendance and mobility allowances, in recognition that the needs of some groups were not being met. Famously — or, indeed, infamously — it also introduced the self-assessment form to allow more detailed individual description of claimants' disabilities. The intention was to ensure that individuals with disabilities receive the help that they deserve. However, 16 years later, disability living allowance is causing consternation not only to our constituents but to Members who, in many instances, support individuals who have been let down by the system.

When one considers the administration of the allowance, some startling — if not obvious — issues come to light. First, no data was being collected on the numbers of unsuccessful claimants who entered the appeals process, so we are all left wondering about the accuracy of the system. If one was a sceptic, one could almost jump to the conclusion that that had been done deliberately. Secondly, the claim form is 48-pages long, and it repeatedly requests the same information. It is a form that would tax a university professor, never mind the most vulnerable in our society who are meant to fill it out. Again, if one was being sceptical, one would wonder why the form is so complex.

During the decision-making process, civil servants must apply complex rules and laws to the whole application form. That forces them into further consultation with the applicants, their GPs and other agencies — even the agency's medical practitioners. The process goes on and on. When one considers the application form and the consultation that has to take place, it is surprising that anyone actually arrives at a decision.

Furthermore, taking into account the complexity of the decision-making process, it is not hard to see how civil servants come under huge pressure to meet target times, and how, perhaps, they do not find the right time balance when it comes to the necessary consultation with the experts.

All of those factors lead to a high level of dissatisfaction, which, unfortunately, is not being monitored but needs to be monitored in order to reflect how good or bad the administration of the system really is. There are also major issues around the time taken to reassess disability cases. It is significant that we are approaching the end of the three-year disability and carers' strategy. The Department must examine the issue closely, because no one in the Committee wants to go back to the random selection process that was in place previously.

Another issue that stands out is the plight of applicants who are turned down and who, sometimes, have to go through a lengthy review of their cases. If they enter into an appeals process, they suddenly find themselves at the back of an ever-lengthening queue. Everyone agrees that that is unacceptable, and that it must be examined. A system that keeps applicants in the existing queue must be developed, because people who apply for DLA are at their most vulnerable when they enter the process. They are under extreme stress, not only with regard to their health, but with regard to their ability to pay. That must be readdressed.

Given the failings that I have outlined, I support the Committee's report and I hope that its recommendations will be implemented.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I am glad of the opportunity to speak at the launch of the report today. It is crucial that the Assembly is seen to be acting in support of the report's recommendations. It is even more important that the Minister for Social Development takes on board, and acts on, the need for change in the administration of disability living allowance.

I am sure that the Minister will appreciate that the 13 recommendations contained in the report will make it easier for people to access a benefit, which, for many, can offer the necessary lifeline to deal with the problems that they face in everyday life.

Disability living allowance was introduced in 1992 to replace attendance allowance and mobility allowance, which, it was felt, did not meet the needs of disabled people with learning disability or visual impairment.

The self-assessment claim form for DLA was supposed to make it easier for people to apply for the benefit and simplify its administration. It is now accepted by many in the advice and medical fields that the form is complicated, and that it poses great difficulties for people with literacy difficulties or mental-health problems. People have told me that they believe that the form is a minefield, and that it is deliberately designed to put them off applying for DLA.

The administration process has also been a nightmare for people because of its lengthy delays and contradictory decisions. I was presented with an example of that nightmare recently. Two families from the same area, and in almost exactly similar circumstances, applied for DLA but received different awards. That left them feeling confused and angry, as no explanation was given for the disparity.

DLA is meant to assist people who are not in a position to help themselves, and provide financial respite for carers that can make their lives, and those of their loved ones, a little bit easier. We must ensure that that happens, and not the opposite. In many ways, the origins of the report lie in the evidence-based sessions that were held by the Committee for Social Development in the Long Gallery. During one session, Committee members met several sets of parents who told harrowing stories of their interaction with the system of administration of DLA.

I commend all those carers who daily provide the loving attention that their loved ones require. No amount of resources can replace the love and commitment that is needed to provide the help that is demanded in such circumstances. I also commend the officers and members of the Committee for Social Development for their determination to publish the report. I know that it has been difficult for them to piece together the different parts of the jigsaw that constitute the report. I particularly commend my

colleague Mickey Brady, whose lifetime knowledge and experience in the advice sector allowed him to ask the crucial questions at a key point in the inquiry.

A LeasCheann Comhairle, a broad wealth of experience is available to the Minister and the Department, of which they should avail themselves when considering the recommendations. The ethos of disability living allowance is to allow people to cope with the problems that they face from a debilitating illness or to receive the care and attention that is required to live some kind of normal life. It is incumbent on all Members to ensure that the report does not sit gathering dust. We must ensure that the recommendations are not only taken on board but implemented. The Assembly must ensure that people have confidence in the benefits system; that can be done only when there is transparency and clarity.

Mr Paisley Jnr: I have followed the debate with interest, and, like most Members, I agree with the thrust of the report and the principle behind it — to ensure that the right benefit goes to the right person at the right time. It is important that that principle is maintained when it comes to the expenditure of public resources. However, it is also important to identify — as the Committee for Social Development has quite rightly done — the problems that Members, and, indeed, the public, have encountered in the administration of disability living allowance. Those problems stem from differing interpretations of the same policy. To get those interpretations right seems to be a minefield. I hope that the Department can give straightforward advice to departmental officials to ensure that the same interpretation is always given so that the confusion that has been identified by many Members is completely eradicated.

I agree with what Members have said about the form-filling process. If people arrive at my constituency office with an application form for disability living allowance, they have to make a separate appointment and at least an hour and a half is set aside in order to assist them with filling out that application. That demonstrates the incredible complexity of the questions asked on the application form and the entire procedure.

I will focus on three of the report's recommendations. Recommendation 8 identifies the issue of misinterpretation of policy. Most Members will have personal experiences of cases when a GP has given them specific evidence and an independent medical adviser has given completely different evidence, yet the finding is the same, in that the applicant usually does not obtain the benefit in question. In most cases, the balance appears to be that the Department agrees with the findings of the independent medical practitioner rather than those of the local GP. However, I believe that a local GP understands a claimant

considerably better than an independent practitioner who examines that claimant for a few moments and then makes an assessment of his or her ability to work. That matter must be considered urgently.

In my experience, the fact that a person goes through the arduous process of making an application, with all the trauma that that involves, and then takes the further step of going through a tribunal process if his or her initial claim is turned down, indicates that that person is genuine and wants to follow the correct process to claim an entitlement. Such people are made to feel that they are being called liars because of statements that they have made on their application form, which is harrowing and must be addressed.

Recommendation 6 states that the Department should carry out:

“a survey of all Disability Living Allowance claimants who have undergone a medical assessment, to seek their views and establish a level of satisfaction.”

A medical practitioner simply conducting a further assessment or survey of what the applicant feels has happened is not the way forward.

12.45 pm

It is important that an independent medical practitioner surveys that work, because applicants are usually not aware how important it is to provide the practitioner with all the facts and evidence regarding their claims. On many occasions, a medical practitioner will call with an applicant for a quick meeting, without the applicant realising how critical that first assessment is to their overall hearing. Applicants must be made aware of the critical importance of that first meeting. If that meeting goes wrong, claimants face an uphill struggle in trying to obtain a benefit to which, in many instances, they are fully entitled. Further work must be done to address that, and some serious training must be provided.

In recommendation 12, the Committee recommends that presenting officers be present at every appeal tribunal hearing. The stats appear to show that presenting officers are present for about only one third of all cases. Presenting officers should attend tribunals to make the case as to why a person is not receiving benefit. However, there will be huge costs and, ultimately a delay to appellants' claims, if we are to wait for a presenting officer to attend every time. That issue must be examined quickly.

Mr Cobain: Like other Members, I thank the Committee for its report. I also join with other Members to call on the Minister to implement the report's recommendations as quickly as possible.

People who qualify for disability living allowance have severe physical and mental disabilities. It is of paramount importance that we have an excellent

administration and adjudication process in place to ensure that those people receive their claims in the most efficient and effective way possible.

Unfortunately, many claimants do not get their correct benefit entitlements immediately. It should also be recognised that 50% of people who receive disability living allowance are, in fact, in employment. In Northern Ireland, false disability living allowance claims are a reality. We must put in place a system that ensures that those people who need help receive it efficiently and those people who are not entitled to benefits are removed from the system.

The administration of application and adjudication processes is vital in attempting to deliver a fair system for all. As Mr Paisley Jnr said, the process of applying for disability living allowance is long, complex and comes in several parts. It can take a considerable time to complete the forms and to provide the correct information. People practically need a degree to complete the applications for disability living allowance. It is vitally important that people provide the most relevant and useful information in support of their claim, and that that is handled in the most efficient and appropriate way.

Members are aware that disability living allowance can be a claimant's passport to receiving other benefits and, on occasion, to increasing the amounts of pension credits, housing benefits and rate relief already received. Therefore, it is important that claims be handled and utilised properly.

In today's financial climate of rising energy prices and increasing consumer costs, it is crucial that we help those people who are most vulnerable in society to obtain the benefits to which they are entitled. Additionally, it is crucial that that money not be misappropriated. The Committee discovered that in any modern Government Department, or even any business, adequate monitoring and analysis of inputs and data collected must be improved in order to inform any future strategic decision-making process. That is a crucial first step in improving the service. Unfortunately, the Committee was impeded in its consideration of the accuracy of the decision-making on claims, because there was a considerable lack of relevant and reliable data on the administration process.

Receiving disability living allowance can have an extremely beneficial impact on people's lives. On many occasions, the Minister for Social Development has said that it is important that people claim all the benefits to which they are entitled as a passport out of poverty.

Additionally, benefits should not go to those who do not qualify for them, because that costs everyone in society — people must understand that. Therefore, the Committee has recommended that the Department implements a robust, efficient and effective system to

collect data on unsuccessful applicants and disallowances in the disputes process. It is also critically important that the information that the Department receives allows it to assess not only claimants' medical diagnoses, but the effect that they have on the level of care that they require, their mobility and their ability to engage with the world around them.

The self-assessment claim form was intended to allow claimants to describe, in their own words, how their disability affects their daily lives. However, the Committee was concerned that, because the form is so complex and repetitive, it is almost impossible for some claimants — and some MLAs — to complete, which could deter them from claiming altogether. We must address that issue as quickly as possible.

The Committee acknowledges the concerns that GPs expressed about their ability to give information on the functional needs of patients and describe the effect of patients' symptoms on their care and mobility, which is a key issue for disability living allowance. The Committee recommends that the Department consider the issue of GP reports, including standards of completion, relevance of questions, the amount of reliance placed on those reports by decision-makers, and the fee paid for completion.

The Committee was not wholly convinced that there was consistency in the way in which claimants with similar needs are treated with respect to periods of awards. It was also concerned that the Northern Ireland Standards Committee has limited adjudication expertise.

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

Ms Ni Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I join other Members in paying tribute to the work of the Committee staff, particularly the Committee Clerk, in their preparation of the report. As Fra McCann said, the Committee also benefited from the experience that Mickey Brady brought from his previous employment.

Anna Lo mentioned the statistic that two in five households across the North contain one person with limited mobility or a disability. We must examine the causes of ill health and lack of mobility, which include poverty and the impact of the conflict. Although it is widely accepted that poverty and ill health are interlinked, not all people who receive DLA are poor or deprived.

As Members have said, the first purpose of the report is to open discussions, which must be welcomed. As all Members will know from their constituencies, the application process for DLA has been a harrowing experience for many people. As Jonathan Craig outlined, if a claimant has an application turned down and goes through an appeals process, he or she must go to the end of another queue. By and large, those claimants are in pain and are under pressure physically and

financially. That is one of the most unfair ways to deal with the most vulnerable people in our communities.

The decision-making process requires attention. The computer system that Members mentioned does not hold data on those who were not successful in their applications. Therefore, the Department does not have a true picture or analysis of those who were refused DLA. That problem is cited in the recommendations and must be considered.

There are 13 recommendations, which are clear — there are no recommendations in the report to which anyone would take exception. The report is an opportunity for the Committee and the Department to devise measures that benefit people in need. I look forward to hearing the Minister's comments on that. The problems in the administration of DLA can be addressed quickly, and the benefits could be instant if all the recommendations in the report, and more, were adopted.

In my previous role as health spokesperson for Sinn Féin, a common complaint that I heard from GPs was the role of their reports in the decision-making process on DLA applications. As Mickey Brady pointed out, the more detail that is provided on a patient's condition, the less likely it is that their claim will be successful.

One imagines that the reverse would be the case. GPs feel frustrated, because they can explain in clinical and sometimes detailed terms what a person is going through; however, there is little room to describe how someone's mobility is affected, which is a key factor in making a decision on mobility and care.

In my constituency, one aspect that disturbed me was the role of some of the medical examiners and practitioners who visit people in their homes. Ian Paisley Jnr is 100% right in what he said. People, particularly older people, open the door, offer tea and make a fuss of their visitors. That is like old people years ago who cleaned the house because the home help was coming. It is their cultural background, and they do not realise that being able to go and put on the kettle may limit them from receiving a benefit to which they are entitled.

More than that — and, possibly, worse — people with chronic depression, whose mobility is severely disrupted, and who, genuinely, should be in receipt of the benefit, were told to give themselves a shake. If a medical examiner does not have the wherewithal, compassion or empathy to understand a condition that may qualify for award, that is disturbing. Given the high level of mental-health illnesses, for all sorts of reasons, I urge that the report and recommendations be accepted, and ask Members for their support. Go raibh mile maith agat.

The Minister for Social Development (Ms Ritchie):

I welcome the work undertaken by the Chairperson and members of the Committee for Social Development, and the submission made by Miss McIlveen on the Committee's behalf. The report manages to be concise and comprehensive in those areas on which it is focused, and contains a number of detailed recommendations. I commend the Committee and recognise its hard work in bringing forward the report.

At a time when all politicians are being criticised in the context of the DUP-Sinn Féin stalemate and logjam in the Executive, it is worth letting the public know — and particularly worth reminding the media — that a lot of good work goes on in this place. I know, too, how much work the DSD Committee put into the Charities Bill, and other legislation that I brought forward to the Committee. The popular jibe about all those politicians up there on the hill doing nothing, is, therefore, inaccurate and unfair. I gently suggest to the media that they could do more to challenge such a perception, rather than feed it.

I am sure that all Members, and the Committee, will appreciate that I have had insufficient time in which to do justice to the report's recommendations by giving them the careful consideration that they merit. I do not intend, therefore, to respond in detail to all the specifics in the report, but I will give it the consideration that it deserves and respond to the Committee in due course.

Nevertheless, I want to say a few words on the issues that are raised in the report. Members understand my view on welfare entitlement: I am determined that every person who is entitled to support under the welfare system should receive all the support to which they are entitled. That is, perhaps, particularly so in the case of disability living allowance, where decisions on entitlement impact on vulnerable people. That is why I welcome the opportunity to debate the way forward on the administration of disability living allowance.

I agree that it is vital that those who are responsible for the administration of the process get things right. Mindful of that, I have set challenging public service agreement targets for disability living allowance in respect of financial accuracy and claims clearance times. It is also important to give credit where credit is due.

Let me quote from the recent Public Accounts Committee's report 'Social Security Benefit Fraud and Error':

"The benefit system is inherently complex and the Committee recognises the good work being done by Agency staff in delivering services to customers, often under difficult and pressurised circumstances."

It is also worth noting that the level of fraud and error is down substantially from previous years and

compares favourably with that of other institutions that release money into the public domain.

1.00 pm

The Public Accounts Committee is absolutely correct in recognising the complexity of the disability-living-allowance process; a factor that has been recognised by all Members who spoke in the debate. That complexity has been recognised by other independent commentators and the Committee's report acknowledges that very issue. That complexity is, perhaps, best illustrated when Members consider that there are 13 possible outcome decisions on every single claim, which is unique in the benefit system. Decisions can range from awards of both components at the higher rate, which is around £113.75 each week, to a refusal of benefit. Each outcome carries the same appeal rights.

The system's complexity is not cause for complacency. It calls for action. Against that backdrop, my Department has taken significant steps forward in the administration of disability living allowance with particular emphasis on delivering improvements in the quality of work.

Mr A Maginness: The Minister talks about the system's complexity and its resultant anomalies. I want to bring to her attention the fact that the Royal National Institute of Blind People calls for partially sighted people to be awarded DLA at the higher level of mobility. Is the Minister aware of that? What action will her Department take on the matter?

The Minister for Social Development: I thank Mr Maginness for his intervention. I am well aware of the lobby campaign by the Royal National Institute of Blind People. In fact, I will meet the Secretary of State for Work and Pensions in November 2008. I will raise that very issue among other benefits matters and discuss how they impact — in some cases, detrimentally — on the people of Northern Ireland.

I will return to the issue about which I was speaking, with particular reference to the system's complexities and the need to deliver improvements in the quality of work. The indicator that is used to measure financial accuracy is now 98.8%. That is an improvement of 5.3% since March 2005. At the same time, it is equally important that people's claims are processed promptly. There has also been an enormous advance in that area with claims now being processed within eight weeks, compared with 15 weeks in 2003, which is a 50% improvement. It is also worth noting that at the outset, the DLA system experienced difficulty. That was recognised in a report that was produced by the Public Accounts Committee at Westminster in 1998. I understand that significant improvements have been made since then.

The disability living allowance team underpins all that work. It delivers over 60,000 transactions and responds to almost a quarter of a million phone calls each year. In such a scenario, some things will go wrong. However, by and large, the team delivers well and gets things right.

Mr Paisley Jnr: I am the first person to acknowledge that the complexity of the DLA system is a matter that officials must wrestle with. They do so well in most circumstances. Anyone who has been through the system and has seen how it works understands those complexities.

However, a number of those complexities could be set aside, almost automatically, if DLA were regulated by way of medical conditions. For example, blindness, epilepsy or ME could automatically attract one or both of the components of DLA. That would save officials from having to trawl through a complex application, and, indeed, save the applicant from having to go through that process, or an appeal process.

The Minister for Social Development: I will reflect upon the Member's submission and come back to him directly.

Criticism is often made of the length and complexity of the disability living allowance claim form, and I cannot extract myself from that. As an MLA in South Down, I am very conscious of the complexity of the DLA application form and the difficulties that many people encounter when trying to complete it. That is why there are a range of services out there through the advice service network and, of course, constituency offices. As the Member for North Antrim Mr Paisley Jnr said, considerable time has to be set aside to assist people in understanding the type of information that they should be providing in relation to their medical condition, and how that impacts on their ability to carry out certain functions.

I fully understand and share the concerns raised by all Members. The current layout of the form is designed to capture the information necessary to determine the appropriate entitlement in accordance with the existing legislative rules. Nevertheless, my Department, in conjunction with our colleagues in the Department for Work and Pensions, keeps that claim form under continual review. In recent years, significant improvements have been made that make it easier to complete. The form now follows a logical flow and tries to free people from having to read and complete unnecessary questions. Some questions have been removed or combined to reduce repetition for the applicant, and there are more tick-box answers to simplify completion and to get more relevant information as early as possible in the claims process. The current claim form has received a crystal mark from the Plain English Campaign.

Nonetheless, I will be very happy to receive suggestions from members of the Social Development Committee, and other Members, on how that paperwork might be further improved without losing its utility. One of the reasons for that is that the vast majority of applicants find themselves in very difficult circumstances. I agree with Members: not only do applicants have to contend with and endure their disability, but they may have family members in the same household with a disability, similar or otherwise. I like to think that my officials, and all those involved in the process, are compassionate and show support to people.

Mr Dallat: Does the Minister agree that for those people who are disallowed and decide to make an appeal, the tribunal itself is often a very harrowing experience? Will she re-examine, in so far as she can, the dreadful experience that people have to go through at a tribunal, which very often ends in tears and the inability to continue?

The Minister for Social Development: I am fully aware of the appeals process, having participated in appeals tribunals myself before becoming Minister. I know how harrowing they are, not only for the applicant, but, maybe, for the representative. Notwithstanding that, appeals are not a matter for my Department or me; that clearly lies with the First Minister and deputy First Minister, because they hold the ministerial responsibility for the appeals service. I have taken the matter up with them before, and will do so again.

Mr McGlone: Will the Member give way?

The Minister for Social Development: I have little time, but I will do so for my colleague.

Mr McGlone: Thank you very much, Minister. Despite some improvement, people still find the disability living allowance application form very complex. The Minister and other Members will have shared that experience, having filled in many forms on behalf of people.

The tribunal and appeals services can be complicated, but that is often due to the personalities involved as opposed to any deficiency in their training. On a positive note, I recognise some of the officials who are here today, and I thank them, in particular for their customer service. Despite the delays and difficulties that some applicants experience, on contacting individuals in customer services, some of whom are here today, any problems are dealt with speedily and efficiently.

The Minister for Social Development: I thank Mr McGlone for his intervention, and I will ensure that his good wishes and thanks are passed on to the officials concerned.

