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# NORTHERN IRELAND ASSEMBLY

Tuesday 31 March 2009

*The Assembly met at 10.30 am (Mr Deputy Speaker  
[Mr McClarty] in the Chair).*

*Members observed two minutes' silence.*

## MINISTERIAL STATEMENT

### North/South Ministerial Council Environment Sectoral Format

**Mr Deputy Speaker:** I have received notice from the Minister of the Environment that he wishes to make a statement regarding the North/South Ministerial Council meeting in environment sectoral format.

**The Minister of the Environment (Mr S Wilson):** In compliance with section 52 of the Northern Ireland Act 1998, I will make a statement on the eighth meeting of the North/South Ministerial Council (NSMC) in environment sectoral format that was held on 20 March at Farnleigh House in Dublin. The report has been agreed with Minister Ritchie, who was also in attendance.

The Irish Government were represented by John Gormley TD, Minister for the Environment, Heritage and Local Government, who chaired the meeting, and I, as Environment Minister, with Margaret Ritchie, the Minister for Social Development, represented the Northern Ireland Executive.

The Council received a report on the progress that has been made to date on the ongoing discussions between the Department of the Environment, the Department of the Environment, Heritage and Local Government and the relevant competent authorities that are aimed at effecting the repatriation of illegally dumped cross-border waste.

The Ministers noted that Dublin City Council became the sole Irish competent authority designated for trans-frontier shipments of waste in July 2007, and it is committed to letting a contract for the removal of waste at Slattinagh and Trillick and its disposal in a suitable facility in Ireland. They also noted that a draft framework agreement that covers key issues surrounding the scope of the work, the methodology to be employed and the apportionment of costs has been developed and, it is hoped, will be agreed in the near future.

The Council welcomed the joint concerted enforcement actions that are continuing to target shipments of waste and noted that future action is planned. The Council also received a presentation from the Northern Ireland Environment Agency (NIEA) and the Environmental Protection Agency (EPA) on current work and the potential for co-operation on environmental research and state-of-environment reporting with the aim of providing positive outcomes for the environment and the economy.

The Ministers noted that the EPA and NIEA will bring forward proposals at the next NSMC meeting in the environment sectoral format for continued co-operation in this area.

Those will involve the development and publication of a common set of environment indicators, enhanced co-operation and further work in relation to environmental research and on environmental technologies, as well as co-operation to ensure that, building on the experience of the jointly developed North/South website for environmental research (known as the 'aNSwer' website), information on environmental projects across the island of Ireland is made available.

The Council welcomed the continuing progress on the implementation of the EU water framework directive for shared waters, and, in particular, the achievement of another important deadline with the publication of the draft river basin management plans for three cross-border international river basin districts: the North Western, the Neagh Bann and the Shannon.

The Council noted that the publication of the draft plans for a six-month public consultation period is a significant step towards the development and publication by December 2009 of the final river basin management plans, which will help to protect and improve the water environment in cross-border international river basin districts and throughout both jurisdictions. Ministers welcomed the opportunity for the public in both jurisdictions to contribute to the river basin planning process through responding to the consultation on the draft river basin management plans.

The Council also noted the carrying out of a jointly funded strategic environment assessment in parallel with the management plans to evaluate the environmental consequences of the plans and the programme of measures, and to consult with the public in that regard.

The Council noted the importance of the development of markets for recycled materials, and, in particular, the strategic documents 'Towards Resource Management: The Northern Ireland Waste Management Strategy 2006-2020' and, in Ireland, the 'Market Development Programme for Waste Resources 2007-2011'.

Ministers welcomed the reconstituted North/South market development steering group, which includes representatives from the business and non-governmental

sectors and was established to drive forward a market development programme for recyclable material. The terms of reference of the group, which will be reviewed on an annual basis, currently includes the following priority waste streams: organics; food waste; domestic waste plastics; construction and demolition waste.

The Council also noted the North/South market development steering group's intention to consider developments in the proposal for an all-island paper mill, and Ministers agreed to consider that issue at the next NSMC meeting in the environment sectoral format. The Council agreed to meet again in that sector in September or October 2009.

**The Chairperson of the Committee for the Environment (Mr McGlone):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement on the North/South Ministerial Council environment sectoral meeting. On behalf of the Environment Committee, I welcome the arrangements announced by the Minister for increased co-ordination and co-operation for the benefit of the environment on the entire island.

In his statement, the Minister referred to:

“joint concerted enforcement actions that are continuing to target shipments of waste”.