I recognise that the claim form can be daunting and off-putting for some people and, therefore, assistance with the completion of claim forms is available at local social security jobs and benefits offices, or by phone from the disability and carers services. Alongside that, the voluntary advice sector in Northern Ireland provides a similar claim form completion service. I am aware that the forms are long and complex, but I am heartened that Professor Eileen Evason, a well-known commentator on social security matters, recently remarked that people in Northern Ireland get more help with completing forms than those in Britain.

I assure Members that my officials proactively consult citizens advice bureaux, Advice NI, the Law Centre and Disability Action, and they, based on their knowledge of users' experience, help to simplify the application process. That approach provides a gateway for key client groups, such as the disabled, to influence the design and content not only of the disability living allowance claim form but of current processes and new initiatives.

Recently, I visited the disability and carers service, which administers DLA. I was highly impressed by the technology of document imaging and electronic workflow management that is used to process claims. That IT system is unique in the delivery of social security benefits in Northern Ireland and in Great Britain, and it has streamlined the claims process for disability living allowance. I was also impressed by the attitude of staff and management who take pride in making a difference and helping those who are genuinely entitled to the benefit. It is a great tribute to them that the results are as good as they are, and I encourage the Committee to accept the standing invitation to visit the disability and carers service to see, at first hand, the administration of disability living allowance.

I note the Committee's concerns about the decision-making and evidence-gathering process. Decisions on entitlement involve a high degree of judgement and the interpretation of detailed medical evidence. To facilitate that, decision-makers are specifically trained on a comprehensive 12-week programme. That training is enhanced by the provision of medical education awareness seminars, given by experienced medical professionals, on complex disabilities, such as autism, fibromyalgia and cancer. Full-time medical officers are also on site to provide assistance to decision-makers on any medical issues that arise during the processing of claims.

To further support decision-makers, the detailed medical guidance on a wide spectrum of disabilities that is available online helps to identify the most appropriate source of evidence. Further evidence is obtained from a wide range of sources, such as general practitioners, examining medical practitioners and

other healthcare professionals and, in cases involving children, reports from schools.

I take seriously my responsibility to ensure that those who are entitled to the benefit receive it. In simple terms, disability living allowance is a benefit paid to meet the additional costs associated with severe disabilities. Many people must endure their disabilities alone, without the support of family, and that can be an extremely difficult, onerous and lonely life. Entitlement is based on individual need rather than on the disability. People with the same disability may have different needs and are, consequently, entitled to different rates of benefit.

Several Members mentioned anomalies in disability living allowance. Mickey Brady outlined the case of two children with Down's syndrome. He should refer any specific details about that case to me, so that a further investigation might take place.

1.15 pm

Members referred to "almost" the same circumstances. It is rare that a disability will impact on people in exactly the same way. Benefit entitlement is based on individual need and not paid by disability. Furthermore, Members should be aware that periods of award are subject to accuracy monitoring.

Over the past five years, service delivery has improved, and a step change has occurred. However, I assure Members that my officials and I will not become complacent. I welcome the debate, and the Committee for Social Development's constructive contribution to it. I will write to individual Members who have raised issues, and I will issue a formal response to the Committee in due course. I look forward to considering, in detail, the feasibility, financial costs and operational implications of the recommendations, in order to facilitate further improvements to the administration of disability living allowance.

Miss McIlveen: I am grateful for Members' comments and for their participation in what has been a frank debate. Many Members have first-hand experience of helping constituents to complete DLA application forms and of supporting constituents during the appeals process. We have all experienced similar problems, and it is evident that issues must be addressed. I thank the Minister for attending the debate and for her positive comments.

Disability affects a large number of people in Northern Ireland. Therefore, whether they are eligible for DLA — an important benefit — can have a huge impact on their lives. As the Minister stated, the Committee for Social Development is very busy, but it is committed to improving the administration of DLA. In order to facilitate that improvement, the report has made a number of recommendations, which have been debated.

As Mr Brady correctly stated, the Committee cannot readily change parity legislation, and it does not propose to do so. The report aims to improve administration of DLA and to achieve excellence in that process. As the Minister said, Mr Brady expressed concerns about inconsistencies in the adjudication system and cited the example of two children with Down's syndrome. Furthermore, he highlighted the necessity of using presiding officers.

Mr Maginness stated the importance of presenting quality evidence to the decision-maker to ensure that it reflects applicants' circumstances. He highlighted, as did Ms Lo, Mr Craig, Mr Paisley Jnr and others, the need for a new and simpler application form that can meet community needs. Mr Maginness indicated that such a change would not signify a break with parity.

Ms Lo, rightly, commended the SSA. The report was not intended to criticise its staff; rather, its intention was to highlight the challenges that they face. She outlined the importance of reaching hard-to-reach groups against the backdrop of reducing funding for neighbourhood renewal, peace projects, and so on.

Mr Armstrong referred to the high number of DLA claimants in Northern Ireland and offered suggestions on how personal actions can reduce the burden placed on the state by benefits such as DLA.

Mr Craig outlined the difficulties that the complex, bureaucratic process causes for claimants and staff. He remarked on the absence of satisfaction-monitoring and warned of the adverse impact of random reassessment of DLA cases when the disability and carers strategy ends.

Fra McCann highlighted the injustice of inconsistent judgements and commented on the absence of information. Moreover, he outlined the importance of the role of carers and indicated that DLA administration must be improved in order to reduce pressure on those individuals. All Members will have experienced that issue in their constituencies.

Mr Paisley Jnr highlighted the difficulties of interpreting medical evidence — a concern that we heard throughout today's debate. He also recommended that an independent medical advisor should be appointed to help and to provide advice to claimants. Mr Cobain — who is no longer in the Chamber — suggested that DLA can play a positive role by lifting claimants out of poverty. He also highlighted the importance of considering the impact that DLA has on the mobility and care needs of claimants.

Ms Ní Chuilín raised concerns about the use of GP reports in DLA assessments and about examining practitioners.

I now turn to the comments that were made by the Minister, and I thank her for those, particularly as she commended the Committee for its work on the report and on the volume of work that it undertook over the past year. I welcome the fact that she said that she will respond to our report, and I look forward to a very positive outcome.

The Committee welcomes the Minister's remarks in relation to tough public service agreement targets on accuracy for DLA and other benefits. It is telling that the Minister has personal experience of the system's difficulties, and she said that she will strive to make it better, so that some of the current complexities are avoided. The Minister also asserted that the Department is not complacent; we hope that that is the case.

We appreciate that the Department has been reviewing the application form, but further improvement is required. The Committee might accept the Minister's invitation be involved in a further review of the claim form. We welcome the Minister's acceptance that individuals find tribunals harrowing, and we are interested to learn of the additional efforts that are being made in Northern Ireland to help claimants to complete the forms and, thereby, avoid going before those tribunals. The Committee will be pleased to consider the Minister's invitation to review the improved IT systems that will streamline DLA claims.

On behalf of the Committee for Social Development, I thank all Members who contributed to this important debate. In producing the report, I assure the House that it was the Committee's intention to provide helpful direction to the Department concerning the improvement of the administration of disability living allowance. I trust that the Minister will, therefore, take proper account of the Committee's recommendations, and I look forward to receiving a detailed response from her in relation to the ways in which the Committee's recommendations will be addressed. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly approves the Report of the Committee for Social Development on the Administration of Disability Living Allowance and calls on the Department for Social Development to implement the recommendations.

PRIVATE MEMBERS' BUSINESS

Strategy to Promote Safety in Communities

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

Mr Adams: I beg to move

That this Assembly calls for an inter-departmental, multi-disciplinary strategy, informed by the Patten report and the Criminal Justice Review report 2000, to include proposals on alcohol-related crime and prolific offenders, aimed at reducing harm and promoting safety in local communities, to be led by the First Minister and deputy First Minister.

Maith thú, a LeasCheann Comhairle. Tá mé ag labhairt i bhfabhar an rúin, nó creidim gur ábhar an-tábhachtach é seo. Caithfidh mé a rá go bhfuil cruinniú agam leis an Aire Gregory Campbell i rith na díospóireachta, agus mar sin go mbeidh orm imeacht roimh dheireadh na díospóireachta. Ba mhaith liom a rá anois go bhfuil brón orm faoi sin.

I have a meeting this afternoon with the Minister of Culture, Arts and Leisure, Gregory Campbell, and it might coincide with this debate, so excuse me if that is the case, a LeasCheann Comhairle.

I wish to deal with the amendment from the Member for East Belfast Ms Purvis. The motion is about an interdepartmental, multidisciplinary strategy. The amendment provides some detail of that strategy, but it is not at variance with the motion. In order to achieve consensus on the issue, and because I agree with the thrust of the amendment, I tried to propose a composite motion that included some of the amendment's content.

However, by the time that I saw that amendment, we had missed the deadline. Therefore, I ask the Assembly to support the motion, rather than the amendment, if only because the motion deals with the Criminal Justice Review 2000, and I have explained that to the Member who proposed the amendment.

We all recognise the fact that community safety is one of the most important and pressing matters that our society faces. There are problems with antisocial and criminal behaviour, assaults on young women, car hijackings by thugs, elderly people being terrorised in their homes, citizens being badly beaten — some to death — and citizens being stabbed or murdered.

Every citizen has a right to a safe environment, and the Assembly has an obligation to create such an environment. Ach, a LeasCheann Comhairle, níl muid a dhéanamh sin. However, we are failing to create such an environment.

We have the potential and the ability to legislate better and more effectively on such matters than any British direct rule Minister. Moreover, we have the right to do so, and I believe that the confidence exists among the public for us to do so.

Next Monday, the NIO will publish a community safety strategy for consultation, yet, today, we are discussing the need for a community safety strategy. An agency that is outside the Assembly's scrutiny and influence will produce a strategy that no Member will have seen. It is not as though the political parties here do not have opinions about community safety. Quite rightly, all parties have an opinion and, quite rightly, they made those opinions and ideas known to the Independent Commission on Policing, which emerged as a consequence of the Good Friday Agreement.

The 'Criminal Justice Review Implementation Plan' of November 2001 discussed community safety, stating:

"On devolution, we recommend that the Community Safety Unit be located within the Office of the First Minister and Deputy First Minister ... steps should be taken through central machinery to ensure that community safety is addressed on a co-ordinated, inter-departmental basis."

During negotiations to amend policing legislation, Sinn Féin successfully persuaded the British Government to ensure that policing in the community is a statutory requirement for all police officers. In addition, the Patten Report envisaged that district policing partnerships (DPPs) would exercise responsibility for community safety. Currently, DPPs do not have the opportunity to direct such resources. Instead, interim arrangements have been made for community safety partnerships, and a budget has been allocated for that by the NIO.

Interestingly, Criminal Justice Inspection (CJINI) examined those arrangements and found them to be ineffective. Therefore, this is not just a matter of institutional reform. The Assembly must concern itself with putting arrangements in place to promote community safety. Is it doing what the public expects or requires of it?

For example, there is widespread concern about the link between alcohol use and crime against the person. In addition, drinking in public places is a major issue, and that is compounded by the fact that the regulation of drinking in public places is primarily a local government matter. The PSNI says that it cannot arrest people for breaking the relevant by-laws. Instead, it refers any breaches to local councils for further action, and it is up

to the councils to bring such matters before the courts. Is rud millteanach amaideach é; níl ciall ar bith ann.

If Members have any sense of what goes on at district policing partnership meetings, it is apparent that people from local communities want the problem to be effectively tackled. In public parks, public places and play spaces, every citizen should be able to relax and enjoy themselves in safety. In addition, there is a problem with the sale of alcohol to underage people and with prolific offenders who repeatedly harm others. Yet, at this time, no Member can bring forward legislation to deal with such matters, and many local communities are distraught at the inability of the criminal justice system and statutory bodies to contend with prolific offenders. Many communities also feel that there are inconsistencies in the application of police and court bail.

1.30 pm

The introduction of legislation is crucial to tackling those matters. However, some important steps can be taken now. One such example is the intervention project in the upper Springfield area of West Belfast. That project has led to the creation of an upper Springfield safer neighbourhood forum — an idea that has been extended to all parts of West Belfast, including the Shankill area. Such schemes represent a new type of partnership between local communities and the statutory sector, and can be developed further.

For decades, some of those local communities have developed and promoted policies to eradicate poverty and to deal with poor health, low educational achievement, and the lack of community resources. That work is ongoing, because crime — particularly antisocial behaviour — does not occur in a vacuum. Some such young people feel alienated and have low self-esteem; some have parenting and other family difficulties; most are unemployed; and I believe that 50% of young people who are currently detained are from an institutional-care background.

We have a duty to examine and correct those dimensions of the problem. Social justice and the rights of citizens demand that. It also makes good sense in the battle against crime. I appreciate the efforts of those involved in that pioneering work, and I foresee many possibilities emerging from those engagements.

I commend community programmes such as community restorative justice and Greater Shankill Alternatives, which have already broken new ground in their field. There are other schemes, such as community courts, which are in use in Liverpool, that could have a role to play here, as could some of the innovative ideas emerging from the joint-policing committees in Dublin and elsewhere throughout the island.

Therefore, I commend the motion to the Assembly. This is an opportune time for the development of an

interdepartmental multidisciplinary strategy aimed at reducing harm and promoting safety in local communities. Even if we had a justice Department, the cross-departmental and multi-agency focus required by such a strategy could best be taken forward through the Office of the First Minister and deputy First Minister.

Tá seanfhocal ann ó thaobh an ábhair seo: ceart dom, ceart duit. Caithfidimid a bheith ábalta pobal sábháilte a chruthú, agus creidim go dtiocfaidh linn féin sin a dhéanamh. Go raibh míle maith agat, a LeasCheann Comhairle.

Ms Purvis: I beg to move the following amendment: Leave out all after “Assembly” and insert

“recognises that offending and anti-social behaviour is often the result of unmet, complex social, educational and health needs; and calls for an inter-departmental, cross-sectional strategy, led by the First Minister and deputy First Minister, that ensures safer communities by addressing issues of poverty, poor health, low educational achievement and lack of community and public resources.”

The issues of community safety and antisocial behaviour have been recurring themes in the business of the Assembly. Despite extensive debate and police reports of Northern Ireland crime levels as among the lowest in the UK and of declining incidents of alcohol-related crime, such issues remain dominant topics on the radio, and in our newspapers and constituency offices. Therefore, we are clearly not doing enough to fully understand and address those issues.

When I first read the motion, I had mixed reactions. On the one hand, I agree with the proposers that reducing harm and promoting safety in local communities is a critical issue. I see and hear that every day from constituents who are worried about perceived rising rates of crime and what they see as a deterioration of behaviour among some of our young people.

I also agree that further action on alcohol-related crime is necessary. We know that alcohol use among young people is disturbingly on the rise and that it is often a factor in incidents of abuse and disruptive behaviour.

The issue of prolific offenders also deserves specific consideration. Often, one or two individuals are regularly involved in problematic behaviour and serve as ringleaders — encouraging others to join in.

Those are, undoubtedly, complex problems that will be effectively addressed only by an interdepartmental, multidisciplinary strategy. The Assembly has recognised consistently that many of the challenges that we face must be approached with a comprehensive perspective that takes full account of the entire picture and involves all relevant stakeholders and Departments.

Societal problems do not present themselves so conveniently that they fit neatly into one ministerial

portfolio and one budget. I, therefore, agree with the element of the motion that states that an interdepartmental, cross-sectoral strategy, led by the First Minister and deputy First Minister, is necessary to deal with the complex issues affecting community security. However, I do not agree with the manner in which the motion recommends that such problems will be approached. To invoke the Patten Report and the report of the Criminal Justice Review assumes that it is best to approach problematic behaviour punitively, when, in fact, we know that that has severe limitations.

To suggest that the application of policing and criminal justice holds the key to dealing with destructive behaviours that are affecting our communities is akin to applying a plaster to a gaping wound: it may stop the bleeding in one small area for a few minutes, but it will not solve the problems. Such an approach criminalises problems that are not based in criminality. I accept that the proposer of the motion, Gerry Adams, tried to address those issues in his contribution, but it is not explicit in the wording of the motion.

Antisocial, abusive and disruptive behaviour are, in most cases, the result of complex, unmet needs. That is particularly true when the behaviour is repeated, creating prolific offenders, who enter the criminal justice system as juveniles and remain there for life. Punitive measures may make us feel good in the moment, and they might teach the offender a lesson, but, because they do not deal with the causes of antisocial — or even criminal — behaviour at their source, they solve little. Furthermore, they are expensive. If an encounter with the police or a spell in custody is what we are offering as solutions to complex societal problems, we are failing our children and young people.

The challenges of what we are calling “antisocial behaviour” are not limited to one area, neighbourhood or community in Northern Ireland; they are an issue for our society.

The amendment in my name attempts to address the source of the problems that lead to destructive behaviours, stating that the Assembly should call for:

“an inter-departmental, cross-sectional strategy, led by the First Minister and deputy First Minister, that ensures safer communities by addressing issues of poverty, poor health, low educational achievement and lack of community and public resources.”

Those are the issues that are, typically, at the heart of the problems that we are trying to address. Only by applying a strategy of prevention and diversion will we remove and address the failures that lead to offending and antisocial behaviour.

The profile of the majority of young offenders who are in custody is similar. Most of them have familial problems, come from poverty or from disadvantaged backgrounds, have low educational attainment, and a lack of confidence and self-esteem. What are we doing

to our society when those young people feel safer and more comfortable when they are in an institution? There is something seriously wrong.

We must look at alternatives and examine any options that will help to provide young offenders with the chance to understand the impact of their behaviour. Furthermore, we must support communities and individual victims of crime. It is imperative that the behaviour is addressed, and it is important that the issue is dealt with holistically.

Alcohol use among young people is rising. The reason for that increase is not merely because alcohol is available in all colours of the rainbow or is cheaper to buy than a bottle of milk — though it is easy to point at those factors — rather, it is because children and young people choose to drink alcohol, which they will obtain by whatever means necessary. That is why I said that the issue must be dealt with holistically. To take alcohol from young people and pour it down the drain will not work; they will go out and buy more when they get the money.

The amendment is not a licence for criminal, abusive or antisocial behaviour; nor is it an attempt to excuse, forgive or ignore such behaviour. However, the Assembly must recognise that we will not make our communities or our young people feel safer simply by punishing them.

The amendment will drive policy that is based on a holistic understanding of the reasons and causes behind destructive behaviours so that we can address them effectively and earlier, when it is easier and more affordable to do so.

Any approach that we take will be less expensive than sending a sizeable proportion of our youth through the criminal justice system, most likely for life.

Mr McCausland: Many polls have been carried out on issues that are a priority for people in our communities, and one issue that appears at the top of the list, time and time again — particularly in surveys carried out by district policing partnerships and the Police Service of Northern Ireland — is antisocial behaviour and attacks on people and property. Not only is it the top priority for members of the public but a recent Assembly question for written answer highlighted the fact that there are many violent attacks on hospital staff, which is another example of unacceptable and antisocial behaviour. Across the board, antisocial behaviour is recognised as the top priority for most people.

Why do we have problems associated with antisocial, violent and unacceptable behaviour? The motion is correct in recognising that a range of factors, rather than a single one, contributes to such behaviour. Community cohesion has broken down, and there is a lack of respect and regard for others; there are also

societal issues. The media glamorises alcohol-fuelled behaviour as though it were perfectly acceptable and normal, and is something that all young people do. Therefore, it is not surprising that other young people pick up on that behaviour.

Family breakdown is also an issue. We must consider how we can support and strengthen the family unit, because strong families will create a much more stable, strong and coherent society.

We must also recognise human rights issues. Measures have been introduced to tackle some aspects of the problem of antisocial behaviour, but they have run into conflict with the human rights lobby. There was a bizarre situation in which legislation was being introduced to regularise the process of using test purchases in off-licences to try to detect those that were selling alcohol to underage people. The Human Rights Commission told us that it was a breach of the human rights of young people; however, the commission give no thought to the human rights of the people who are affected by alcohol-fuelled antisocial behaviour. A whole range of factors is involved — societal, family, community and the bizarre human rights arguments.

There is also the legacy of violence. For years, young people in some communities were taught that it was right to riot; rioting was turned on and off for political ends. As a result, those young people got the message that it is perfectly all right to riot as they had been taught to do so, year after year. However, having turned on the rioting, it has become difficult for some communities to turn it off. That rioting is not always directed towards the police or the Army; it is quite often directed towards people in their own communities.

Any response to the situation must be multidisciplinary and interdepartmental. The Department for Social Development must play a role in introducing legislation. I have already pointed out that much unacceptable behaviour is alcohol-fuelled. People have been battered to death by young people roaming around at night in a state of intoxication. Legislation on alcohol is a matter for the Department for Social Development.

The Department of Education has responsibility for the Youth Service and citizenship in schools; the Department of Health, Social Services and Public Safety has a role to ensure public safety; and one could list various responsibilities for other Departments. The motion is correct in calling for an interdepartmental and multidisciplinary approach.

Several good community safety initiatives exist, and there are also good examples of diversionary projects that encourage young people towards better behaviour and other activities.

My final point relates to the reference to the 2000 'Review of the Criminal Justice System in Northern

Ireland' in the motion, which I do not want to allow to pass unnoticed.

The motion proposes that an interdepartmental, multidisciplinary strategy be informed by the Criminal Justice Review report. However, some areas of that review give me cause for concern, particularly the proposal to replace the district policing partnerships with community safety and policing partnerships. My issue is not with the principle of DPPs having more responsibility; rather, it is with the manner in which the matter would be dealt. There are already major concerns about DPPs; if their responsibilities were increased, so, too, would the number of concerns about them.

1.45 pm

Mr Kennedy: The wording of the motion lacks the clear definition that is needed to give it practical meaning. Although it refers to an interdepartmental, multidisciplinary strategy, it does nothing to define what Departments and disciplines would be involved. I fear that without that sharpness of definition, the motion is in danger of becoming a mere platitude. Of course, we are used to hearing platitudes from Sinn Féin Members; they are full of words, but strangely bereft of hard-headed, practical common sense.

The sponsors of this motion refer specifically —

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. Does the Member ever consult his colleagues on the Policing Board, who might give him a perspective entirely different from the very shallow one that he has just outlined?

Mr Kennedy: I will address all those issues shortly.

The proposers of the motion refer to the Patten Report. I must remind them that the Patten Report specifically says:

“policing with the community should be the core function of the police service and the core function of every police station ... every neighbourhood (or rural area) should have a dedicated policing team with lead responsibility for policing its area ... members of the policing team should serve at least three and preferably five years in the same neighbourhood”.

Another recommendation is:

“neighbourhood policing teams be empowered to determine their own local priorities and set their own objectives, within the overall Annual Policing Plan and in consultation with community representatives.”

Notice the importance of the PSNI in those recommendations. The Patten Report clearly emphasises the primacy and centrality of the PSNI in any neighbourhood policing strategy. It would, therefore, have been appropriate for the motion to refer to the PSNI, considering its overwhelming leadership role in the delivery of any strategy. Moreover, until policing and justice powers are devolved to the Assembly, if ever, it is premature for the Assembly to debate justice-focused measures. Until those powers

reside with the Assembly — and while policing matters affect the constituents of every Member — the implementation of any policing strategy will still involve bodies that are outside the Assembly's control.

It is not as if we do not have plenty of other matters to discuss. People expect us to deal with measures that will help them to survive the credit crunch and the world economic downturn. In fact, they expect us not only to talk, but to do. Sinn Féin proposes a motion that mentions co-ordination and interdepartmental and multidisciplinary strategies, while preventing the one main co-ordinating body of the Assembly — the Executive Committee — from meeting. That seems to me, and to the public whom I represent, to be mere political humbug.

In this motion, Sinn Féin calls for the strategy to be led by the First Minister and deputy First Minister. That is laughable, given that the two Ministers cannot even meet to organise an Executive meeting, despite the massive backlog of Assembly papers. The Assembly has become a byword for non-activity. As a consequence, the Assembly is in a complete shambles. It has an Executive who do not meet and an Education Minister who has brought the education system to the point of meltdown. No decisions have been made on the national stadium or PPS 14.

We have a Minister of the Environment who does not appear to understand the basics of the road-tax and MOT system that he administers. In the midst of the shambles, we are confronted with the sheer cheek of a Sinn Féin's motion that calls for action from the Executive and the First Minister and deputy First Minister. That is the same Executive that Sinn Féin is preventing from meeting — one just could not make it up.

(Mr Speaker in the Chair)

Mr Attwood: I do not intend to address the points that Mr Kennedy raised. However, what he said has much currency, and many people will agree with him. Despite our political difficulties, I will try to position the issue to respond best to the needs of the community.

In doing so, I will have to name one of the elephants in the room, or rather the Assembly, which is that although nobody can seriously dispute the need for an interdisciplinary, multi-departmental approach to community and social issues, a common feature of all recent cases of public concern in this part of the world is the administration of criminal justice. A concern about all those cases — whether they relate to kidnapping and bank-robbing, knife deaths or attacks on old women — is the conduct and management of the Public Prosecution Service in Northern Ireland.

Members of the Policing Board can call the police to account. However, even if policing and justice powers are devolved, we will not be able to call the Director of the Public Prosecution Service and his

office to account on why cases are pursued despite a lack of evidence; why cases collapse without reasons being given; and why plea bargains are entered into when the entire community thinks that the loudest message should be sent out about issues such as knife crime. I want to address that elephant in the Chamber.

The Office of the First Minister and deputy First Minister (OFMDFM) may or may not get its act together, and there may or may not be an interdepartmental strategy to deal with such matters. However, unless changes are made, public confidence in the Public Prosecution Service will not reach the level of confidence that is beginning to be achieved in policing and in the Police Ombudsman. I acknowledge Gerry Adams's reference to the report from 2000, 'Review of the Criminal Justice System in Northern Ireland', on the future administration of criminal justice. However, the SDLP feels that that report does not go far enough. If public confidence is to be built, a fundamental reassessment of the Public Prosecution Service is required in order to make it fit for purpose and accountable to the community that it serves.

The SDLP believes that an OFMDFM-led initiative must include a sentencing guidelines council. There is such a council in England, in which a wide range of people advises the judiciary on sentencing practice in cases of public concern. The Public Prosecution Service needs a management board à la Patten and the Policing Board — one that does not interfere with its operational responsibility but that calls it to account on how it is funded, is managed and makes decisions, especially in cases of public concern. Just like our policing arrangements, the Public Prosecution Service needs an independent complaints mechanism so that any families that have problems with how their cases were managed by the Public Prosecution Service, and how those cases ended in disrepute, have a basis —

Mr Speaker: Order. I have listened to the debate, and Members must try to stick to the motion and the business that is on the Floor of the House. I am listening carefully to Members, some of whom have gone outside the remit of the motion.

Mr Attwood: Thank you, Mr Speaker. The motion calls for the inclusion of proposals that are:

“aimed at reducing harm and promoting safety in local communities”.

If we do not deal with the way in which one of the primary criminal justice agencies in Northern Ireland, which is responsible for reducing harm and promoting safety in local communities, conducts its affairs and does or does not prosecute individuals in this state, we are missing a serious point. Therefore, although I take note of what you have said, Mr Speaker, I certainly am speaking to the motion.

Mr Speaker: Order. The Member must be careful. He has almost reached the point where he is challenging the authority of the Speaker. He must be very, very careful.

Mr Attwood: I am not challenging your authority or your ruling. My comments are consistent with what you outlined to the Chamber. I assume that I have an additional minute in which to speak.

In addition to dealing with that matter on a multidisciplinary —

Mr Speaker: Order. The Member's time is up. I ask the Member to take his seat.

Mr McCarthy: The Alliance Party welcomes the motion and supports it as it stands. Although we recognise the merit of the amendment, we oppose it, because we do not view it as being in line with the spirit of the motion.

The Alliance Party will always argue against any attempt to distinguish between the content of a motion such as this one and the reality of ongoing paramilitary activity, including murals and the territorial marking of property. The Assembly should support the motion in order to prove its disgust at, for instance, last week's arms find and to condemn completely ongoing so-called loyalist paramilitary activity and so-called dissident republican activity. Therefore, the unionist parties should support the motion as it stands. We can agree on a motion that focuses on causes on another occasion.

What should the Assembly say about the symptoms of paramilitary behaviour? Much greater clarity is needed on the recent arms find, and it must be understood that, whether UVF-related or otherwise, it proves that so-called loyalists cannot put weapons beyond use on their own terms. That process must be completed in the presence of independent observers.

Furthermore, devolution of policing and justice would better enable a joined-up approach to those issues, as all the relevant agencies would come under the ultimate authority of the Northern Ireland Executive. Of course, that would only apply if the Northern Ireland Executive ever get down to meeting.

Mr Speaker: Order. The motion is wide-ranging, but all sides of the House and the Member must try to address it.

Mr McCarthy: Mr Speaker, I will do my best to yield to your command.

Issues such as access to alcohol in supermarkets — you see, I am getting to the point — *[Laughter.]* — where it can be bought in bulk more cheaply than water, and illegal drugs on the streets must be tackled. The latter of those issues must not progress to the problem of harder drugs, which blights cities such as Dublin and Glasgow. Many experts point out that hard

drugs are responsible for the higher crime rates in those cities compared with those in Belfast and the rest of Northern Ireland.

Although it is reasonable to talk about rationalising community safety partnerships and district policing partnerships, the motion shows that their work must be properly funded. I pay tribute to all the work that is carried out by the local community safety partnerships and district policing partnerships in all the localities in Northern Ireland.

We cannot run away from the issue of paramilitarism and so-called dissident activity; unfortunately, it hasn't gone away you know.

2.00 pm

Policing and justice powers must also be devolved to a functioning Executive sooner rather than later. That would ensure that issues such as access to alcohol and drugs, which render too many communities unsafe, are better tackled. It would also help to ensure that policing is properly funded and resourced. Everything that can be done should be done in order to ensure that people, in particular senior citizens, are safe in their homes.

Therefore, although the Alliance Party recognises the amendment's merit, the Assembly must unite behind the motion and properly reflect on what it means. A good start would be for the lead parties in the Executive to demonstrate more responsibility.

Mr Shannon: I will try to keep to the point as indicated by the wording of the motion.

I, like probably all elected representatives, face issues of community safety and problems on a daily basis. I see homes every day that are torn apart by alcohol and, to a lesser extent, by drug abuse. I see families divided and children emotionally damaged by the misuse of alcohol and drugs; and I know that it does not have to be that way.

The motion refers to:

“proposals on alcohol-related crime and prolific offenders, aimed at reducing harm and promoting safety in local communities”.

Those are issues that I want addressed.

Northern Ireland is suffering from an epidemic of domestic violence. It is estimated that some one in four women in the Province have been physically abused by their partners. In the majority of those cases, alcohol misuse is the major factor. Every year, 1.5 million people in the UK fall victim to alcohol-fuelled violence. It is clear that community safety is threatened by the misuse of alcohol.

Police superintendents say that alcohol plays a part in half of all crime. A study for the Home Office in 1990 found that growth in beer consumption, for

example, was the single most important factor in explaining a growth in violent crime against the person. Research also shows that high proportions of victims of violent crime are drinking, or are under the influence of alcohol, at the time of assault. An analysis of data from the 41 probation areas between 1 April 2004 and 31 March 2005 by the offender assessment system data evaluation and analysis team — that is a big sentence and a big name for any group — found that 37% of offenders had a current problem with alcohol. A similar proportion — 37% — had a problem with binge drinking. Nearly half — 47% — had misused alcohol in the past, and 32% had records of violent behaviour that was related to their alcohol use. Those statistics are horrifying and worrying and make it clear that a change is needed.

There may not be the same spread of drug abuse in the Province as on the mainland, but it is definitely on the rise, and misuse at any level is too high. There exists a culture among young people who believe that a joint of cannabis every so often will do no harm. It is time to dispel that myth. Medical evidence shows that the use of cannabis leads to mental-health problems that have been previously discussed in the Chamber, and on which the Minister of Health has commented.

Unless problems are dealt with now they will grow to immense proportions. That is what the motion attempts to address. What is possibly less clear is the solution. I work with many community and residents' associations in my constituency. They are determined to stamp out abuse in their areas, and do so in many ways — through education programmes for children, through ensuring that there is a safer option available for children than standing at street corners, where they may be pressurised into trying alcopops, smoking or taking drugs.

Community groups in my area are working hard to break the vicious circle of alcoholism and drug use. They cannot do that on their own, which is where the crux of the motion comes into play. A system must be put in place that lends support, offers advice, and co-ordinates events and information in order to ensure that people are informed. With the limited resources at its disposal for community policing, the PSNI does a wonderful job in my constituency. Ards is privileged to have community police officers who are well known and who do an excellent job in relation to antisocial behaviour in the community, and in dealing with the young people involved. However, they cannot do enough; they cannot shoulder the burden. It is for that reason that we must consider the wording of the motion.

The strategy must span all Departments, as they will be the winners. Young people could be taught how to drink in moderation through programmes co-ordinated by community groups and funded by the Department for Social Development (DSD). The Health Service

would also be a winner, as it would no longer have its weekend influx of people with injuries caused by overindulgence in alcohol. The Department of Health funds and co-ordinates community projects which outline the medical problems associated with drug and alcohol abuse.

DSD would also be a winner, with fewer breakages and less damage done to properties, if people realised that they were affecting their long-term health through binge drinking.

Time does not permit me to continue illustrating the benefits to other Departments, but it is clear that the problem can be tackled. If it is tackled on all fronts and co-ordinated by OFMDFM, we can make a difference and the whole of Northern Ireland will benefit. Individual Departments can make a difference, but if all the Departments work together, they will make a greater change.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate, and I support all that my colleague Gerry Adams said.

Community safety is an issue that is being raised with us daily on the doorsteps, and Sinn Féin believes that everyone has the right to live safely in their home and in their community. Everyone has the right to have a fully accountable policing service, imbued with a human rights ethos, and to have a justice system in which they can have confidence. However, the reality is that communities across the North are blighted by crime, antisocial behaviour, underage drinking, drug abuse and all the associated problems. Therefore, is it any wonder that many people have lost confidence in the policing and justice system? Is it any wonder that pensioners are terrified in their homes when their 999 calls go unanswered? Is it any wonder that people from all areas, regardless of their creed or politics, are demanding action to rid our streets of crime and antisocial behaviour?

Unmet and complex social, education and health needs must be addressed in a holistic way. Sinn Féin believes that those needs should not go unanswered, and there is an onus on all of us to play our part in achieving the kind of safe society in which it is fit to raise the next generation.

As the motion states, the strategy should include fundamental proposals on alcohol-related crime and persistent offenders. Our communities are crying out for justice. They are sick, sore and tired of seeing repeat offenders walk free from court with nothing more than a slap on the wrist. They are sick, sore and tired of being scared in their own homes. They are sick, sore and tired of watching communities being torn apart by hoods and thugs. The vast majority of

decent young people are being held to ransom by anti-community elements.

Many Members will remember the horrific murder last year of Jim McFadden in my constituency of Derry. He was savagely beaten to death in front of his children after attending a family wedding. Jim was a devoted father and husband, and his only crime was to defend his daughter's honour, but he paid for it with his life.

A number of people have appeared in court charged with Jim's murder, and they have been released on bail pending their trial. Everyone has the right to the presumption of innocence and to be granted bail where appropriate. I fully support and defend that right, but some of the people who stand accused of Jim's murder have been repeatedly brought before the courts for breaching the conditions of their release. Time and time again, they have been found to be in breach of their bail conditions, yet their bail has not been revoked.

Mr Speaker: I must caution the Member to be careful about speaking on individual cases.

Ms Anderson: What is the point of imposing bail conditions if they are not going to be enforced? I have met members of the McFadden family, and I am sure that other Members have done likewise. This situation is only adding to their great distress and anguish. Many families are suffering as a result of similar situations. The justice system has failed many families even before trials have begun. Similar stories are being repeated right across the North, and they are happening in all the constituencies that we represent.

People are rightly demanding action to end the revolving-door justice system. For how long will those demands fall on deaf ears, particularly those of some parties in the Assembly? The most effective way to resolve the issues is through the transfer of policing and justice powers as envisaged in the Patten Report, the Good Friday Agreement and the St Andrews review, in conjunction with a truly interdepartmental multidisciplinary strategy spearheaded by OFMDFM.

No one will convince me that a British Minister sitting in a comfortable leafy suburb in the garden of England cares about the realities of life in the Bogside, the Shankill, the Fountain or the Falls. Even Iris Robinson recognised that point, when only this weekend she called on British Ministers to stay out of our affairs in relation to extending Westminster legislation to the North. I agree with Mrs Robinson; British interference in Ireland has been going on for too long — in fact, over 800 years. *[Interruption.]*

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

Ms Anderson: We need a local Minister who understands the reality of life in our community and who is prepared to do something about it.

Mr Moutray: Other Members have mentioned the upsurge in alcohol-related crime and antisocial behaviour over several years, which must be addressed urgently. Ultimately, such behaviour is a problem plaguing many of our cities, towns and villages, and we hear about it all too often in our constituency offices.

Alcohol-related crime and antisocial behaviour in the community continue to cause much apprehension and concern, particularly to elderly people and those living alone, who often fall victim to such activity. Those types of behaviour cause undoubted misery to many individuals, families and communities, and must be addressed.

Antisocial behaviour covers a range of selfish and unacceptable activities that can blight the quality of community life. It does not just make life unpleasant; it ultimately holds back the regeneration of disadvantaged areas and creates an environment in which more serious crime can, and often does, take hold.

Much antisocial behaviour is the result of a failed family environment: a lack of respect within the family and in society at large; poor schooling and educational attainment; poor community life; poor accommodation and employment, and personal and individual factors, such as alienation and lack of social commitment; and a large percentage of unsupervised time spent with peers who are involved in problem behaviour.

There is a role for OFMDFM in reducing those problems. However, it is important to adopt an interdepartmental approach that encompasses all Departments. There is a role for all in trying to reduce and eradicate antisocial behaviour. There must be a more joined-up approach to tackling the problem head-on and dealing with it. For example, the Department for Social Development has some responsibility for licensing and social inclusion, while the Department of Education is responsible for educating young people and encouraging them not to get involved in antisocial behaviour. Furthermore, the Department of Education also has a role in helping to provide statutory and voluntary youth activities.

Those Departments have a key role to play in reducing antisocial behaviour, and more funding is needed to assist the provision of youth activities. The Department of Health, Social Services and Public Safety plays an important role as regards public safety and mental-health provision. However, there is a role for other bodies, such as HM Revenue and Customs, which is responsible for eradicating the supply of counterfeit goods and smuggled properties from society. The existence of such goods means that there is a readily-available supply of alcohol and other substances that contribute to the problem greatly.

There is a role for local government in facilitating community safety partnerships and district policing

partnerships in order to tackle problems where communities are worst affected. We are faced with serious problems, and if they are not addressed, they will spiral further out of control.

It is ironic that Sinn Féin has tabled the motion, when it is the party that is dragging its heels on the progress of legislation through the Assembly.

I call on that party, today, to get down to business, and to attend the Executive meetings, which will ultimately assist in addressing the important issues that currently affect so many in our society.

2.15 pm

Mr Elliott: What fiction is the Assembly being asked to support by this Sinn Féin motion? If the First Minister and the deputy First Minister cannot organise Executive meetings during a global economic crisis, are we really to expect that the public will believe it when we call on them to lead a community safety strategy? However, considering that some other parties in this House seem intent on proceeding with that fiction, I will outline my party's stance on community safety.

At the very heart of community safety is genuine support for the Police Service of Northern Ireland and the rule of law. Without such support, we can have all the community safety strategies that we want, but they will make no difference. Without support for the PSNI and the rule of law, communities are not — and will not be — safe.

It is therefore slightly disturbing that a motion on the issue of community safety fails to explicitly refer to support for the PSNI and the rule of law. Such an explicit statement is surely necessary, in light of our troubled past. It is unfortunately the case that many neighbourhoods and communities in Northern Ireland are plagued by the continual threat of criminal activity and antisocial behaviour. The first step in giving hope to those communities is for all political representatives to fully, and without equivocation, support the police and the rule of law.

None of that is to deny that the reasons for antisocial and criminal behaviour are complex, and that social exclusion can contribute to both. That is why the Ulster Unionist Party is broadly supportive of the idea of a community safety strategy, while recognising that policing and justice powers are not devolved to the Assembly, and, quite clearly, cannot be in the foreseeable future. The district policing partnerships and community safety partnerships provide an opportunity at a local level to co-operate on a much better basis than is sometimes the case at the moment.

I note the work that has been carried out by the Department of Health, Social Services and Public Safety, with the NIO, on the young people and alcohol action plan. The Department for Social Development

has also been active in promoting community involvement in reducing crime through the neighbourhood renewal scheme, and that is to be welcomed. That is precisely the type of practical project that the Executive — when, or if, they eventually meet — should concentrate on.

Alcohol-related crime is on the increase in Northern Ireland. Crime committed under the influence of alcohol rose from 2,330 incidents reported in 2002, to 2,932 in 2006. Drunken and disorderly behaviour is, unfortunately, becoming more of a menace in society, and it is correct that the motion seeks to address that. The Health Minister's leadership in respect of the young people and alcohol action plan, and his recent initiatives to highlight the impact of binge drinking, demonstrate what the Executive can do, and should be doing, to promote community safety.

There has been some progress on support for the PSNI and the rule of law from those in this community who formerly undermined them. I am pleased that there has been even more recognition of that today. There is, of course, more to be done, but a start has to be made, and it must be made abundantly clear that, without explicit and genuine support for the PSNI and the rule of law, all talk of a community safety strategy is nothing more than hypocrisy. People deserve the right to feel safe in their homes and communities. Police officers, who carry out an extremely difficult task, deserve the support and respect of every community in Northern Ireland, and all democratic political representatives must help to deliver that outcome.