In April 2008, in response to a question about illegal dumping, the Environment Committee was told by the Department that the illegal depositing of waste in the North was extremely profitable to those involved due to the costs of legal disposal, and that the disparity in the cost of disposal of waste to landfill in each jurisdiction was acting as an economic driver and was encouraging the illegal transport of waste from the Republic into the North.

Can the Minister tell us, therefore, what concerted enforcement actions have been taking place to address the illegal transport of waste into the North, what his Department has done to reduce the economic drivers that might be exacerbating that, and what measures he is taking, as Minister, to prevent any increased pressure that the global economic downturn might have on that illegal activity?

**The Minister of the Environment:** I thank the Chairperson of the Environment Committee for his questions. I, too, recognise the importance of co-ordination, because, of course, when it comes to river pollution or other forms of pollution, the border does not act as a barrier to its movement.

Therefore, I see that there are good grounds for co-operation with the authorities in the Republic. As the Member well knows, lack of co-ordination in the past may have led to some of the problems to which he referred in his second question.

I will say two things in reply; first, about practical joint action and, secondly, about what we are doing to make that activity less profitable. There have already been a number of joint ventures between the Northern Ireland Environment Agency and the Irish Republic's Environmental Protection Agency. In fact, the last joint action was taken in January and February this year, when the Northern Ireland Environment Agency's trans-frontier shipment of waste team conducted joint inspections with Dublin City Council on both sides of the border. That action and those inspections are intelligence-led. It is important that the authorities on both sides of the border are aware of the likely movements of waste, especially those that will be undertaken by people with a record of illegal activity. It is important that there is not only a sharing of intelligence but co-operation and co-ordination of enforcement action on both sides of the border.

Since 2007, the Northern Ireland Environment Agency has conducted five verification inspections of notifiable and green-list waste movements, and four joint road and port inspections with Dublin City Council. Further joint inspections are planned. I want to see more of that activity taking place, and we will be pushing for more to be done.

The enforcement section in Northern Ireland has the job of ensuring that dumping illegal waste does not pay. There is evidence of where we have gone after people hard once we have identified that they have allowed illegal waste to be deposited on their land. So far, there have been 33 convictions, with five prison sentences handed out that have ranged from two to 12 months. I want to see more convictions. There have been 87 enforcement files involving incidents of waste from the Irish Republic. We are preparing the files; we are taking people to court; we are securing convictions and — in addition — we are seizing assets. So far, around £800,000 of assets have been seized. Some of those cases are subject to appeal in the court. Nevertheless, the Chairperson has made an important point: we must ensure that we do not allow people to benefit from dumping illegal waste. They may think twice about doing so if they know that they will be caught and punished severely.

**Mr Weir:** The Minister referred to environmental research and to a degree of work and co-operation with the Irish Republic. Will he expand on the discussions that were held on the benefits of joint research, and will he outline the benefits of joint working between the Environment Protection Agency and its Irish equivalent on the environmental indicators?

**The Minister of the Environment:** At the meeting, there was a presentation from representatives from Northern Ireland and the Environmental Protection Agency in the Republic outlining the research to date and the work that they intend to do. That joint

presentation was well received by officials and Ministers. It illustrated how each report uses similar indicators, and provided an overview of the continuing work to develop a single comparable set of all-island environmental indicators.

10.45 am

The possible benefits of that include having common international research linkages. Funds could be drawn down for that because EU research funds would be levered. Such a single set of indicators would also ensure that there is a value-for-money approach to research projects. Whenever we spend money on projects, the co-operation that is involved means that we should achieve maximum value from that money. Therefore, additional funding will be brought down because it will be easier to lever EU funding, and greater value for money should be ensured.

At the next meeting, we will consider proposals on the way forward. At that stage, we will perhaps be able to flesh out some of the benefits that have been realised.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. He will know that I raised the issue of illegal dumping previously in the Chamber. What is the time frame for the repatriation of the identified sites? Have any new sites been identified? In the past 12 months or so, local councils — including mine — and the Forest Service have had to pay for the removal of waste. Was there any discussion about reimbursing the councils for the resources that they have had to use to remove that waste? Go raibh maith agat.

**The Minister of the Environment:** As far as I know, about 20 sites have been identified so far. I want to see the process moving quickly, because some of those sites are already leaking leachate into water courses and are causing severe pollution. It is important that we move quickly so that we can deal with that situation.

The two sites that I mentioned in the statement are the first two to have been identified. I think that we are now close to reaching agreement with the competent authority in the Republic, which is Dublin City Council. Once that agreement has been signed, the procurement process will begin. Under the EU rules that apply to the size of the contract, that process must last for about four or five months. After that, work will start to remove the waste and to dispose of it in the Republic. Remediation work will then be done on the two sites, after which we will work through the rest of the sites.