It seems that some parties, particularly Sinn Féin, believe that they can treat debates in this House as a bad joke. For 122 days, Sinn Féin has blocked meetings of the Executive Committee. That blockage has its origins in OFMDFM, and yet Sinn Féin members, including its party leader, have proposed a motion calling for an interdepartmental, multidisciplinary strategy, to be led by the First Minister and the deputy First Minister.

How exactly are the First Minister and the deputy First Minister going to lead such a strategy when they cannot even hold an Executive meeting?

Some Members: Hear, hear.

Mrs D Kelly: It is regrettable that there was not a composite motion to take account of the amendment, proposed by Ms Purvis, because much of it is quite accurate given the number of people in young offenders' institutions. However, it would be wrong for the House to present the view to the public that it is only disadvantaged families who live in marginalised communities. In my constituency office, I often hear about parents in flash cars dropping their children off and providing them with alcohol. Therefore, it is difficult to provide the image that it is only people

from disadvantaged communities who are involved in antisocial behaviour.

However, I accept that it is the people who live in those areas who must deal with the reality and the consequences of crime and who suffer most from antisocial behaviour and vandalism. Perhaps some of that is down to Sinn Féin's very belated support for policing. In the past, many communities, in both loyalist and republican areas, were under the jackboot of paramilitaries, and unacceptable behaviour was never dealt with by the law in the way which it ought to have been.

Many Members have said today that the Department of Health, Social Services and Public Safety, the Department of Education, and other agencies have a role to play. That is quite right and proper. It is also the case that Departments have the power —

Ms S Ramsey: I am glad that the Member mentioned the roles of the Health Department, the Education Department and other agencies. Does the Member recall a motion that I moved some weeks ago calling on the Minister for Social Development to use her power and influence to make it harder for young people to access drink from off-sales and similar outlets?

Mr Speaker: The Member will have an extra minute in which to speak.

Mrs D Kelly: Thank you, Mr Speaker. If the Minister for Social Development were allowed to bring her papers to the Executive, perhaps the Member would see proposals that would address some of those problems.

I am the mother of four children. Parental responsibility plays a key role in determining what happens in communities. I know that young people who behave in an antisocial manner are often brought to their parents' home by the police. Indeed, I am also aware of neighbours who are concerned about the behaviour of some young people. At a recent community group meeting in Craigavon, the names of some young people who were messing about in the local community were mentioned. Subsequently, the parents of the young people named at the meeting marched to the house of the person who had named them. Some parents do not take the concerns of the community seriously. People also marched to the house of an eyewitness who said that, following a series of burglaries in the area, they had seen a young person acting suspiciously. Safeguards must be put in place for people who want to improve their communities.

Members were right when they said the issue was about partnership. Mr Adams talked about the district policing partnerships and the community safety partnerships, and he is quite right: the NIO has produced a paper; members of the Policing Board have seen it, and it was discussed at last week's policing

board committees. However, I do not believe that any party will support the paper, because it seeks to diminish the role of the policing boards and fails to deal with some of the key issues in community safety. If the key issue is about young and disadvantaged people, surely the Executive and OFMDFM should have published 'Lifetime Opportunities'.

Why did Sinn Féin allow the Executive to cut funding for children and young people if, as it says, alcohol is one of the primary causes of young people's antisocial behaviour. Young people say that they commit crime because they are bored. Members are right to say that there are societal issues involved in dealing with alcohol-related crime.

Mr F McCann: I notice that the Member mentioned Sinn Féin once again during her speech. Does she remember that the Department for Social Development forgot to provide a submission to OFMDFM during its inquiry on children and young people?

Mrs D Kelly: I am not sure if that claim is accurate, but it will be examined. The Member ought to know that DSD has examined the effect of poverty children and young people, and is doing a significant amount of work on the issue. That was demonstrated last week when the Minister for Social Development announced millions of pounds in additional support for neighbourhood renewal areas.

Sinn Féin Members seem to be sore about the some of my points. Perhaps that is because the cap fits. As many people are beginning to recognise, Sinn Féin has rolled over to the DUP on many issues, and, sometimes, the truth hurts. Planning crime also affects other ministerial portfolios, such as the Department of the Environment. There must be much more support for families, we must examine parental responsibility and, using existing resources, Ministers have an opportunity to examine how they can advance strategies and actions to address antisocial behaviour and designing crime.

Mr Speaker: As Question Time commences at 2.30 pm, I propose that Members take their ease until that time. This debate will resume after Question Time, when the first Member called to speak will be Mr McKay.

A delegation from the Houses of the Oireachtas Commission is visiting the Assembly, and its members are in the Public Gallery. On behalf of the Assembly, I extend the warmest welcome to the delegation, the Ceann Comhairle Mr John O'Donoghue and other distinguished guests.

The debate stood suspended.

2.30 pm

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

Oral Answers to Questions

EDUCATION

Coláiste Speirín

1. **Mr McGlone** asked the Minister of Education why she has turned down a development proposal to allow the establishment of an Irish-medium post-primary college, Coláiste Speirín, in Cookstown. (AQO 705/09)

Mr McGlone: Ceist uimhir a haon.

The Minister of Education (Ms Ruane): Go raibh maith agat. For translation purposes, the Member said, “question No 1.”

Ní féidir le duine ar bith a bheith in amhras faoi mo dhílseacht féin i leith na Gaeilge, agus is léir go bhfuil mé tiomanta dona chinntiú go ndírítear ar an easpa sholáthar iarbhunscoile in earnáil na Gaelscolaíochta.

No one can doubt my commitment to Irish as a language, and my evident determination to ensure that the lack of post-primary provision in the Irish-medium sector is addressed. There is a demand for such provision from parents whose children attend Irish-medium primary schools, and that was recognised in the review of Irish-medium education. I have a copy of the review report, in Irish and English, which my Department launched last week, and Members will shortly receive a copy.

My Department has a duty to encourage and facilitate the development of Irish-language education. However, I also need to be satisfied that any proposal for a new school will lead to a viable establishment that provides good-quality education for all pupils. On 11 October 2008, I launched the review of Irish-medium education. I want extensive consultation across Ireland, North and South, and there will be consultation in the four provinces: Connaught, Munster, Leinster and Ulster.

I will listen carefully to all the views expressed as part of the consultation exercise and the decision-making process. I encourage all those who are involved with Coláiste Speirín, and others who want to provide Irish-medium post-primary education, to consider the proposals in the report and to decide where to go from here.

I considered the proposal for Coláiste Speirín carefully. I met, and listened to the views of, those involved. However, I was not convinced that that particular

proposal could achieve sustainable intakes. Coláiste Speirín enrolled six pupils in the 2007-08 school year, and attracted three new pupils in the 2008-09 intake. Those figures fall far short of those required in order to qualify for recurrent funding. I was also not satisfied that the proposed funding arrangements with Coláiste Feirste would represent a good way forward to deliver Irish-medium post-primary provision in the area, given that Coláiste Feirste is 45 miles away.

I recognise the demand from parents in the mid-Ulster area to have post-primary Irish-medium education. The Irish-medium education report includes recommendations for the development of sustainable post-primary provision, and I am in close contact with Comhairle na Gaelscolaíochta — one of the bodies tasked with developing that, and Iontaobhas na Gaelscolaíochta. Other interested stakeholders are examining jointly how a strategic approach should best be progressed, and I will keep the House updated on that matter.

Mr McGlone: Cuirim an-spéis sa méid atá le rá ag an Aire. Cuirim fáilte fosta roimh na cuairteoirí ón Oireachtas.

I welcome Members of the Oireachtas. It is important that they are with us today, because the Minister referred to all-island elements of forbairt na Gaeilge. Does the Minister realise that the unit in St Catherine’s College in Ard Mhacha was granted unit status with 10 pupils in 2002 — only one more pupil than Coláiste Speirín at An Chorr Chríochach.

The Minister of Education: Coláiste Chaitríona was a unit of St Catherine’s, and it was in the same building. Yes; it started with 10 pupils, and it has grown to be a very successful and oversubscribed post-primary school.

Coláiste Chaitríona, the Irish-medium unit attached to St Catherine’s in Armagh, is the closest alternative for families in the Cookstown area, as the Member will know. Looking to the longer term, the report on Irish-medium post-primary provision will lead to a sustainable solution for post-primary Irish-medium education to serve pupils in each of the Six Counties — and that is what the Department of Education is examining.

The Department is examining how to provide post-primary education to children who leave rang a seacht — P7 — in order to adhere to the entitlement framework and bring about collaboration, good practice and support among Irish-medium schools. A network of post-primary schools is needed throughout the North. At present, provision is limited to Coláiste Feirste in Belfast and Coláiste Chaitríona in Armagh. Therefore, gaps in provision exist. That is what the Department is working to correct. Mr McGlone and,

indeed, all Members, will see increasing support for Irish language in the near future.

Mr I McCrea: I am pinching myself, because I almost welcome the Minister's decision. Any decision from her is certainly a welcome development. A 'Belfast Telegraph' reporter claimed that the Minister is a greater threat to Irish than the entire English language. Given that the Irish language has been the single biggest battleground in Sinn Féin's policy of decolonisation, and is the reason why it has become politicised and a divisive issue in society, has the Minister not got the slightest flicker of recognition, or dawning realisation, that she and her party colleagues carry the greatest guilt for that and that they have greatest responsibility to end the language's politicisation?

Mr Deputy Speaker: The Minister can choose whether she wants to answer that question.

The Minister of Education: I thank the Member for his support, and I look forward to it when I inform the House about my future decisions on post-primary provision in the North of Ireland. I will introduce proposals on the development of post-primary education. In light of the Assembly's statutory duty on Irish-medium education, I look forward to the support of the party opposite.

I do not agree with the second part of the Member's comments. As a parent, I have never politicised the Irish language. Thousands of parents throughout the North of Ireland do not choose the schools to which they send their children in order to annoy my unionist colleagues. That is not the way in which parents make choices for their children. *[Interruption.]*

Mr Deputy Speaker: Order. The Minister has the Floor.

The Minister of Education: Parents make choices by asking what type of education is best for their children. Whether people like or accept it, thousands of parents throughout the North of Ireland choose to send their children to Irish-medium schools. I support their choice and their right to make it.

Parents make the same choices when they decide whether to send their children to integrated schools, Catholic schools, controlled schools, and so on. The least that the Assembly can do is to respect parents' right to choose the type of education that they want for their children. I am glad to see that Basil McCrea agrees with me. Obviously, the matter must be based on equality.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. In light of the fact that increasing numbers of children are being educated in the primary sector through the medium of Irish, what can the Minister tell parents of pupils in my constituency of Mid Ulster

who want their children to avail themselves of Irish-medium post-primary provision?

The Minister of Education: Go raibh maith agat as an cheist sin. I thank the Member for her question. Many young people reach rang a seacht — P7 — only to learn that there is no Irish-medium post-primary provision for them, not only in Mid Ulster, but throughout the North of Ireland. That situation must be remedied. I intend to do so through sustainable, strategic planning for the number of children that is required for post-primary provision. Some Members played around with figures and said that certain schools were started with a particular number of children. There is a big difference between starting a primary school and starting a post-primary school.

Members are aware that there is an entitlement framework in the North. A broad curriculum is also in place. Sustainable, strategic development of Irish-medium education is needed throughout the Six Counties.

North/South Educational Exchanges

2. **Mr Attwood** asked the Minister of Education to outline the main findings of the review of North/South educational exchanges; and how she intends to proceed with this. (AQO 700/09)

The Minister of Education: North/South co-operation in education is top of my agenda. I am particularly committed to ensuring that young people, youth workers and teachers throughout the island get the opportunity to participate in exchanges that will strengthen and develop organisational relationships and partnerships and that will increase cross-border understanding.

I work very closely with the former Minister for Education and Science in the South of Ireland, Mary Hanafin, and with the new Minister for Education and Science, Batt O'Keeffe. I have attended a number of cross-border events, among them the development of North/South co-operation in relation to underachievement and the Organization for Economic Co-operation and Development (OECD); an annual national conference in Limerick, concerning Irish-medium education; the launch of a North/South together tool kit for ethnic minority children, which went to every primary school across the island; the launch of a lift-off programme, which is a human rights programme between various teacher unions, North and South; and many other conferences and events. I believe that together, North and South, we can work to provide the best quality education for children.

In April 2002, the North/South Ministerial Council endorsed a structure comprising a programme management committee, a standing advisory committee and a joint delivery agency. The two Education Departments

were asked to give effect to the proposed structure and to determine the appropriate legal framework. The two Departments worked toward the establishment of structures to facilitate policy development and to support and co-ordinate this diverse field of activity.

With the restoration of the North/South Ministerial Council in May 2007, the Departments felt that, given the time that had passed, it was essential to review the approach to facilitating and managing North/South exchanges. The Departments remained committed to North/South exchanges as a means of contributing to the fostering of mutual understanding, and to working for opportunities of mutual benefit. It was their view that the arrangements deemed appropriate before the suspension of the institutions in 2002 should be considered again in the markedly changing context. In December 2007, the Departments commissioned a review of North/South co-operation, which was carried out jointly, with a view to identifying a range of options for future progress.

I am extremely grateful to the many people on the ground who have made, and will continue to make, those exchanges happen. I pay tribute to those who have worked so hard to encourage and facilitate exchanges, and I know that many of those people have had the opportunity to feed into the review. The key finding of the review is that the circumstances and timing are appropriate for the two Departments to have a coherent and conjoined policy approach, and I look forward to that.

I have received the report from the review team, along with the recommendations from my officials, which I am considering. I will be meeting with my colleague from the South, Batt O’Keeffe, and we will jointly discuss and agree the next steps, after we have had the opportunity to consider the report.

Mr Attwood: I thank the Minister, and acknowledge that she said that cross-border education is top of her agenda. Does she share the concern that six years ago, policies were agreed between Governments in respect of a programme management committee, a standing advisory committee and a joint delivery agency, and six years later, following the review that she commissioned, the height of what has been proposed is, as she said one minute ago:

“a coherent and conjoined policy approach”?

Is that not just more meaningless words? What has happened to the good hard proposals that were on the table and agreed six years ago?

The Minister of Education: I make no apology for wanting to make North/South proposals, and working together, as part of the policy between the two Departments. It worries me that the Member appears to think that we should not put North/South exchanges at the core of everything that the Department does.

Mr McCausland: I thank the Minister for her answer. She has told us that North/South exchanges are at the top of her agenda, but where do east-west exchanges stand on that agenda? Will she detail what she has done to facilitate east-west exchanges, especially as Northern Ireland is closer to Galloway in Scotland than it is to Galway in the Irish Republic?

The Minister of Education: I have always viewed British/Irish relations as very important. Anyone who looks at the work that I have done to build links, on a range of issues, with England, Scotland and Wales, will understand how important building those relationships is.

I am thankful that we are building a different type of relationship with our neighbouring island to the one we had for centuries and, fortunately, it is based on equality and partnership arrangements.

2.45 pm

As the Members sitting opposite know, I value highly working with our Celtic cousins in Scotland, and they lead the way on many educational issues. Members will be glad to hear that we learn from them on a range of issues, such as Scots Gaelic, the post-primary system, underachievement, and so forth. People will be aware that I travelled to Scotland to meet my colleague there.

I also attended a British-Irish meeting at Stormont and an excellent meeting in Dublin. It was good to meet our cousins from different areas, such as the Isle of Man. Members can, therefore, see the importance that I place on British-Irish relations. We have much to learn from England, Scotland and Wales, and from the islands that surround both our islands.

Mr Burnside: I will not ask my question in Gaelic today because I do not want to offend our friends from the Dáil. They are used to listening to the proceedings there — where English is normally spoken.

Mr Deputy Speaker: Order. Will the Member please ask his question?

Mr Burnside: It concerns me that the Minister puts North/South dialogue at the top of her agenda. Is it not more important to put the priorities and needs of education in Northern Ireland at the top of her agenda? Why does she not examine the fact that Northern Ireland has state, voluntary, integrated and Irish-medium systems of education? If she compares North with South, and east with west, she will discover more forms of education here than in any other part of the British Isles. A few additional priorities exist, such as the selection procedure between primary and secondary education. It concerns me greatly that the Minister has the wrong subject at the top of her agenda.

The Minister of Education: The Member knows that, since I took up office, I have done a huge amount

of work to increase equality in the education system. He will also know that, every year, 12,000 young people leave the system without attaining GCSEs in English and maths. No one in the House wants his or her child to leave school without those qualifications. Therefore, I placed dealing with underachievement and increasing equality at the top of my agenda. One good way to go about that is to learn from what works well in the South, and the Department is also learning from England, Scotland and Wales.

I would welcome a contribution from the Member on how to deal with the 47% of children who leave school every year having been failed by the system. If the parties on the other side of the Chamber want to sit on their hands and do nothing about that, that is up to them, but I am not prepared to preside over education apartheid in the North of Ireland. That is why I introduced proposals to make changes to ensure that all children have opportunities. For too long, too many children were failed. That must stop; children will not be failed on my watch.

Review of Public Administration

3. **Mr Boylan** asked the Minister of Education what meetings she has had with the (i) Chief Executives; and (ii) Chairpersons, of the Education and Library Boards in relation to the Review of Public Administration. (AQO 786/09)

The Minister of Education: Bhí cuid mhór díospóireachtaí agam le cathaoirligh na mbord oideachais agus leabharlainne ar na mallaibh. Tá mé i mo chathaoirleach ar fhóram chathaoirligh an RPA, a thig le chéile go rialta. Go dtí seo, eagraíodh na cruinnithe seo i mBéal Feirste, in Ard Mhacha, san Iúr, ar an Ómaigh, i nDoire agus in Aontroim.

Recently, I had numerous discussions with the chairpersons of the education and library boards, and I chair the review of public administration (RPA) chairpersons' forum that meets regularly. To date, meetings have been held in Belfast, Armagh, Newry, Omagh, Derry and Antrim. The forum gives the chairpersons of all organisations that are affected by RPA an opportunity to engage with me, and I brief them on RPA developments. We discuss the best way of engaging the organisations that are involved, and we jointly examine the issues to be faced in maintaining service continuity during the period of transition.

The RPA chairpersons' forum invites to its meetings the chairpersons of the five education and library boards; the Council for Curriculum, Examinations and Assessment; CCMS, the Youth Council; Comhairle na Gaelscolaíochta; the Council for Integrated Education, and the Staff Commission for Education and Library Boards.

Furthermore, representatives of the General Teaching Council are welcome to attend. If the chairperson of that organisation cannot attend a meeting, the vice-chairperson can attend instead. I am delighted that so many busy people have attended those important meetings, and I will chair forums regularly in the coming months.

Given the important issues under discussion, I am disappointed that one education and library board has attended one meeting only. All other boards have attended the majority of meetings.

Mr Boylan: I thank the Minister for her response. What level of engagement have her senior officials had with education stakeholders on RPA in education?

The Minister of Education: In addition to measures outlined in my previous response, my officials conduct regular discussions on RPA with stakeholders. Those discussions will continue in the coming months. For example, the Department's permanent secretary, Will Haire, and other senior officials meet regularly with the chief executives of the education and library boards. Furthermore, I have met with them on several occasions.

Senior departmental officials and the education and skills authority (ESA) implementation team meet regularly with key education-sector officials and trade unions. In May and June, the ESA implementation team held 20 workshops, which involved 350 managers in the sector. Moreover, four workshops were held to hear the views of a cross-section of primary and post-primary principals on how the ESA can deliver better services to schools. Positive engagement with staff in the education organisations is ongoing.

Mr Poots: Will the Minister confirm what meetings she has had with the chairperson of the South Eastern Education and Library Board? It seems that such meetings are impossible because, despite repeated promises, she has not reinstated that board. The direct rule Administration people are still there at a cost of £500 a day. Will the Minister confirm that she will bring back the South Eastern Education and Library Board and reinstall public accountability to education in that area given that she has not held any meetings there?

The Minister of Education: Go raibh maith agat as an cheist sin. The South Eastern Education and Library Board is a member of the RPA chairperson's forum, and it always sends representatives to meetings. I have met with the chairperson of the South Eastern Education and Library Board. As the Member will be aware, I met with the political representatives and the non-political — appointed — representatives of the board. Members will know that there were difficulties with governance and financial accountability, and I have held discussions aimed at making sure that political representatives and laypeople understand their

governance and accountability responsibilities, and my officials are working with representatives of the board. As the Member knows, I will be introducing proposals in due course.

Mr Elliott: What discussions has the Minister had with the education boards — and, specifically, the transferor representatives in that section — so that they will not be discriminated against?

The Minister of Education: As I have said in the House repeatedly, I will ensure that all sectors are treated fairly. My intention is that the second RPA Bill will include provisions to reform and simplify the composition of boards of governors of grant-aided schools. I recognise the important contribution made by transferors, and my officials and I have had discussions with that group. It was never anyone's intention to discriminate against any sectoral groups, including transferors who play an important role in education.