I cannot honestly give the Member a timescale for the remediation work and for the removal of waste from all the other sites. However, I told Minister Gormley that once the process starts and we have identified the waste in the sites, I want to see the process moving as quickly as possible.

The apportionment of the cost of reimbursements for the removal of waste from now on will be part of the agreement that is finally settled. However, I make it quite clear that since the waste came from the Republic and was dumped illegally in Northern Ireland, a substantial proportion of the costs should be borne by the authority that was responsible for dealing with the waste in the Republic.

**Mr Beggs:** In his statement, the Minister indicated that the EPA and the Northern Ireland Environment Agency will bring forward proposals to the next North/South Ministerial Council in environment sectoral format. He stated that part of that work will involve the development and publication of a common set of environmental indicators.

Does the Minister agree that it is important that those indicators remain consistent with those that are used throughout the rest of the United Kingdom so that we are able to compare environmental standards in Northern Ireland with those in the rest of the United Kingdom?

**The Minister of the Environment:** Whenever we assess the state of the environment in different jurisdictions, we want to have comparable data. An awful lot of EU framework directives require common assessments in countries throughout Europe. Therefore, the more consistent that we can make those indicators so that one country can be compared with another, the better. That is important even from an EU point of view.

**Mr Ford:** I, too, thank the Minister for his statement. First, I noticed that when he was talking about the river basin management plans the Minister mentioned carrying out a strategic environmental assessment. Will he give us details of the timing of that assessment; who will carry it out; and what sort of public consultation there will be?

Secondly, it is clear that the North/South Market Development Steering Group, which develops markets for recyclables, is good and necessary. However, the Minister expressed concerns about exporting valuable recyclable materials to the Far East at an energy and financial cost. Given that, and in the light of the co-operation required both North and South, and with the private sector, will he give us any firm indication of actual developments as opposed to aspirations?

**The Minister of the Environment:** We had been working towards the development of an all-Ireland paper mill. However, as is the case with all such initiatives, unless they are market-driven and a good strong business case can be made for them, they will not work in the long run. There is no point in setting up something that is not sustainable or profitable. However, there is renewed interest in the proposal, and

it will be a case of whether business interests decide there is a market for it in the whole of the island.

No other specific projects have been mentioned to date. However, given the downturn in world prices, it is important that we look at what can be done within the curtilage of our own two countries to try and ensure that we recycle as much as possible, and recycle it here. If one looks at how waste prices for recycled material have held up in Northern Ireland, one can see that we have good long-term contracts anyhow and that most of those are with businesses that are using waste in a proper and profitable way. We are fairly well placed in that regard. I do not want to give the impression that most of the waste that we recycle is sent around the world, when, in fact, local contracts are already in place. It essentially reflects my economic philosophy that unless things can be done on the basis of business and profitability, many people will call into question the sustainability of some of the recycling targets.

The Northern Ireland Environment Agency is carrying out the strategic environment assessment of water management at the moment.

**Mr Ross:** I thank the Minister for his statement, and I welcome the steps that his Department has taken to combat illegal dumping. My question is on water-quality management. Will the Minister give us details on what further North/South co-operation there will be on the implementation of the Water Framework Directive?

**The Minister of the Environment:** First, as I said in my statement, public consultation on the draft river basin management plans is ongoing in Northern Ireland and the Republic and will continue until June.

Secondly, we are holding water information days and events to engage with interested parties, and those events are being held in both jurisdictions. Officials have been co-ordinating arrangements where possible, because, in places in which there is joint interest in a river basin, it will be easier for people to give their views to either the Northern Ireland Environment Agency or the Environmental Protection Agency in the South. Reciprocal invitations have been extended to people in both jurisdictions.

Co-ordination is ongoing at policy and technical level between officials in both jurisdictions. The main reason for that is to facilitate the preparation of the final plans. We aim to have the final river basin management plans published in both jurisdictions on 22 December, so a Christmas present will be available for those who are interested in that.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and, particularly, paragraph 4's reference to the removal of material from Trillick, which is part of my

constituency. I have been working on that issue for some months, and I am delighted that it has reached this stage. The Minister's written statement refers to "the apportionment of costs", but he used the word "enforcement" in his verbal statement. I would like him to elaborate on that. I agree with the Minister that the vast proportion of costs should lie with the South, because that is where the waste has come from.