Post-Primary Transfer Process

4. **Mr B McCrea** asked the Minister of Education what advice her Department is providing to teachers and parents of pupils currently in primary 6, in relation to the post-primary transfer process they will face.

(AQO 726/09)

The Minister of Education: Thank you, Basil.

Tá freagra tugtha agam ar an cheist seo ar roinnt ócáidí, agus tá an freagra fós mar an gcéanna. Tá mé ag brath ar ghairmiúlacht na bpríomhoidí agus na múinteoirí chun an curaclam athbhreithnithe a theagasc, nó is é sin go díreach atá de dhíth chun páistí a ullmhú do na socrúithe atá á moladh agam le haghaidh aistriú iarbhunscóile. Is ceart mar sin do mo chomhghleacaithe sa Choiste Feidhmiúcháin breithníú dáiríre a dhéanamh orthu.

As the Member will be aware, I have answered this question on a number of occasions, and my answer remains the same. I look to the professionalism of principals and teachers to deliver the revised curriculum, for that is precisely what is required to prepare children for the post-primary transfer arrangements that I propose. Those proposed arrangements merit serious consideration by my colleagues in the Executive.

The Department has just issued 350,000 leaflets — in Irish to Irish-speaking schools and in English to schools that teach through the medium of English. Those leaflets provide details of the revised curriculum, and they will go to every parent who has a child in the primary or post-primary sector.

Mr B McCrea: Thank you very much, Caitríona. The issue is about choice. Earlier, in answer to Mr

McGlone's question, I heard the Minister talking about parents making choices about integrated, Irish-medium or other schools. Will she not agree that it is important that parents and their children have a choice about the school that the children go to — be that a grammar school, a high school, the school that is next to them, or a specialist school? Will she give some indication to the thousands upon thousands of parents with children in P6 as to what their children should do to prepare for the next phase of their education?

The Minister of Education: Parents should have choice, but within a framework of equality. The current system is not equal because it divides children on the basis of two one-hour tests for which parents who can afford it can coach their children.

Choice must be based on equality because there is equality legislation in the North of Ireland. If we are serious about dealing with the significant body of underachievement in our system, we have to create a fair one, and that is what I am going to do. In relation to the parents of P6 children, the Department has produced a leaflet that contains information on the revised curriculum. I also wrote to every single principal regarding the revised curriculum in June 2008.

Teachers are professional — they know what they want to teach, and they know that there has been a distortion of the primary curriculum. This year's 11-plus will be the last. Under the compromise proposals that I have brought forward, the test will no longer be sat in primary schools. There will be a three-year phased ending to academic selection.

Teachers and parents of P6 children need to know that the revised curriculum is a good one. Teachers like it and it stimulates our young people. Furthermore, no longer does it divide our young people and create an elitist education system in which some children can go to certain schools because of where they live, or because their parents have more money than parents of other children. Statistics indicate that 19% of secondary schools provide free school meals, but only 7% of grammar schools do.

Many grammar schools understand the need for change, which I welcome. I have had dinners with post-primary school principals right across the North. I have another one tomorrow night in Derry. I was in Ballymena last week and Limavady the week before that. I was also in Newry, Downpatrick and all different parts of the North. I will continue to do that because educationalists know what is, and what is not, good for our children. High-stake tests at 11 years of age, for which children can be coached, are not the way forward.

Mr Storey: At least we now know that the Minister of Education has moved on from the idea of using a postcode lottery to place a child in a post-primary

school based on where he or she lives, to a system based on where a child eats. She is now going to use —

Mr Deputy Speaker: The Member must ask a question. The time for questions to the Minister of Education is almost up.

Mr Storey: She is now the dinner lady of the education service instead of being the Education Minister.

Will the Minister reveal what amendments she has made to her proposals, as she knows that there is no political consensus on them as they stand? What amendments has she made to her proposals to make them acceptable, so that the Executive might be able to agree them? Although I have to wonder whether there will ever be an Executive meeting, owing to the failure of Sinn Féin.

3.00 pm

Mr Deputy Speaker: Time is up for Questions to the Minister of Education — *[Interruption.]* Perhaps, the Minister will give a short answer.

Mr Storey: In English.

The Minister of Education: Is féidir liom an teanga a phiocadh. I can choose which language I speak. I may even answer in Spanish.

I welcome the Member's belated concern about the postcode lottery. I have listened to Members talking about that, and, no matter how admissions criteria are introduced — preferably through the Executive — I will introduce criteria for socially disadvantaged children. I look forward to the support of all Members who have spoken to me about a postcode lottery, because I wish to ensure that the inequality in the system is eliminated, so that working-class children will cease to be disadvantaged.

The Member will know that, on 15 May, I brought proposals to the Executive, but the Executive refused to discuss them. I want to present proposals to the Executive. However, all parties must understand that if the Executive — a North/South, British-Irish power-sharing arrangement — are to work together, they must act on the basis of equality and partnership.

EMPLOYMENT AND LEARNING

Mr Deputy Speaker: Question 1 has been withdrawn.

US Visit

2. **Mr Gardiner** asked the Minister for Employment and Learning what outcomes were achieved following his recent visit to the United States. (AQO 738/09)

The Minister for Employment and Learning (Sir Reg Empey): During my visit, I spoke to many business people about opportunities for further collaboration between Northern Ireland education establishments and their equivalents in the United States. In addition, I met the vice president of the National Centre for Technological Literacy, Yvonne Spicer, and her team from the Museum of Science in Boston. They have developed and pioneered teaching programmes for science, technology, engineering and mathematics (STEM) subjects throughout all 50 states.

The Museum of Science offered to share its teaching materials and experience with Northern Ireland, and I will discuss that initiative with the Minister of Education in the context of our review of STEM-subject provision in Northern Ireland.

Mr Gardiner: In the Minister's discussions with the Americans, did the subjects of the Post-9/11 Veterans Educational Assistance Act 2008, or new GI Bill, come up?

The Minister for Employment and Learning: Yes, they did come up. I met Ms Molly Corbett Broad, president of the American Council on Education — the organisation that represents the university system in the United States. In addition, I met Senator Jim Webb from Virginia, who was the author of the new GI Bill. Both conversations impressed greatly on me the role that education and skills — particularly higher-level skills — can play in reintegrating former military personnel into civilian society and in developing a vibrant economy.

Furthermore, I was impressed by the level of investment that the United States Government are making in those who have returned from military service in order to ensure that they have an opportunity to re-skill and up-skill, and so make the fullest possible contribution to their national economy.

Mr Newton: During his visit to the United States, did the Minister gain an understanding of the relationship between the education system and the business community? Did he learn anything from observing that relationship, and is there anything that might be brought back to enhance the Northern Ireland education system, particularly in the area of vocational skills?

The Minister for Employment and Learning: Yes. I visited an organisation called CARE that is sponsored by the private sector. CARE is a Peace-Corps-type operation, in which people spend time particularly with children from disadvantaged communities. That organisation is predominately sponsored by the private sector and local states. Furthermore, in the United States, there is much greater collaboration between the business and education sectors than there is here.

We should try to encourage that. The business community realises the significance of engaging, at an

earlier stage, with elements of the education sector in securing the long-term provision of labour supply.

Furthermore, as a result of changing demographics in the United States, that country is in a tougher position than Northern Ireland in relation to essential skills. A large proportion of the workforce — some 39 million people — do not have fundamental, essential skills. That figure is growing, which is one reason that the GI Bill was introduced in order to ensure that that section of the community achieves the necessary level of skills.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Given what the Minister has said, will he confirm that any proposed investment to help to reduce unemployment — particularly for those with essential skills problems — will be targeted specifically at areas of multiple deprivation?

The Minister for Employment and Learning: There is a strong link between educational underachievement and areas of significant deprivation. We need only look around our own Province for evidence of that. The two issues are undoubtedly related, so the solutions must also be related.

Sadly, in areas that are deemed to be more affluent, there are pockets in which the same problems arise. Unfortunately, the criteria that were used — such as the Noble indices — were blunt instruments, which excluded pockets in which individuals had learning difficulties. The improvement of essential skills must be open to all, irrespective of geographical area. There is a link — albeit not 100% — and areas of social and economic deprivation have more educational underachievement than other areas.

Practical Works within the Community

3. **Mr Shannon** asked the Minister for Employment and Learning what consideration he has given to implementing a module on practical works within the community for courses delivered by further education colleges on providing public services, similar to the practical work in the community carried out by the Prince's Trust. (AQO 744/09)

The Minister for Employment and Learning: The Prince's Trust team programme, which involves participants undertaking a community project as part of the course, is currently delivered in all six further education colleges. Colleges provide the training element of the programme, which is funded by my Department.

The further education (FE) colleges are responsible for setting their own course provision for implementing a module on practical works within the community, including the practical work.

Mr Shannon: I thank the Minister for his response. To those Members who are aware of the Prince's Trust, it is obvious that it carries out marvellous work and provides opportunities to young boys and girls who particularly need help. I had hoped that the Minister would provide an assurance that further work in the Prince's Trust will be unfolded in all FE colleges and that courses currently being undertaken could be developed to involve more young people.

The Minister for Employment and Learning: I have made it my business to meet representatives of the Prince's Trust. I have attended four events and have examined its work.

The Prince's Trust team programme is provided with a range of delivery partners, including the FE colleges. The programme has been designed by the Prince's Trust to target hard-to-reach, socially excluded and marginalised young people between the ages 16 and 25. Some of the programmes are quite expensive, but they are exceptional, which is why I support them.

As the Member will be aware, the training component of the team programme is, typically, delivered by the FE colleges, and the cost is met from the recurrent funding that is allocated to the colleges by my Department. The team programme has been running since 2006, and feedback has been positive. The colleges have indicated that over 84% of the participants who complete the programme progress into further study, training or employment. Therefore, I can give the Member the assurance that he seeks.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom buíochas a thabhairt don Aire as an fhreagra sin.

Does the Minister agree that, although courses delivered by the colleges and the Prince's Trust are beneficial to the community, attention should be focused on the delivery of courses that provide qualifications for high-value, knowledge-based jobs for those who are involved in those types of activities? If we are to compete in the economy, does the Minister agree that his emphasis and focus should be on the delivery of high-value jobs, so that we are not vulnerable to people from other countries taking our jobs? That is particularly pertinent in the current economic climate. Go raibh maith agat.

The Minister for Employment and Learning: I understand what the Member says. However, much as I would like to focus on the high-value-added jobs that he refers to, many people in large swathes of our community — including the Member's constituency, as he will know — are not yet at the stage where they can benefit from, and exploit, some of the higher-value-added qualifications.

We must take a twin-track approach to the issue. On the one hand — and considering the current

circumstances — we must concentrate on the skills that are relevant to the knowledge-based economy into which we are moving. That requires investment, not only in the higher grades of vocational training, but right through the higher-education sector. Alongside that, a large swathe of our population does not have basic essential skills. Pertinent to that, and to Mr Shannon's question, is that the Prince's Trust concentrates on reaching those harder-to-get-at clients — as do other community-based organisations.

The process, therefore, must be twin-tracked; we must go after both groups of people, because those without the essential skills cannot be progressed into the more productive end of the economy — and the areas in which there is more potential — if they do not have the basic qualifications. In 2020, it is estimated that only 2% of the available jobs will be unskilled compared to the current figure of 17.5%. The Member will see that we have a long way to go.

Mr K Robinson: I thank the Minister for his comprehensive answers; he has almost blown away my questions in his replies to previous questions. How can the Department for Employment and Learning and the Prince's Trust work together to expand the programme further to try and reach the individuals whom he mentioned in his response to the previous supplementary question — the young people on the fringes, who require to be brought in?

The Minister for Employment and Learning: The Prince's Trust, in common with several voluntary organisations, specialises in a harder-to-reach client. It is therefore not unique in that; however, we have looked at one or two of the courses that the Prince's Trust runs, and, although the cost per client is higher — significantly so in one case — we must take whatever steps are necessary if we are to stop people from falling behind. I, therefore, support, unashamedly, what the Prince's Trust does, although I acknowledge that it is not the only organisation that follows such a path.

As Members know, there are particular clients who, simply, will not turn up at a college of further education. One has to go to the doors of those people, and they have to gain some confidence, because, perhaps, they suffer from a lack of self-esteem. All of that costs money, but it is fundamental to our attempt to improve our community and to bring as many people as possible into our society to make them economically active and productive. It is expensive, but it is money well spent.

New Deal: Derry/Londonderry

4. **Mr McCartney** asked the Minister for Employment and Learning to outline the tendering criteria which informed the decision to award the

tender to operate the New Deal Programme in Derry/Londonderry to A4e. (AQO 790/09)

The Minister for Employment and Learning: The contract for Steps to Work in the Foyle contract area has not been awarded. The procurement process is ongoing. All tenders for the Steps to Work programme were assessed against the criteria of methodology, relevant experience and capacity to deliver, and broken into sub-criteria.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a thabhairt don Aire as an fhreagra sin.

Will the Minister outline why it was necessary to rerun the tendering process after A4e was awarded preferred-bidder status?

3.15 pm

The Minister for Enterprise, Trade and Investment: The Member must bear in mind that the process is ongoing and, while that is the case, I must be careful about what I say. The procurement process has not been concluded in two remaining areas. New bids have been received for the Foyle area and those will be assessed shortly, and further information has been received for the north-west. However, the process is ongoing in the Foyle area, and I am unable to say anything further.

Mr Durkan: I understand the constraints that the Minister has referred to. However, on the wider aspect of the Steps to Work programme, the Minister must be aware that many people believe that the Central Procurement Directorate appears to be acting to some sort of imperative to ensure that outside players are successfully brought into the market. Rightly or wrongly, that is the impression that people have.

How far are the decisions on methodology, relevant experience and capacity to deliver taken by his Department, and how far are they taken by the Central Procurement Directorate, which may have little experience in that area?

The Minister for Enterprise, Trade and Investment: I understand through correspondence and other contacts that the Member has a keen interest in the matter. The Central Procurement Directorate is not attempting to ensure that outside people are brought in. Having agreed the terms of reference for the contracts with my Department, the Central Procurement Directorate must implement those terms of reference and assess the bids that have been made. If that results in someone who is not based here being awarded a contract, that is within European Union rules and regulations. There is no predisposition to ensure that someone from outside is awarded a contract, any more than there is a predisposition to award a contract to a local firm. If the process is to be fair and open, it must

be based on objective criteria, which is why we hand over the process to the Central Procurement Directorate (CPD), which has the expertise to deal with the situation.

The Department's role is, primarily, to set out what is required. As a former Minister of Finance and Personnel, the Member knows that the CPD's role is to ensure that proper and due process is followed correctly.

National Minimum Wage

5. **Mr Cree** asked the Minister for Employment and Learning what input he provided to the recent Low Pay Commission Review of the National Minimum Wage.

(AQO 737/09)

The Minister for Enterprise, Trade and

Investment: In addition to providing a contribution to the co-ordinated Northern Ireland submission to the chairman of the Low Pay Commission, I wrote to him on 1 October drawing attention to the position of apprentices who currently have no minimum wage. Anecdotal evidence suggests that, in some cases, the wages earned are insufficient to cover the basic cost of living and, if that continues, it will lead to a decrease in the number of apprenticeships being completed, which will have a detrimental impact on the economy. I have recommended, therefore, that the Low Pay Commission gives consideration to a minimum rate of pay for all apprentices in Northern Ireland and that that should be in line with what is required in England.

Mr Cree: I thank the Minister for his comforting reply. However, do apprentices in other parts of the UK earn different remuneration?

The Minister for Enterprise, Trade and

Investment: Obviously, there is a difference between here and Great Britain because, as I said, there is no minimum wage here. However, as I understand it, an apprentice can earn a minimum of £80 a week in England. The difficulty is that people believe that apprentices are not given a reasonable basic minimum wage level. Several Members have referred to that fact, and it has also been raised in debates. Due to the circumstances of apprenticeships, it is outside the current normal regulations. In England, the current minimum rate of pay is £80 a week. However, from 2009, that figure will increase to £95 a week.

Under those circumstances, I was right to contact the Low Pay Commission — and I said in previous debates that I would do so. There was a consensus in the House that it was unsatisfactory for apprentices to be left in that position. I hope that the commission's response will be positive. I appreciate that we do not wish to burden businesses any more than is necessary; however, we must balance that concern with concerns about the ability to attract people to undertake

apprenticeships that offer them very little money on which to live.

Mr Irwin: What is the Minister's view on the Low Pay Commission's recommendation that 21-year-olds should be entitled to the adult rate of the national minimum wage?

The Minister for Employment and Learning:

That is one of the issues that I look forward to the Low Pay Commission addressing. At the moment, there is no guidance — wages are a matter for the apprentice and the employer to work out between them. However, that arrangement has led to some young people receiving very small amounts of money that are inadequate to live on. We accept that being an apprentice is different from being a fully qualified employee. However, I am content to wait for the commission's recommendations, and I intend to bring details of them to the House when they are published, as Members have expressed an interest in the matter in recent debates.

Mr Dallat: It is comforting to hear the Minister talk about the construction industry, given the sorry mess that it is in. Can he tell us why a policy on the minimum wage has been so slow to emerge? Furthermore, how many apprentices are there in the construction industry, and what is being done to encourage young people to continue to express an interest in that important industry?

The Minister for Employment and Learning: The Member's last question is about a subject that is different from the subject of the main question. However, that has never stopped the Member asking such a question in the past, and, no doubt, it will not stand in his way in the future.

All joking aside, the situation is very serious. Large numbers of apprentices have lost their positions, and my Department is urgently considering what it will do to address that matter. Many of those apprentices are part of the way through their apprenticeships — they have gained only some of the necessary qualifications and are now being put out of their posts. We must decide what to do with those young people. The Department may have to intervene. I am considering that option at the moment, and I will be happy to bring my conclusion to the House in due course.

How did we get into this position? It appears that a gap has emerged. As Members know, the issue of low pay is dealt with nationally, but apprenticeships seem to be one of the issues that have fallen through the cracks. I do not know the legal or technical reasons for that, but I am happy to send a letter to the Member to clarify the matter. However, when the problem was brought to my attention, I acted to address it. I have put forward a positive case — based, in part, on

Members' contributions to recent debates — and I look forward to a positive outcome.

The Department is examining concerns about the construction industry as a matter of urgency, and I hope that we can present some proposals before too long. However, any solution will be neither easy nor cheap.

Teacher Education in a Climate of Change

6. **Mr Ford** asked the Minister for Employment and Learning for an update on the progress of the 'Teacher Education in a Climate of Change' review, commissioned by his Department and the Department of Education in April 2003. (AQO 806/09)

The Minister for Employment and Learning: Officials in my Department and in the Department of Education are finalising a draft policy framework paper, which will be submitted for consideration to the Minister of Education and me in the next few weeks. The timescale for the completion of the review from that point onwards will be determined by several factors, including consideration by the relevant departmental Committees, other Ministers and the Executive.

Mr Ford: I am grateful to the Minister for his answer, although the fact that the issue depends on the Executive's taking action should not give us any grounds for optimism at the moment. Over the past year or so, the Assembly has held several debates on teacher training, and the number of teacher-training places is of real concern. Given that, can the Minister tell us whether the long delay on this matter has hampered his Department's ability to produce a strategic plan for teacher education?

The Minister for Employment and Learning: The Member is correct that the delay in the process has not been Government's finest hour. It had been hoped that the review would be published shortly after a conference in 2005. However, that coincided with announcements on the review of public administration and George Bain's independent strategic review of education. Those significant policy issues and matters relating to the funding model had to be reflected in the final document.

The issue is cross-cutting and involves at least two — probably three — Departments. The guidance is that Ministers cannot act unilaterally in such matters. Therefore, I am required to agree with the Minister of Education — and possibly other Ministers — to bring a proposal to the Executive for it to be made Executive policy. That has not happened for obvious reasons.

I assure the Member that I regularly raise the matter of the review's completion with senior officials. We are acutely aware of the concerns about initial teacher education. The delay is one of the worst that is being experienced. It is not a pretty picture, and I and my

Department want an urgent conclusion. I read an earlier draft of the review some time ago, and it contained some high-quality work. I hope that the Member will think the same when it is eventually published.

Mr Easton: Will the Minister outline the level of co-operation on the review that he has received from the Education Minister? What information has the Department of Education shared with the Department for Employment and Learning to aid the Minister's decisions on the new funding models for Stranmillis and St Mary's university colleges?

The Minister for Employment and Learning: The teacher-education review that Mr Ford's question referred to is a collaborative effort. We work closely with officials from the Department of Education. The Minister of Education and I have corresponded on matters pertaining to the report. We must agree the final content, and we will.

The Member will be aware that the number of initial teacher-education training places is determined by the Minister of Education. I determine the number of non-teacher-education courses that are delivered in colleges. My Department also provides resources for colleges to operate on both initial teacher-education places and non-initial teacher-education places. The Department of Education usually gives me an indication of those numbers in January of each year. When I receive that indication, I will bring it to the House's attention.

Mr Attwood: I agree that this is not the Government's finest hour. Indeed, it is a sorry state of affairs that — for four years before Mr Empey became a Minister, and for 18 months since — two Government Departments have not been able to complete the review.

Is there not a tension between the Minister's assertion that he and the Department of Education cannot act unilaterally on a review of teacher training, and the fact that Stranmillis University College and Queen's University acted unilaterally and tried to bounce the rest of us into agreeing to the merger proposal?

The Minister for Employment and Learning: That was very well done — the Member for East Londonderry will have to try harder. *[Laughter.]*

Mr Attwood knows that when it comes to a cross-cutting issue, it is desirable for the Departments concerned to work together and reach a conclusion. It is also desirable that those conclusions be made Executive policy, so that it becomes a Government-wide issue; otherwise, people head off on tangents.

3.30 pm

To answer the Member's second point, Stranmillis University College and Queen's University can come together, but that does not constitute a decision on their

part. They can make a recommendation, but it is up to the House to determine the outcome.

Queen's University and Stranmillis University College have promised me an economic appraisal that will be to the Treasury's green book standards. I was due to receive that at the end of July 2008, but I am yet to receive it. When I receive it, I will have to study it, as will the Department of Finance and Personnel. If, on reaching a conclusion, we feel minded to go along with the proposal, a Bill will be prepared. That Bill will be subject to the full legislative process of the House. As I have said many times, I have no plans or intention for that Bill to proceed by accelerated passage.

Mr Deputy Speaker: Question 7 and question 8 have been withdrawn.

Community Education

9. **Mr McCarthy** asked the Minister for Employment and Learning what plans there are to accommodate the continuity of community education without the burden of accreditation and additional costs associated with Further Education Colleges. (AQO 801/09)

The Minister for Employment and Learning: My Department's priority is to encourage learners to follow courses that lead to qualifications that are accredited on the national qualifications framework. Such provision meets stringent quality criteria, the needs of employers and learners, and is recognised by employers and educational establishments at home and abroad, thereby enabling learners' progression. However, I recognise that courses that are not on the national qualifications framework meet the needs of some learners; for example, some older learners and some people with learning difficulties or disabilities. Therefore, I confirm that around 5% of college provision that my Department funds will go on courses that are not on the national qualifications framework.

ENTERPRISE, TRADE AND INVESTMENT

Renewable Energy/PPS 18

1. **Mr McKay** asked the Minister of Enterprise, Trade and Investment if she has met with the Minister of the Environment to discuss renewable energy and PPS 18. (AQO 764/09)

The Minister of Enterprise, Trade and Investment (Mrs Foster): On 23 September, the Minister of the Environment and I met to discuss those matters. As the Member knows, renewable-energy development is a highly important objective for my Department, and for

Northern Ireland as a whole, if we are to reduce our exposure to the supply uncertainties and price volatility that are associated with the current energy market. In that regard, planning policy statement (PPS) 18 is helpful in reducing barriers to the development of renewable energy by adopting a presumption in favour of wind generation.

Our meeting particularly focused on the proposed supplementary guidance to PPS 18, which is intended to ensure that adequate protection be given to our valuable landscape through the appropriate siting of wind turbines. As with so many such considerations, it will be important to strike a balance between security and sustainability of our energy supply with affordability and environmental protection.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Does she believe that energy policy, either through the Department of the Environment or the Department of Enterprise, Trade and Investment, should accommodate and promote local community and domestically based energy provision more than a larger, centralised model of energy provision?

The Minister of Enterprise, Trade and Investment: We want all those types of energy provision. My Department has promoted domestic energy, but we also know that, in order to meet our European Union targets, a step change is needed on renewable energy. Therefore, we are firmly considering new tidal renewable energy; we have initiated a strategic environmental assessment on it. We are working with the wind industry to determine what more can be done with that type of energy. We want everyone to play their part when it comes to using renewable energy in future.

Mr Ford: The Minister referred to a presumption in favour of wind energy under PPS 18, but several people in the industry say that the supplementary guidance, of which she may have had some knowledge in her previous occupation, provides a presumption against wind energy in a large portion of Northern Ireland. Has the Department of Enterprise, Trade and Investment taken any view on the necessity of ensuring that wind energy is not developed merely in two or three tiny areas but is available for the benefit of Northern Ireland on a wider scale?

The Minister of Enterprise, Trade and Investment: I take it from that that the Member wants us to move outside of Fermanagh and South Tyrone. I assure him that we will. On a more serious note, PPS 18 has a presumption in favour of wind energy, but the Member is right to say that there have been difficulties with the supplementary planning guidance. I stress to him that, as its name suggests, that is guidance, not the planning policy.

I am aware of ongoing discussions and negotiations within the industry and between officials in my Department and their counterparts in the Department of the Environment. The Member knows that turbine height appears to be the biggest problem. The guidance has a specific remit in relation to that issue. I want a degree of flexibility on turbine heights. I know that those discussions are continuing and I hope that they will bear fruit.

Mrs D Kelly: The Minister will be aware of a recent debate on climate change, and I assume that she does not necessarily share the views of her colleague, the Minister of the Environment. There was broad agreement across the Chamber that one of the ways to encourage the use of renewable energy was to use grants as a carrot approach, as well as using a stick. Will the Minister outline what incentives her Department proposes to offer industries to encourage them to use renewable energy?

The Minister of Enterprise, Trade and Investment: The main way that renewable energy is incentivised is through the Northern Ireland renewables obligation: that will continue. Indeed, there will be a consultation about it very soon. Scotland is also considering the issue, and what it consults on must tie in with what we do, in particular, in relation to tidal resources. It would be out of step for Scotland to offer more renewables obligation certificates for tidal energy than Northern Ireland. It will be important that there is joined-up Government between Northern Ireland and Scotland in that regard.

Mr Deputy Speaker: Question 2 has been withdrawn.

All-Ireland Economy

3. **Mr Butler** asked the Minister of Enterprise, Trade and Investment to outline her strategy to develop an all-Ireland economy. (AQO 752/09)

The Minister of Enterprise, Trade and Investment: My Department works with the Republic of Ireland in areas that are mutually beneficial and in situations in which there is a sound economic basis for so doing. Recent events have shown that there is now a global economy and that it is important to develop strong economic links with the rest of the world and not focus solely on our closest neighbour.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a thabhairt don Aire as an fhreagra sin. I thank the Minister for that answer.

The Minister recently announced an independent review of economic policy. The terms of reference were given to the Committee for Enterprise, Trade and Investment. However, they contain only one small

reference to North/South. They also mention the Varney Review, which contained a number of submissions about an all-Ireland economy and about the development of a joined-up approach, in particular, between development agencies in the North and in the South and with the Irish Government.

Mr Deputy Speaker: The Member must ask a question.

Mr Butler: In the present economic climate, what is the Minister doing to ensure that those links — particularly between IDA Ireland and Invest NI — are strengthened?

The Minister of Enterprise, Trade and Investment: I believe that the Member is referring to the terms of reference for the review of Invest NI and economic policy. It is a consequence of the Varney Review and of the need to examine that area, and the Department is happy to do so. As the Member said, the terms of reference have been shared with the Committee and I look forward to its response on the remit and terms of reference.

As I said in my answer to the Member's preliminary question, Northern Ireland is operating in a global economy, and it would be very short-sighted to put all our focus on looking southwards. At present, the border actually makes good economic sense for people living in Northern Ireland because the recent decline in sterling against the Euro helps improve the competitiveness of local exports. Thirty per cent of Northern Ireland's sales outside the UK go to the Republic of Ireland. Therefore, the border helps companies in Northern Ireland to export their goods. I hope that that will offset some of the negative impacts that companies face due to the present global and national economic situation.

Mr Hamilton: The Minister knows that all indications are that the Northern Ireland economy will grow this year, albeit by a small amount. However, I was reminded at the weekend that J K Galbraith said:

"The only function of economic forecasting is to make astrology look respectable."

What analysis has her Department carried out on the effect of the recession on the once Celtic tiger economy of the South, and how will it affect Northern Ireland?

The Minister of Enterprise, Trade and Investment: Although things have been going well for us and the economy has been growing over the past 10 years, we will face a downturn, as will most economies; however, we are not officially in a recession. According to forecasts that have been given to my Department, the economy will continue to grow next year, albeit at a very slow rate; but it is still growth and we should take some comfort from that. I have always been of the opinion that we must not talk ourselves into a recession, but rather that we should deal with the realities of

Northern Ireland's economy. Therefore, there will be growth next year, albeit a small amount.

Mr Armstrong: In the light of the downturn in the economic situation in the Republic of Ireland, does the Minister agree that Northern Ireland is in a far stronger economic position while it remains joined to the rest of the United Kingdom — the fifth-largest economy in the world — than would be the case if we were in an all-Ireland arrangement? Does she agree that North/South economic activity is important, but it can never be at the expense of a United Kingdom linkage?

The Minister of Enterprise, Trade and Investment: The short answer is yes. GB remains the destination for most of our external sales, some 55%. When we talk about "North/Southerly", it is important to remember that the east-west links remain the most important to Northern Ireland's economy.

Mr Deputy Speaker: Questions 4 and 5 have been withdrawn.

Global Economic Downturn

6. **Mr Gardiner** asked the Minister of Enterprise, Trade and Investment what implications the global economic downturn will have on the Programme for Government's target of 300 companies exporting to Great Britain. (AQO 718/09)

Global Economic Downturn

10. **Rev Dr Robert Coulter** asked the Minister of Enterprise, Trade and Investment what implications the global economic downturn will have on the Programme for Government's target of 45 new business start-ups exporting outside the United Kingdom. (AQO 717/09)

The Minister of Enterprise, Trade and Investment: With your permission, Mr Deputy Speaker, I will answer questions 6 and 10 together. The economic environment is much more challenging than it has been for some time, making it exceptionally difficult to forecast with any degree of confidence. With the slowdown in the global economy reflecting turbulence in the financial markets, there are inevitable implications for the wider regional economy.

The Programme for Government's target of 300 businesses exporting to Great Britain relates to the next three years up to 2011. The target for the current year is 100 businesses, against which Invest NI has assisted 40 new businesses to date, and work is ongoing with a further 30 entrepreneurs. Similarly, a three-year target has been set for 45 new business start-ups exporting outside the UK. Against this year's target of 15 new business start-ups, Invest NI has supported seven to date, and the pipeline of

prospective cases is quite healthy, with ongoing discussions involving 12 potential new businesses.

Although Invest NI's performance in the first half of the year has been largely on track, the prevailing conditions will inevitably make achieving those three-year targets much more challenging, particularly as they begin to affect the ability of start-up and small businesses to grow outside Northern Ireland. Against that, the Northern Ireland value proposition for foreign direct investment remains strong.

Invest NI continues to target companies wishing to avail of well-qualified and talented people in a cost-competitive, pro-business operating environment that is both culturally compatible and close to its customers. That approach has been very successful to date, with the software sector in particular achieving rapid growth. Employment in the sector has grown by more than 60% since 2002, reaching 13,000 in 2004. Forecasts predict that by 2021, the sector in Northern Ireland will employ about 20,000 people.

Software companies continue to invest here despite the current climate. Last week, for example, I announced that north American telecommunications company BTI Systems Inc is establishing a £6 million European headquarters in Northern Ireland. That investment, which is supported by Invest NI, will promote 60 high-quality software engineering jobs, generating more than £2.2 million annually in wages and salaries for the local economy.

Invest NI's existing client companies also benefit significantly from its ongoing market visit programme, which encourages and supports opportunities to begin, as first-time exporters, to expand their presence in existing overseas markets or to enter new ones. Invest NI's programme for the current year is particularly comprehensive, offering clients the opportunity to explore business opportunities in more than 20 countries worldwide. Therefore, I assure the Member that, against this difficult economic backdrop, Invest NI is continuing to work extensively with companies and entrepreneurs whose business strategies and investment decisions are essential to progressing towards the targets in the Executive's Programme for Government.

3.45 pm

Mr Gardiner: I thank the Minister for her comprehensive answer. Are there any other strategies that she can put in place in order to assist small and medium-sized businesses, which are the backbone of our economy?

The Minister of Enterprise, Trade and Investment: I concur with the Member; those businesses are the backbone of our economy. My Department has taken several actions, in conjunction with Invest NI, to help companies to manage the economic downturn in response to the current circumstances. For example,

Invest NI held two awareness seminars at the end of September 2008 in Belfast and Cookstown to offer specialist advice to businesses. I attended the Belfast event and announced a £5 million accelerated support fund, which offers fast-track advice and assistance to businesses that are feeling the impact of the current economic circumstances on their competitiveness.

Cash flow is one of the biggest issues for our small indigenous companies. The fund also provides companies with an opportunity to take up five days' free on-site diagnostic support. Businesses can tap into the £5 million fund for particular projects that will help them to get over the current economic difficulties.

I was pleased with the number of businesses that attended those events. From what I have heard, they are working very well.

Rev Dr Robert Coulter: I thank the Minister for her answer. Will she outline what new initiatives she has proposed in talks with the Minister of Finance and Personnel that will help small businesses in this time of economic crisis?

The Minister of Enterprise, Trade and Investment: As well as the £5 million that was made available to Invest NI, which I have just mentioned, £4.9 million was made available to the Carbon Trust in order to deal with energy efficiency. Not surprisingly, energy prices are still a huge issue for some of our small companies and, indeed, for some of our larger companies. That money was well spent, and, as I said in reply to a question from the Chairperson of the Committee for Enterprise, Trade and Investment, if there is a need to re-examine that funding, I will be happy to do so.

I am sometimes asked about what is being done for companies that are not Invest NI clients. My Department has added a new section to the nibusinessinfo.co.uk website, entitled 'Beat the Credit Crunch', which provides practical advice and guidance on managing finance and taking steps to improving efficiency. Members would do well to look at that website, because it is comprehensive and contains a great deal of good advice for businesses. However, I have made it clear that, if there is a need to advertise that website, I will be happy to do so.

Mr Durkan: The Minister has anticipated one part of my question with regard to non-INI client companies, and I am glad to hear that that matter will be kept under review. In the context of the global downturn, will the Minister, her Department and the Department of Finance and Personnel examine the circumstances of many businesses that are being levied with rates charges for empty properties? In many cases, those properties are empty not as a result of any calculation on the part of the business concerned to bank property or to blight areas for others but simply because market

conditions dictate that they do not have the tenants or the business to occupy those premises.

The impact of the additional rates burden on empty properties is making a difference for some businesses in the choices that they are making with regard to payrolls. Will the Minister address that issue?

The Minister of Enterprise, Trade and Investment: I thank the Chairperson of the Committee for Enterprise, Trade and Investment for his comments. Invest NI and the Department are conscious of the importance, and the impact, of global economic conditions and the effect that the situation is having on the decisions that businesspeople have to make for their companies. Companies are tightening their belts and increasing their focus on cost containment. If Mr Durkan sets out his concerns in more detail, I will be happy to have a discussion with him.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. The Minister has very helpfully addressed the point that I was going to make, but I want to press a particular issue. In noting the original question, I welcome the fact that there were no sounds of heads falling off when exporting from here to Great Britain was mentioned. My point focuses on the small and medium-sized enterprises and the social economy enterprises. Will the Minister go a step further than she has indicated, by ensuring that equal focus and attention is given to those sectors, given the global economic downturn? Those sectors have been the stable part of the economy and, in the current circumstances, represent the best chance of growing the economy.

The Minister of Enterprise, Trade and Investment: I thank the Member for his question. I was very pleased to attend the Bryson Charitable Group's AGM this year, at which there was talk about growth and more employment for that sector — therefore, the social economy is very important to my Department. A draft social economy strategy will, I think this week, be sent to the Committee for Enterprise, Trade and Investment for consideration. It is vitally important that we deal with that sector because, when we are in difficult times, it is often that sector that grows, and, therefore, I appreciate the value of it.

Home Tourism Market

7. **Mr McCallister** asked the Minister of Enterprise, Trade and Investment, given the current downturn in the economy, what plans the Northern Ireland Tourist Board has to focus on the home market to encourage potential holiday makers to stay and holiday in Northern Ireland. (AQO 720/09)

The Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board (NITB) undertakes

a year-round calendar of activities to promote Northern Ireland to both the domestic and Republic of Ireland markets through a series of marketing campaigns and PR. In 2008 NITB ran a campaign solely targeted at the domestic market. It included press advertising, leaflet distribution, PR and web promotion, all designed to encourage Northern Ireland residents to take a holiday or day trip at home. NITB has also just launched an autumn campaign in both Northern Ireland and the Republic of Ireland which will run until the Christmas period, and will include press advertising, web promotion, radio, outdoor advertising, direct mail and PR.

Mr McCallister: I welcome the Minister's answer. I further stress the importance of this issue, and ask the Minister to make sure that all is being done to promote Northern Ireland in light of the economic downturn, so that residents of Northern Ireland can explore the natural beauty of our countryside and enjoy our inland waterways and, especially, our hospitality, particularly in south Down.

The Minister of Enterprise, Trade and Investment: I was wondering when the advertisement would sneak in, but there it is. NITB is aware of the potential of the Northern Ireland and Republic of Ireland markets — it is an issue that I have raised directly with that organisation. It has recently conducted a review of those areas, which demonstrated that there was potential in both the Republic of Ireland market and the home market in Northern Ireland. The Republic of Ireland is a major source of untapped growth potential, and that is a job for the Northern Ireland Tourist Board, as we develop the five signature projects, in one of which I know that the Member will be particularly interested. We are pressing ahead with all five of those projects.

Mr Shannon: It is always a pleasure to go to south Down, and it is even more of a pleasure to go through Strangford to get there. Has the Minister any plans to change the delivery of tourism at a local level in light of the changes proposed in the review of public administration (RPA), due to be implemented in 2011?

The Minister of Enterprise, Trade and Investment: I rarely go through Strangford to get to Newry and Mourne, but I will try it the next time to see if it is a better route. The Member mentioned the RPA, and he will know my view, given my previous ministerial position, that it is vitally important to achieve the buy-in of the new local councils in relation to issues such as tourism. It is an area that I am currently considering, to see how we can improve the buy-in of local people and local councils. I recently had the opportunity to attend a very good tourism conference hosted by Newry and Mourne District Council, and I hope that there will be more such buy-ins by the local councils in the future. It is certainly an area that I want to explore.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her response to Mr McCallister, who mentioned south Down.

I ask the Minister for reassurance that County Tyrone and in particular areas of west Tyrone, including the Glenelly Valley, Omagh, Gortin and Greencastle, will get their fair share of promotion by NITB. I ask that question because I have raised that issue and will raise it again with NITB. I seek reassurance from the Minister that those areas will get their fair share of promotion, because my constituents have raised that issue.

The Minister of Enterprise, Trade and Investment: This is rapidly becoming a tour around Northern Ireland. The Member knows where I am from and, therefore, my position on the issue. I assure her that all parts of Northern Ireland must get their fair share of promotion, because each part of Northern Ireland offers a different product, quality and experience to tourists. The five signature projects remain the driver for the Northern Ireland Tourist Board, and the Member will be aware of them. Although a signature project is not located right beside west Tyrone, the area will see the benefit of those projects. Fermanagh, where I live, should have had its own signature project, and although it does not have one, I believe that it will see the benefit of them.

I mentioned local government and councils because they will have an increasing role to play in tourism. I hope that Members will encourage their councils to become involved in any measure that we propose.

Credit Unions

8. **Mr Brady** asked the Minister of Enterprise, Trade and Investment when she will take forward proposals to provide credit unions with the same financial powers as their counterparts in the Republic of Ireland and England. (AQO 757/09)

The Minister of Enterprise, Trade and Investment: The Assembly's Committee for Enterprise, Trade and Investment is undertaking an inquiry into "The Role and Potential of Credit Unions, and Opportunities and Barriers in Northern Ireland".

My Department has provided briefing papers to the Committee on the regulatory framework that is applied under transferred powers in respect of credit unions in Northern Ireland. Likewise, the Financial Services Authority has provided a paper, including briefing on the legislative and regulatory framework that applies in the United Kingdom.

I plan to await the outcome of the inquiry and will give full and careful consideration to the Committee's views and recommendations in due course.

Mr Brady: I thank the Minister for her answer. With respect, the Minister's tour could not be complete without mentioning Newry and Armagh. I declare an interest as a member of Newry credit union. In light of the economic downturn, does the Minister think that financial powers should be expedited, particularly in light of people's problems in accessing credit from banks?

The Minister of Enterprise, Trade and Investment: At present, there is no evidence to suggest that the financial environment is having an adverse effect on the credit union movement in Northern Ireland. The Department and I put on record our appreciation of the role and the work of credit unions throughout Northern Ireland. I am aware that there was a particular issue about the Member's credit union; however, I understand that that issue has been resolved. I hope that that credit union and all the others in Northern Ireland will continue to provide their service to the community.