In addition, paragraph 13 of the written statement — and the Minister may, to some extent, have answered this question — refers to an all-island paper mill. Would that mill be about recycling, or about afforestation, the cutting of trees and feeding into the production of brand new paper, or a combination of both? On a slightly lighter note, in the House last week, the Minister talked about the skies having been blue when he was in Dublin. I had not realised that it was 20 March when he was in Dublin. I happened to be in London on 20 March and the skies were blue there, too. So, just to put his mind at ease: partition has nothing to do with the colour of the sky. *[Laughter.]*

**The Minister of the Environment:** I am also well informed that the skies were blue in Belfast on that day, too, so there was a certain amount of commonality across all the islands on that day. However, I must say that it was a beautiful morning in Dublin, and I had the opportunity to act in a very environmentally friendly way and walk to the meeting — and it was a very pleasant walk.

**A Member:** Did the Minister walk from Belfast?

**The Minister of the Environment:** No; I did not walk from Belfast. *[Laughter.]*

With regard to the Member's questions: as far as recycling is concerned, I am not quite up to date on all the technology of paper mills, but it is my understanding that any proposed paper mill would be built, primarily, to use recycled materials. That was the whole point of the facility, and to give us some of the economies of scale that are required to deal with the waste paper that is generated in Northern Ireland and the Irish Republic. I suspect, though, that some virgin material would have to be put into a paper mill to make it work, but, as I said, I could be totally wrong about that because I do not know the technology behind it.

My use of the word "enforcement" referred to having proper enforcement regimes in place to ensure that the problem was not repeated. Of course, the apportionment of costs will not be a case of enforcing, it will be a case of an agreement that is reached between me and the Environment Minister in the Republic or — more properly speaking — with Dublin City Council, the competent authority. Those costs, and the apportionment of those costs, will be in the final agreement.

I made it very clear to the Minister that the issue has dragged on for too long. It is causing a problem. Increasingly, as those sites get older, the pollution problems caused by them will increase. To be fair to the Minister, he, too, wants a quick resolution. There was a meeting of minds on the issue, and I hope that the work will start sooner rather than later, and that the agreement will be signed in the next few weeks.

11.00 pm

**Mr I McCrea:** I, too, welcome the Minister's statement. He referred to, as Mr Ford noted earlier, the reconstitution of the North/South market development steering group. Does the Minister consider that the reconstituted body will produce any benefits for the people of Northern Ireland?

**The Minister of the Environment:** The whole idea of the North/South market development steering group is to involve people from business and non-governmental sectors in finding a way to drive forward the management and recycling of waste across the island. It will look at matters such as organics, food waste, domestic waste, plastics, construction and demolition waste. Any progress that can be made in helping us to meet our targets for recycling in those areas is important. We have stringent targets to meet by 2020, and any contribution, whether made by our agencies or by the steering group, will be beneficial to both Northern Ireland and the Irish Republic.

**Mr Cree:** I also thank the Minister for his timely statement. My question is similar to that posed by Mr Doherty; it refers to the transport to Northern Ireland of cross-frontier shipments of waste. That waste creates leachate and the Minister has said that he is concerned that the matter be resolved sooner rather than later. Is it likely to be resolved before the next meeting of the group, which will be at the end of this year, or can it be done sooner?

**The Minister of the Environment:** I hope that the agreement will be signed within the next few weeks. For the North/South Ministerial Council meeting, we had a road map as to how the problem should be addressed. I emphasise that it should not only address the legacy of waste that is deposited in Northern Ireland sites; it is more important to avoid it happening again. As other Members have pointed out, there are economic benefits for those who wish to engage in that trade, not least for those in the Irish Republic for whom it presents an opportunity to avoid the heavy landfill tax, and for those in Northern Ireland who take waste onto their land and probably get huge cash payments in return.

The road map considers what the issues are with illegal waste; what needs to be done in respect of it; how we will ascertain whether there is waste on particular sites; what we should do about it; the joint

operations to which I referred earlier; and how, in future, we can avoid this situation.

The draft agreement is with my officials, who are checking that it reflects what was agreed in the road map. If the two Ministers can sign it within the next few weeks, there is then a four- to five-month procurement process to be undergone. That is unavoidable — it is an EU requirement because of the size of the contract. Once that contract is signed, the work should begin. I am not saying that the work will have started by September 2009, or by the time of the next North/South Ministerial Council meeting. However, I hope that all the requirements will be in place to allow it to start.

**Mr Gallagher:** I welcome the Minister's wide-ranging statement. The most striking aspect of this report is the growth in the range of issues that are now discussed at North/South Ministerial Council meetings and that include the environment. That being the case, the Assembly will have to look seriously at having the issue of the environment addressed by a new North/South body.