Mr Craig: I thank the Minister for her recognition of the work of credit unions. The tour has finally arrived in Lagan Valley. Will the Minister outline the number of credit unions in Northern Ireland and detail how much credit is outstanding in the credit union system?

The Minister of Enterprise, Trade and Investment: One hundred and eighty credit unions are registered in Northern Ireland, and they have a total of £740 million in deposits and £490 million in loans. That is not a bad position in which to be. At present, the maximum amount that credit unions can loan is £15,000. That may not seem like much, but it provides a useful service to many communities. However, the average loan is around £3,000. Therefore, credit unions provide a very good service to their communities.

4.00 pm

Mr Cree: Will the Minister outline her plans to introduce public funding for credit unions in Northern Ireland in line with the situation in Great Britain?

The Minister of Enterprise, Trade and Investment: I am not aware that credit unions in Great Britain receive public funding. However, they are regulated by the Financial Services Authority, which does not happen here. Likewise, the recent change in the Republic of Ireland means that credit union branches there are included in the state deposit guarantees. Therefore, Northern Ireland is the only area in the British Isles that is not covered by a statutory scheme, which is something that the ETI Committee will report to me on. I await its report, which I understand I will receive in the near future.

PRIVATE MEMBERS' BUSINESS

Strategy to Promote Safety in Communities

Debate resumed on amendment to motion:

That this Assembly calls for an inter-departmental, multi-disciplinary strategy, informed by the Patten report and the Criminal Justice Review report 2000, to include proposals on alcohol-related crime and prolific offenders, aimed at reducing harm and promoting safety in local communities, to be led by the First Minister and deputy First Minister. — [Mr Adams.]

Which amendment was:

Leave out all after "Assembly" and insert

"recognises that offending and anti-social behaviour is often the result of unmet, complex social, educational and health needs; and calls for an inter-departmental, cross-sectional strategy, led by the First Minister and deputy First Minister, that ensures safer communities by addressing issues of poverty, poor health, low educational achievement and lack of community and public resources." — [Ms Purvis.]

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. Alcohol-related crime, drug-related crime and antisocial behaviour have already left a scar on all our communities. For many households, crime of that nature is one of the major issues that they want elected representatives to address, because it constitutes a direct threat to homes, families and communities. My colleague from West Belfast Mr Gerry Adams outlined several examples of good practice in community justice and making communities safer in other parts of Ireland and across the water. I will refer to an example in Scotland.

Earlier this year, political representatives from all the main parties on the Policing Board, and independent members who are on the board, went to Edinburgh to meet the Minister responsible for policing and justice in Scotland, Kenny MacAskill. The trip was very informative and highlighted the potential of having policing and justice powers in this institution.

Several politicians have said recently that policing and justice is not a major issue for our communities. That is the wrong position to take, because it is the number one issue in many of our communities, alongside, if not above, the economic downturn.

Kieran McCarthy from the Alliance Party referred to drugs in Glasgow. The Scottish Administration have taken that issue by the horns and have used their initiative by providing the courts with drug treatment and testing orders to deal with offenders who are involved in serious drug misuse. That has delivered results and has eliminated re-offending among 50% of those who have participated. Drugs courts were also introduced in Scotland, which have been held up as models of good practice and have been copied in many countries throughout Europe.

The recent debate on the sale of alcohol to people under 21 has caused a stir in Scotland, but at least the Scottish Administration have the power to debate the issue to the best of their ability. We cannot have that debate to its fullest potential here until we have powers of policing and justice, which will make a radical difference to our communities. Dealing with policing and justice issues is not something to put on the back burner, because our communities will suffer as a result.

A properly thought-out strategy that examines community safety with clear lines of responsibility is required. The existing situation, with community safety partnerships on the one hand, and district policing partnerships on the other, is ridiculous. The responsibilities of both groups should be brought together into a single model.

We heard today, and in many debates over the past few weeks, about the economic downturn and how it affects all Departments in the Assembly. The downturn will have a major affect on crime, and increasing unemployment and poverty. Therefore, there needs to be a greater urgency to the debate about addressing community safety now in order to prepare for, and to prevent, an increase in crime against the community. There is no doubt that crime will increase over the next year or two as a result of the economic and social consequences of the economic downturn.

It is nonsense to suggest that people are not interested in policing and justice. For example, I am sure that members of the public would have far preferred local politicians to have dealt with the matter of 50% remission for sex offenders, rather than direct rule Ministers, who made a mess of the issue. If that had been in the hands of local politicians, we would have dealt with it much more efficiently and with greater urgency.

Therefore, it is not, as the Ulster Unionists suggested, premature to discuss this issue, because it affects the lives of all our constituents, and no elected representative should neglect that fact. Go raibh maith agat.

Ms Purvis: The debate has been wide ranging, and possibly the widest interpretation of a motion that I have heard. A number of cross-cutting issues emerged. Nelson McCausland spoke of the issues being societal and related to family, community and the legacy of the conflict. Danny Kennedy said that the motion was unclear, but that it was justice-focused.

Alex Attwood said that there was a need for a multidisciplinary and interdepartmental approach, and outlined the problems with a key element of the criminal justice system, namely, the Public Prosecution Service. I wonder what Kieran McCarthy will do when he has no more paramilitaries to blame.

Jim Shannon spoke about the issues in his constituency, and how they need to be addressed by

education programmes that provide options for young people. That goes to the heart of the amendment, which is about addressing the causes of offending behaviour through support, advice and co-ordination.

Martina Anderson talked about individual cases and difficulties with the criminal justice system. However, looking at the criminal justice system alone will not deal with the causes of harmful behaviour. What is needed is a multi-departmental approach.

Other Members spoke about Sinn Féin and the devolution of policing and justice, the need for support for the police and the rule of law. That is not in question. However, the criminal justice system and the police will not resolve the issues. They are complex; offending behaviour comes from unmet needs that are the root cause of harmful, offending behaviour in the community.

The Assembly can give a lead and assist the criminal justice system and the PSNI by developing and implementing an interdepartmental, cross-sectoral strategy in order to address the causes of offending behaviour. We heard from Members about how Departments can play their role with regard to education, social development and health. The criminal justice system cannot do that on its own.

The motion does not go far enough. It looks at punitive measures and not at the causes. If we do not start to address the causes of harmful, offending behaviour, we are stacking it up for ever. The criminal justice system cannot do this on its own, but the Assembly can.

I support the amendment.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. I thank all those Members who participated in the debate. I thank, too, those who tabled the motion, and Dawn Purvis for proposing an amendment.

Dawn Purvis's contribution in support of her amendment echoed the contributions of Members from all other parties, which show that the Assembly is conscious that those interrelated difficulties depend on other factors in order to be tackled effectively.

The motion calls for an interdepartmental and multidisciplinary strategy that is informed by the Patten Report and the Criminal Justice Review report. The strategy must include proposals to deal with alcohol-related crime and prolific offenders. Essentially, its aim is to reduce harm and to promote safety in local communities. It calls for that particular strategy to be led by the First Minister and the deputy First Minister.

When Gerry Adams moved the motion, he made it clear that he endorses and supports fully the amendment's intention. However, although it is not its intention the amendment goes, unfortunately, in the

opposite direction to the motion. It makes no reference whatsoever to the criminal justice system.

My party's concern, and an acute concern of everyone in the community, is that, often, the public equates rehabilitative work with young people and support for families with the lack of an assurance that a punishment will fit a crime or that there will be sanctions for people who become a burden to their communities. Therefore, the Assembly must not, through adopting the amendment, send out the wrong message, which is that it does not recognise the need for appropriate sanctions to be taken against people who offend in the community.

From the outset, I want to point out that the motion does not refer to young people. It is unfortunate that when most people hear about crime and antisocial behaviour, they automatically assume that it involves young people or that it is the exclusive preserve of young people. All public representatives will acknowledge that, periodically, people from every walk of life are involved in criminal activity or antisocial behaviour. It is not particularly rare to hear about people from professional backgrounds who are drunk and disorderly at public events, for example, and who let themselves down. They certainly do not come from marginalised or deprived backgrounds.

All Members who contributed to the debate, particularly the mover of the motion and supporting colleagues, have said clearly that they fully recognise that to resort to the criminal justice system is not the only way to tackle prolific offending, antisocial behaviour, and so on — far from it. My party is wedded and totally committed to the need to ensure that anti-poverty measures are in place; that support is available to families; and that young people, in particular, can, as much as possible, be diverted away from the criminal justice system and, therefore, do not end up in it. Evidence shows that once young people become involved with the criminal justice system, they are more likely to end up in it again than they would if they had been diverted away from it at an early stage.

The motion is not designed to deal exclusively with young people. It aims to deal with issues that all elected representatives encounter in their constituencies on a daily basis. The motion aims to locate a co-ordinated approach in OFMDFM that will leave to the criminal justice system the matters for which it is responsible. When I refer to the criminal justice system, I refer to it in its entirety — hopefully, in the context of the transfer of policing and justice powers to locally elected representatives. That will add to the array of democratically accountable institutions, such as the Policing Board, district policing partnerships and the plethora of local arrangements that people in many communities have with the police in order to tackle those problems at their source.

Therefore, my party agrees with the motion and the intention behind the amendment. A comprehensive and holistic approach is needed in order to tackle many of those issues that have, unfortunately, become a scourge and a serious burden for many communities.

4.15 pm

We recognise that it is not just a matter of dealing with the issues on an anti-poverty basis, by providing support for families, or by making sure that the criminal justice system and the various other statutory agencies employ all of the appropriate diversionary measures, particularly, but not exclusively, for young people. We must send a message to hard-pressed communities that there will be sanctions for offenders, particularly repeat offenders.

I am very pleased that none of the Members who spoke discounted the motion or criticised its import. The odd, silly remark was made about matters that are far too important to be drawn into a point-scoring exercise, so I will not even address those. All Members who spoke recognised the validity of the content of the motion as being among a range of issues that affect all the communities that we collectively represent.

For Sinn Féin, the amendment, unfortunately, does not go far enough. However, it does have proper intent, and Dawn Purvis spoke well in support of it. I suggest that she does not take issue with the substantive motion, and she recognised some of the implicit elements that Gerry Adams went some considerable way to clarify.

We do not want to fall out over not supporting the amendment, but we feel that, were the amended motion to be carried, it would send out a very negative signal to many people in our community. People in our community need to hear that we, as elected representatives, are fully cognisant of the problems that beleaguered communities often have to face. There is no quick fix for many of those problems. We are fully aware that there is often a clear link between levels of deprivation and marginalisation, particularly within working-class communities. However, crime and antisocial behaviour go well beyond those communities; there is no stereotypical criminal.

In proposing the motion, Sinn Féin is very clear that a comprehensive approach is required to support young people; to create the appropriate and necessary anti-poverty and equality-related strategies; and to give appropriate measures of support to those families who need it. The community needs to hear that we are all fully aware that safeguards against offenders are necessary, particularly against those who have the propensity to offend repeatedly. Unfortunately, we have heard, all too often, of the crimes that are committed within our community. For example, just last week, we heard about a sex offence. That sort of

crime has been a plague in South Belfast and other areas. In another case, a young woman had her car hijacked on a main road in broad daylight.

I thank all who participated in the debate; I appreciate very much that no one rejected the motion and that its validity was recognised. Sinn Féin accepts entirely the intent behind the amendment, but, because it makes no reference whatsoever to the criminal justice system, we cannot support it — it would send out an extremely negative and worrying message to the wider community. We are willing, however, to take on board the amendment's intent and content.

This debate is only the start. Even if the transfer of policing and justice powers were to take place tomorrow, or if those powers were to be given to OFMDFM, this debate would mark the start of our work, not the end, and it is certainly not definitive. Go raibh míle maith agat.

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

Main Question put and agreed to.

Resolved:

That this Assembly calls for an inter-departmental, multi-disciplinary strategy, informed by the Patten report and the Criminal Justice Review report 2000, to include proposals on alcohol-related crime and prolific offenders, aimed at reducing harm and promoting safety in local communities, to be led by the First Minister and deputy First Minister.

Mr Deputy Speaker: Members may take their ease for a few minutes before the next item of debate.

(Mr Speaker in the Chair)

PRIVATE MEMBERS' BUSINESS

Removal of the Over-30-Months Status

Mr Speaker: I have been advised that the Minister for Regional Development, Mr Conor Murphy, will respond to the motion on behalf of the Minister of Agriculture and Rural Development. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Poots: I beg to move

That this Assembly calls on the Minister of Agriculture and Rural Development to take immediate steps to remove the Over-30-Months status from cattle entering the food chain.

Given the situation in the rest of Europe and the review being carried out by the Food Standards Agency (FSA), it is particularly relevant that I bring the motion to the House today. The Minister must take the lead in ensuring that we do not fall behind Europe once again in the status of our produce. She must ensure that Northern Ireland is at the forefront of Europe in marketing its quality produce.

I will outline a brief history of how Northern Ireland came to be in the current situation. In the 1980s and 1990s, food scares were the norm, with "listeria hysteria", as it was called, salmonella in eggs and BSE. BSE was, by far, the worst food scare and caused huge — and justifiable — public concern. Evidence of BSE first appeared in the 1980s, mostly in the latter part of that decade, and grew rapidly in the 1990s. Concern that BSE could be transmitted to humans became public, and in the mid-1990s, the emergence of new variant CJD provided clearer evidence to support that.

From mid-1995 to March 1996, that concern grew rapidly, and action was taken because it was believed that new variant CJD was transmitted from infected meat. Public concern was exploited by some attention-seekers who spoke as scientists but did not base their analysis on facts. Tabloid headlines warned that a generation could be wiped out, or that it was anticipated that 100,000 people would die each year, and they caused the public to be genuinely concerned about the safety of eating beef.

On the back of that concern, several steps were taken, and some, such as the removal of meat-and-bone meal from animal feed, were scientifically based. However, the ban on beef from animals more than 30 months old being used for public consumption was

introduced despite evidence that BSE did not normally kick in until cattle were approximately five or six years old — although, in exceptional cases, younger animals could be affected.

I have no doubt that when John Major announced the ban on public consumption of cattle over 30 months of age, he was attempting to instil public confidence in beef consumption. However, that ban has lasted more than 10 years, has led to the incineration of tens of thousands of animals that would have been fit for human consumption, and has cost the Government billions of pounds. Bearing in mind that thousands of people in the world are starving, it was wrong to slaughter and incinerate so many animals that could have been eaten.

Over the past 12 years, approximately 150 people have died since the emergence of new variant CJD. Every one of those deaths is a tragedy. Given the nature of the disease, those deaths have been debilitating and undignified. However, we must approach the issue in a proportional manner. The Government have spent less money on fighting other illnesses, such as cancer, and we must adopt a wise approach. Therefore, sensible and rational measures, such as removing meat and bonemeal from the food chain, and not using animals that were born before 1996, will facilitate progress.

Therefore, I support the Food Standards Agency, which, in conjunction with the Spongiform Encephalopathy Advisory Committee, stated last week:

“The increased risks to human health estimated by the model from raising the age at which healthy slaughtered cattle are tested for BSE (up to 60 months, the highest age modelled) are very small. The model estimates that much less than one BSE case would be missed annually in the Great Britain herd by increasing the age of testing to 60 months for the healthy slaughter surveillance stream.”

Therefore, support for the motion will not put public health at risk. It is a proportional response to a measure that was introduced many years ago. In 2008, to date, two animals have tested positive for BSE in Northern Ireland. Those animals are, normally, much older than 60 months.

We must make progress. The issue has cost the public purse approximately £3 billion. Furthermore, the ban has cost the agricultural community not only money, but lives. It is a tragic fact that many farmers in the United Kingdom have taken their own lives since the ban was imposed. Those farmers feared for the future of their businesses, and committed suicide. Members must bear that in mind.

The European Commission intends to introduce a 48-months testing regime, and the Assembly and the Minister must ensure that we are not left behind again.

4.30 pm

When we were first excluded from exporting meat in 1996, no one would have believed that it would take us almost 10 years to get back into the export market; however, that is the reality. We cannot afford to hang back and allow the other EU countries to move ahead of us. We must ensure that beef from Northern Ireland has the same status as beef from the rest of the EU countries.

Some supermarkets have indicated that they wish to continue to mark down the price of beef that is over 30 months old. For anyone who does not know, prime beef is prime beef whether it is 30 months and two days old, or 29 months and 28 days old. It should be put on the shelves at the same price. It is likely that older animals were produced in a more healthy way, using fewer compounds and a more grass-based diet. That is a more natural form of production. If supermarkets did right by their customers, they would offer farmers more for a product that was produced by exclusively grass-based means, as opposed to penalising farmers who wish to operate that system.

We must make it clear to supermarkets that it is wholly wrong for them to go down their chosen route. The Government say that meat over 30 months of age is safe — a position that is backed up by the Food Standards Agency, the Spongiform Encephalopathy Advisory Committee (SEAC) and the European Commission. The supermarkets stand alone in reducing the price of that meat, and their only reason is not to pass the saving to customers, but to bolster their coffers. Farmers currently receive approximately £20-£30 less for each animal once it reaches 30 months. Supermarkets must take that on board.

A decision on the matter is long overdue. In the public interest, Northern Ireland and the rest of the United Kingdom must move forward and away from BSE, allow that tragic piece of history in our food-production era to pass and — thankfully — consign it to the annals of history.

Mr Doherty: Go raibh maith agat, a Cheann Comhairle. I support the motion, but I do so rather reluctantly, as I find it rather silly and futile. Anyone who is aware of these issues knows — or should know — that the EU Commission intends to change the over-30-months status to over 48 months from 1 January 2009. In the meantime, the Department of Agriculture and Rural Development (DARD) must engage in dialogue and understanding with the Food Standards Agency, which is in the remit of the Health Department. That is currently taking place. I find the motion unnecessary as it is quite clear that the work to bring about the necessary change is ongoing.

Mr Savage: I support the motion. From the outset, I stress that the Ulster Unionist Party is fully supportive

of the calls to remove the over-30-months status, as it is an unnecessary hangover from the BSE era.

In March 1996, the over-30-months rule was introduced as a control that was aimed at protecting the public health during the BSE crisis. The Food Standards Agency reviewed the over-30-months rule in July 2002 to consider whether it was still appropriate in light of the BSE epidemic. The agency's review was assisted by two committees — a joint SEAC and FSA risk-assessment group and a core stakeholder group, which represented a range of stakeholders, including the farming and meat industries, and consumers.

In July 2003, the Food Standards Agency board advised Ministers that a move to replace the over-30-months rule by testing all of the over-30-months cattle that went through UK abattoirs was justified on the grounds of public health risk in relation to food and proportionality.

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

In addition, the Food Standards Agency advised Ministers not to change the over-30-months rule until they were satisfied that the necessary arrangements had been implemented.

European rural affairs Ministers later decided that all cattle born or reared in the UK before 1 August 1996 should be permanently excluded from the food chain. In July 2004, the Food Standards Agency's board advised Ministers that replacing the over-30-months rule by BSE-testing cattle born on or before 1 August 1996 continued to be justified on grounds of risk to the consumer.

In light of the FSA's advice, on 1 December 2004, the Government announced the start of a managed transition from the over-30-months rule to a robust BSE-testing system for cattle aged over 30 months and born on or after 1 August 1996. An independent advisory group was established to assist the Food Standards Agency in advising Ministers about the robustness of testing. On 15 August 2005, the Food Standards Agency board considered evidence from the independent advisory group that a BSE-testing regime would be robust if it were to be effectively implemented, complied with and enforced.

On 7 September 2005, the Deputy Prime Minister gave the Committee on Domestic Affairs clearance to replace the over-30-months rule with a system of testing over-30-months cattle for BSE. From November 2005, the over-30-months rule was replaced by a testing system for cattle born or reared in the UK after 1 August 1996. That testing regime complies with EU rules that came into effect in 2003 and it limits the amount of state aid that member states may contribute towards the cost of BSE testing of cattle for human consumption to £27 a head.

Parallel legislation was to be introduced in all UK regions by their respective Administrations. Consequently, from 7 November 2005, the Food Standards Agency introduced measures in Northern Ireland to keep DARD-licensed slaughterhouses under tighter control. Animals over 30-months old may be slaughtered as long as they have achieved a negative TB-test result.

This matter has gone on for far too long. Since the over-30-months rule was introduced in 1996, incidences of BSE have continued to decline, the number of BSE cases in most EU-member states has almost halved and no new cases have been registered in 14 of the 27 member states. Ending the over-30-months rule was considered to pose only a minimal risk, and a realistic estimate of that risk was claimed to be less than one additional variant CJD case in the next 60 years.

In September 2008, the European Commission revealed that it will increase the BSE-testing age for cattle to 48 months. Many people from the Ulster Farmers' Union (UFU) and in farming organisations realise that that is essential.

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

Mr Savage: I support the motion; it is long overdue. We do not wish to lose the foreign markets that have been established over years, and it is now time to make progress.

Mr P J Bradley: I have no difficulty in identifying with the motion's principle aims; however, given that we have just heard about how recent amendments to EU legislation allow member states to apply to reduce their BSE-monitoring programmes, it is solely up to the UK Government to pursue this matter.

The motion calls for the Minister of Agriculture and Rural Development to take immediate steps to remove the over-30-months status for cattle entering the food chain; however, that will come about only if Department for Environment, Food and Rural Affairs (DEFRA) and the UK Government apply to have the testing age increased to 48 months.

Before making the necessary approaches to Europe, the UK Government should seek to extend the testing period from 30 months to 60 months. That figure is the result of analysis by the European Food Safety Authority's veterinary laboratories, which indicated that increasing the age at which cattle may be slaughtered for human consumption, and are tested for BSE, from 30 months to 48 or 60 months would be unlikely to result in any test-positive cattle being missed.

The sentiments expressed in the motion by my fellow Committee members Edwin Poots and Trevor Clarke are in keeping with what DARD, the Committee

for Agriculture and Rural Development, the UFU, Northern Ireland Agricultural Producers Association and the livestock industry dearly wish to happen.

If the change from 30 months to 48 or 60 months comes about, that should give the meat industry economic benefits. The cost of producing meat would be reduced, which should — I use that word carefully — result in producers receiving slightly higher payments for their cattle.

Unfortunately, our farming industry remains at the mercy of the UK Government on such issues, and until an all-island agriculture industry is established, similar in principle to the agency that promotes all-island tourism, our farmers will have little choice but to await whatever benefits come their way, courtesy of the UK Government. However, we all know that Government's support for farming, even in England, makes miserable reading. Indeed, the record of support for agriculture from British MEPs is even worse. One has only to look at the British-driven proposal on pesticides to confirm that view.

In the past, there has been considerable reluctance from Britain to the adjustment of BSE controls. However, as Mr Poots detailed, the industry should take some encouragement from the positive soundings of the report on the BSE debate that took place at the meeting of the Foods Standards Agency on 15 October 2008.

However, should the UK Government fail to pursue the EU offer fully, we may need to seek regional status to secure better deals for the livestock industry. To acquire such status requires the support of the Westminster Government, and that Government know only too well that Scotland and Wales are waiting in the wings, watching everything that happens in the various regions of the United Kingdom.

I refer to regional status because of our good record on BSE. As far as I am aware, over the past three years, there has been only one positive test for BSE in an over-30-months animal that was slaughtered for human consumption. Therefore, it may be possible to attain special recognition in Europe.

The motion is directed towards DARD. However, if, as expected, the motion is unanimously supported in the Assembly today, DEFRA, the Foods Standards Agency and the UK Department of Health must be told of the united political front among stakeholders in Northern Ireland in the quest to have the over-30-months status removed from cattle entering the food chain.

The EU agreement to raise the testing age to 40 months will not be straightforward. Indeed, are any EU regulations straightforward? Those Members who are familiar with the farming industry know the answer to that question. For example, I have learned that, under the new agreement, some matters, such as the obligatory removal of the spinal chord from carcasses, will remain

unchanged. That regulation will probably remain in place for ever.

If and when the change comes about, it will not necessarily change the attitudes of the processors, retailers and consumers. They will continue to purchase to meet their respective requirements. Therefore, we could see the development of two different markets: an under-30-months market and an over-30-months market.

When the motion is passed in the House, there is work that our Members of Parliament should consider undertaking, because the EU is now seeking applications about testing. I suggest to our MPs, two of whom are present today, that a delegation is selected from the ranks of the 13 MPs who are constantly working at Westminster on behalf of the people of Northern Ireland to meet representatives of DEFRA, the Foods Standards Agency and the Department of Health in order to deliver the wishes being expressed here today. Other than that suggestion, I can think of no other idea.

Dr W McCrea: I support the motion that has been tabled by my colleagues Edwin Poots and Trevor Clarke. I speak to the motion not as the Chairperson of the Committee for Agriculture and Rural Development but as a DUP Member who happens to be the Chairperson of that Committee.

My colleague Mr Poots has clearly and capably outlined the DUP position on this important issue. I believe that the Department of Agriculture and Rural Development has failed to take the necessary lead in dealing effectively with animal-health issues and the inevitable cost to the industry.

The history of the over-30-months scheme stems from the high incidence levels of BSE in cattle on the mainland. In Northern Ireland, we were, mercifully and fortunately, spared much of the trauma and distress that the disease caused as farmers there watched their animals being destroyed before their eyes.

However, we were faced with the rigid controls that were aimed at protecting public health — the over-30-months scheme. Those were testing times for the farming community, but, once again, our farmers came through with integrity — although they bore a heavy financial burden.

4.45 pm

The imposition of the over-30-months scheme in the United Kingdom prohibited animals over 30 months from entering the food chain. On 7 November 2005, the 30-months rule was replaced throughout the UK with the BSE-testing regime for all cattle over 30 months that were born on or after 1 August 1996. Since that date, such cattle were eligible for entry into the food chain, subject to a negative BSE test. In September of this year, the EU Health Commissioner,

Androulla Vassiliou, announced that the European Commission is to increase the age at which cattle will be tested for BSE from 30 months to 48 months. That announcement followed a proposal from a group of member states' chief veterinary officers.

The announcement was welcomed by many in the farming industry, but, as yet, it has not been confirmed in Brussels, or by the Ministers with the relevant responsibility in Britain and Northern Ireland. Such confirmation would assist farmers with the costs that have been imposed on them, and it would come at a critical time when essential savings must be made in the farmers' budgets.

However, in issues relating to animal health, disease control and the cost to the industry, the Minister of Agriculture and Rural Development and her Department have been found asleep at the wheel. The Committee has had to take the forefront in pressing the Department on many issues, but, at times, it has been with little success, unfortunately.

One such example relates to the incidence of TB and brucellosis. Following the Committee's forcing of the Department to confirm that there is correlation between badgers and the incidence of TB across the Province, we expected that the Department and the Minister would take urgent action for the sake of animal health. However, the Minister of Agriculture and Rural Development has failed to take action for the good of animal health, despite the fact that she was granted the authority, by the Minister of the Environment, to cull 1,000 badgers. That is the issue that we are dealing with under the 30-months scheme.

Mr Deputy Speaker: Order. Dr McCrea, you must return to the subject of the motion.

Dr W McCrea: The subject is exactly that: it relates to animal health. That is the reason why we are seeking the removal of the over-30-months scheme. The Minister and the Department have failed to deal with the cardinal issue of animal health. The Minister must come up with a recommendation immediately. It was suggested by a Member across the way that the issue relating to the over-30-months scheme has been settled, but it has not. What is the mind of the Department of Agriculture and Rural Development? What is the mind of the Minister? We do not know. As usual, their thinking is woolly; they are asleep at the wheel when it comes to taking this issue seriously.

The Assembly is appropriately and properly taking the issue seriously and telling the Minister to deal with the issue. However, if she deals with it in the same way that she has dealt with TB and brucellosis, Members can be assured that she will fail, again, in her duty to protect the health of the animals and public of Northern Ireland.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I am grateful that the European Commission has moved on the over-30-months scheme. Farmers in the North of Ireland will be relieved that fewer cattle will have to go through BSE testing and that they will not have to bear the resultant costs. Despite what the Chairperson of the Committee for Agriculture and Rural Development says, the Minister has been responsible. Furthermore, she has acted quickly to protect the health of the farming community and the stock here through the decisions that she has made on various issues that have come before her in the past number of months. I recommend that the Committee act similarly; it should act responsibly and follow the process that is relevant to the over-30-months scheme. The process must involve the Food Standards Agency, which has a relevant responsibility, and the Department of Health, Social Services and Public Safety, which is responsible for that agency.

The process must be gone through, and I understand that they are looking at the process favourably. The European Commission has also indicated that it is moving on the matter, and it is important that we consult and relate our findings to the Commission.

It would be wrong to decide that the change will come into force immediately and could be in place tomorrow morning. However, it is important to ensure that the industry and the cattle in the North of Ireland are protected. The Minister must examine the long-term effects on the standard that has been set for health and food in the agriculture sector in the North. We must take the long-term viewpoint into account.

The process involves the European Commission, the FSA and the Department of Agriculture and Rural Development. It would be irresponsible of the Minister, or anyone else, to simply decide to do away with the over-30-months rule tomorrow morning. Everyone wants to move towards that situation as quickly as possible, but it must be done within guidelines and with the protection that will ensure that the industry is protected. People throughout the world recognise that the industry here of a high standard and has clear records of traceable stock.

We must be aware of the present situation and recognise that we are in a process. The European Commission has indicated clearly that it will remove the over-30-months status. I hope that the Food Standards Agency will react favourably and that, as a result, the thrust of the motion will be able to go ahead. When the European Commission gives the go ahead to remove the over-30-months status, we can export our meat on the clear understanding that the food exported from the North of Ireland is of a very high standard.

Mr Irwin: I declare an interest as a farmer and as someone who has experienced the over-30-months rule in his farm business. I welcome the opportunity to debate the subject, and I thank my colleagues for bring it to the Floor of the Assembly.

There is no doubt that it is high time for the over-30-months rule to be abolished. Indeed, the European Commission has reached agreement on the move to 48 months, and our neighbours in the Irish Republic are ready to welcome that move on 1 January 2009, with predicted savings of €8 million a year. The move has been heralded as further proof that the BSE crisis is well and truly past, and it is a major seal of approval for the testing procedures that operate there.

For years, the ruling has been a burden on farmers, and it has cost them dearly. Many cattle approaching 30 months had not reached their full weight potential. Nevertheless, they had to be killed before that age so that farmers were not disadvantaged. However, as many cattle had not reached their full weight potential, many farmers were disadvantaged.

At a board meeting on 15 October, the Food Standards Agency in Northern Ireland agreed to support the move to testing at 48 months subject to a review of current testing procedures. I welcome the statement by the FSA, although I do not want to see another time-consuming review process further delaying what has been agreed across Europe.

Facts sourced from the 'Farmers Guardian' confirm that of the 1.3 million over-30-months tests carried out in the UK since November 2005 only 10 positives were found, and that the youngest animal to test positive was 48 months old. Those figures back up the success of the testing procedures here. Shifting the limit to 48 months — as has been broadly welcomed by the Food Standards Agency — will save our industry a significant amount of money, time and resources.

I ask the Minister to give the matter her full attention and, with the co-operation of the Food Standards Agency, implement the 48-months rule as soon as possible. I support the motion.

Mr Elliott: I thank the Members who tabled the motion, and I welcome the opportunity to debate this matter today. I too declare an interest as a member of the farming community.

The impression is that farmers are always looking for something that will cost the Government money, but this is one occasion when they are being proactive in helping themselves and, at the same time, the Department and the abattoirs. We have just heard that removing the over-30-months scheme will save the agriculture industry money. The financial saving should be a key element but not the main element in the matter — it is the food safety element that should be at the forefront of our minds. Such a move would

save the Department resources and money, and the abattoirs and the farming community would also save money. Farmers are trying to be proactive in that regard.

The removal of the scheme will also build confidence in the rural and agricultural communities — and that confidence is desperately needed at the moment, particularly in the beef industry. I am confident that the scheme will be removed. However, I hope that when the process is under way, people — especially the abattoir owners — will not ignore the new approach and instead take the opportunity to reduce the price that they are paying to the farmer. To act differently would be a travesty of justice. We must ensure that that does not happen, if and when the over-30-months scheme is removed.

As I said, the removal of the over-30-months scheme would mean increased confidence within the local farming community, but it would also lead to those in the wider European Union having greater confidence in our industry. In turn, that would lead to greater access to our beef and other products. I hope that progress can be made sooner rather than later. I have heard what Members on the Benches opposite have said, and I am willing to let the process take its own course, if that is the way to do it. However, action must be taken sooner rather than later; some urgency is needed.

Some Members have outlined how the experience of the past years has affected farmers and the industry in general. The ban on cattle over-30-months old has had a huge effect on farmers, both financially and emotionally. As Mr Poots said, that has proved catastrophic for some farmers, and they have been driven to the point of suicide. That is something that we cannot comprehend.

I am led to believe that raising the testing age limit from 30 months to 48 months would remove 40,000 cattle a year from the testing system — I do not know how many more cattle would be removed if the age-limit were raised to 60 months. However, such a move would help the farmer in general. The entire farming industry is trying to move towards a more extensive method of production, and farmers have been trying to intensify their methods in general, especially in beef production — they have been trying to get their cattle finished for beef before they reach 30 months. That has meant increased costs in cereals and concentrates. If farmers could move to a more extensive system, their input costs would be much lower.

Another serious issue is that abattoirs must kill cattle under 30 months and those over 30 months on separate days. That has caused a huge problem, which has, as Mr Poots mentioned, resulted in many cattle that were perfectly fine for human consumption being thrown on skips or incinerated over the years. I want to see an end to that practice. First and foremost, I want

to know that the health and safety of the consumer is kept at the forefront of any decisions on the matter, and that more cost-effective methods of production can be developed.

Mr Shannon: I support the motion, and I congratulate my colleagues Edwin Poots and Trevor Clarke for highlighting the issue.

Oor fairmers ir unner sarious pressure tae rear baag bastes at wul kill oot weill whiles steyin' unner 30 montht oan account o' the laa. The EU bes fer bringin' oot laa at wul alther the leemit tae 48 montht an thon wul tak mich o' the strain aff the fairmers, an hits mae notion an the fairmers wha hae spoke tae me about this 'gree – we hae need o' the saime rules in the Province es the rest o the UK an' Europe.

5.00 pm

Our farmers are under immense pressure to produce large cattle that will provide a good side of meat before the age of 30 months, due to the legislation. The EU is introducing legislation that will change that limit to 48 months; that will relieve the strain a great deal. Farmers have agreed with me that the Province needs to have the same rules as the rest of the UK and Europe. Our farmers produce superior beef. I come from Strangford in the heart of County Down, where the grass is greener and, according to farmers, tastier. Our cattle thrive faster, fatten quicker, look better and, most importantly, taste nicer.

It is imperative that beef be free from BSE. However, that does not mean that farms should be unreasonably and perpetually restricted. The legislation in Northern Ireland is too restrictive to allow a flourishing farm to operate properly. The motion aims to help farmers to move away from the problems that they have faced. The restrictions are now unreasonable and unnecessary. The Minister needs to do what should have been done a long time ago. She must loosen the rope and allow farmers to produce superior meat, which is what they do best. With respect, not enough has been done for our farming community or, indeed, our fishing community. I urge the Minister to cut the farming community some slack and make life a little easier for them without making meat any less safe. I support the motion.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on behalf of the Minister of Agriculture. I congratulate her on the birth of her daughter, and I am sure that the Chairperson and members of the Agriculture Committee will send their good wishes in due course.

The European Commission recently agreed to increase the minimum BSE testing age for all cattle to 48 months for member states that meet the criteria for a revised BSE surveillance programme. DARD has

policy responsibility for BSE testing and introducing the necessary legislation. However, we will not increase the minimum age for BSE-testing of cattle slaughtered for human consumption without agreement from the Food Standards Agency and the Department of Health.

Members may recall that the emergence of BSE came to a head in March 1996, when it was concluded that the most likely explanation for new variant Creutzfeldt-Jakob disease in humans was exposure to BSE. Variant CJD is a degenerative neurological disease, mainly in young adults, which ultimately leads to premature death. Due to the risk of BSE infectivity in meat, no cattle were allowed to enter the human food chain once they had reached 30 months of age. All such animals were slaughtered and destroyed at the end of their productive lives through the over-30-months scheme.

In recognition of the significant strides that have been taken — in Britain and here — to eradicate BSE, the over-30-months rule was replaced by a BSE-testing regime in November 2005. For the first time since 1996, cattle over 30 months of age and born or reared in the UK on or after 1 August 1996 were allowed to enter the food chain, subject to a negative test for BSE. That was welcome news and opened up a new market for cattle older than 30 months. However, the testing requirement placed additional logistical and financial burdens on slaughterhouse operators and farmers.

It is good news that the EU has now proposed that the testing age of cattle for human consumption will increase from 30 months to 48 months from 1 January 2009. P J Bradley referred to the possibility of that age limit increasing to 60 months. However, the EU discussed that and decided that the testing age would be increased to 48 months and not 60 months.

This change is welcome. It will reduce the financial and operational burden on slaughterhouse operators and — as Tom Elliott mentioned — lead to about 40,000 fewer cattle requiring BSE testing in the North of Ireland before they can enter the food chain. However, Members will appreciate that certain procedures must be followed before that can be implemented.

In preparation for the age change for BSE testing, all member states were asked to submit applications to the European Commission for a revised BSE-testing programme. The UK application, which included input from DARD, was submitted well in advance of the EU deadline of 1 September, and it was accepted by the EU expert group on 3 October. The Commission has proposed a draft decision that would allow eligible member states, including the UK, to implement the revised programme from 1 January 2009.

That draft decision was agreed by the EU Standing Committee on Food Chain and Animal Health on

Tuesday 14 October. The next, and possibly last, stage at EU level is one month's scrutiny of the draft decision by the European Parliament. If there are no objections, the new decision should be published in the official journal in preparation for the commencement date of 1 January 2009.

As I said earlier, in order to ensure that the public is protected, we will not raise the minimum age for BSE testing for cattle slaughtered for human consumption without a favourable opinion from the FSA and Health Ministers. At the FSA board meeting on Wednesday 15 October, the board considered the proposal to increase the age for BSE testing, taking into account advice from the Spongiform Encephalopathy Advisory Committee (SEAC), which is the independent body of scientists and experts that advises the Government on BSE issues. SEAC advised that an increase in the age for BSE testing for human consumption in cattle would represent a minimal-to-negligible increase in the risk to human health. Edwin Poots mentioned that earlier.

SEAC also emphasised the importance of appropriate BSE surveillance in monitoring infection levels to ensure that they remain extremely low. The FSA board supported the move to testing at 48 months, but it does not wish that to be implemented until a further report on surveillance has been produced and passed to SEAC for review.

If the Health Ministers agree to the increase in the BSE-testing age in the UK, DARD will introduce an amendment to the Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2006 to provide the legal basis to increase the age for BSE testing of human-consumption cattle. Officials in DARD will take that forward urgently with the FSA and health officials to ensure that the necessary legislation is in place in line with the European Commission timetable.

I encourage the Committee for Agriculture and Rural Development to lend its full support to the draft legislation when it is subject to scrutiny. That would greatly assist in the timely introduction of the new BSE-testing age for human-consumption cattle. To introduce a new BSE-testing age to the North of Ireland now, before the necessary European legislation comes into force, would be a breach of the EU legal require to test human-consumption cattle for BSE at 30 months of age.

Tom Elliott mentioned abattoirs. Abattoirs do not have to kill under-30-months cattle on a different day from over-30-months cattle; they can kill them on the same day, but at different times. Unfortunately, Mr Elliott is not here, but I am sure that he will pick up my response to his point in Hansard.

William Irwin asked about further delays. DARD does not intend to consult on the proposal to raise the BSE-testing age. The Food Standards Agency has consulted widely in Britain and in the North of Ireland

to assess the views of stakeholders. The new BSE-testing age will be incorporated into the draft TSE regulations, which were subject to a consultation that ended on 26 September 2008.

I can confirm that immediate steps are being taken to ensure the introduction of the increased BSE-testing age of 48 months for human-consumption cattle from 1 January 2009, subject to the necessary EU legislation being in place and to the agreement of Health Ministers. However, to stop BSE testing for healthy cattle over the age of 30 months that are slaughtered for human consumption now would be in breach of EU regulations. Go raibh maith agat.

Mr T Clarke: It is difficult to speak after so many Members have spoken on the subject. Many of them are farmers and, therefore, have a better knowledge of the issues than I have. My colleague Edwin Poots asked me to sign the motion, which I had pleasure in doing.

Those of us not from an agricultural background have not been directly affected, but we have heard much about the subject, and I concur with many of the remarks that have been made. Unsurprisingly, I am disappointed by the Members from Sinn Féin. It sometimes appears that instead of protecting the industry, they are protecting the Minister of Agriculture and Rural Development. Pat Doherty said that the motion was futile; on the contrary, if the motion had not been brought forward, the Minister might have done the same as she has done with other topics that have been discussed by the Committee and put the issue on the back burner.

Before and after taking office, for example, the Minister had very different views about the Agricultural Wages Board. The industry is crying out over the Rose Energy proposal, which the Minister now wants to make the subject of a public inquiry. Those issues directly affect the agricultural sector.

Last night, while pondering what I would say in the debate, I wondered whether another "A" should be inserted into DARD's title, in order to make it the "Department against agriculture and rural development". As far as I can ascertain, the Minister has not championed the industry at all. However, I thank everyone who contributed to the debate for their positive comments. If there were not so much scepticism about the Minister, there might be less concern over whether the new measure will be introduced in January 2009.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Agriculture and Rural Development to take immediate steps to remove the Over-30-Months status from cattle entering the food chain.

Adjourned at 5.11 pm.

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