**Mr Deputy Speaker:** Please ask a question, Mr Gallagher.

**Mr Gallagher:** I want to ask the Minister about the illegal waste at Garrison and Trillick, particularly at Garrison, as it is close to Lough Melvin, one of the best fishing lakes in these islands and which has, and has for centuries, made a very important contribution to the local economy. On 21 November, I received an answer from the Minister in which he said pretty much what has been repeated here today. He said that the remaining issues could be resolved before the end of the year and that the contract procurement could be allowed to proceed.

I understand the Minister's difficulties; however, we are not any further forward. When this matter comes up again at the next North/South Ministerial Council meeting, will representatives from Dublin City Council be present so that there can be some sort of face-to-face encounter? In Fermanagh and Tyrone, the feeling is that sites in the west are not a priority. Will the Minister give his views on that?

**Mr Deputy Speaker:** Order, order. That was a very creative use of your time, Mr Gallagher.

**The Minister of the Environment:** If it takes me as long to get agreement as it took the Member to get his question out, I think that we will still be talking about it this time next year.

I reject the Member's point that there has been no progress since November. We now have a road map and a draft agreement. Perhaps the Member would have preferred that we had not gone down the normal route. It is a mandated issue and it had to be dealt with at the North/South Ministerial Council meeting. The

matter was dealt with at the first North/South Ministerial Council meeting since I became responsible for the environment. We are now in the process of checking the details of that and signing off on it.

I have given the Member a timetable, and the road map includes the details of the agreement. Minister Gormley and I have agreed that that is a way forward. It is now the case, of course, that it has to be written down in the form of a contract. I have told the Member that it will be signed off in the next few weeks. I have told him what the procurement process is going to be and how long it is going to take. I do not know what else the Member wishes for.

As far as I am concerned, the issue was raised with me when I became Minister, and I made it clear that I wanted it dealt with as quickly as possible. The fact is that we now have ministerial agreement on it, which we did not have in November; we have the details of that, which we did not have in November; we are on the point of signing off on that, which we were not in November; we know what has to be contained in that, which we did not in November, including the identification, removal and disposal of illegal waste, the making good of the site and the apportionment of costs.

I cannot understand how the Member came to the conclusion that he has. Then again, I do not always understand his thought processes; for example, he still thinks that the sun moves around the earth.

**Mr Spratt:** I thank the Minister for his statement. Illegal waste is often associated with fuel laundering and smuggling — and I am thinking about the lorry load of fuel that went on fire between Lisburn and Carryduff. Has the Minister had any co-operation with his counterpart in the Republic of Ireland in relation to the fight against illegal fuel launderers and the smuggling of illegal fuel?

**The Minister of the Environment:** The Member is quite right: fuel laundering is polluting in nature because the chemicals used to remove the dye are usually dumped in water courses. As that is a clandestine activity, it is very hard to identify the full extent of the environmental damage that that residue might cause.

I am not avoiding the issue of co-operation with the Republic, but HM Revenue and Customs deals with fuel laundering. It tackles and prevents illegal fuel laundering and smuggling. It is not appropriate for me to comment on the level of co-operation, because the Department is not involved in that.

**Mr Buchanan:** I thank the Minister for his statement. Like Mr Doherty, I have concerns about the illegal waste in Trillick, and I commend the Minister on the ongoing work on that matter. What work has been done by the Department of the Environment to encourage community-recycling networking?

**The Minister of the Environment:** The Department recognises that recycling must be dealt with at local level. We must ensure that local people are signed up to community recycling. Networking with communities is done through the waste and resources action programme (WRAP), which the Department funds to the tune of around £1 million a year. Its job is to work closely with businesses and to encourage them to undertake initiatives to deliver increases in recycling, such as using recycled materials in construction and manufacturing. That, of course, reduces the amount of waste that goes to landfill.

**Mr O'Loan:** I thank the Minister for his useful statement. I notice that it is marked as "Restricted", and I wondered whether the DUP Whip was exerting discipline on the Minister's statements.

Earlier, questions were asked on the markets for recycled materials. I hear the public expressing quite a bit of concern that because of the economic downturn, some of the existing markets for recycled materials have disappeared. Will the Minister give an assurance that when householders recycle materials, those are genuinely going into recycling?

**The Minister of the Environment:** The market for recyclables is similar to any market, but it is more prone to the ups and downs of the economic cycle. People who are involved in recycling will know that in the 1990s, it hit a low patch. As I said in answer to earlier questions, Northern Ireland is much better placed in the use of recycled materials, because we entered into long-term contracts and although we are not immune to the ups and downs of the market, we are less prone to that. We have a market for the materials that we collect.

It is not clear when the markets will function normally again, but we believe that the low prices are a temporary phenomena. Therefore, we have allowed the storing of recycled materials. Normally, restrictions are placed on that, but we have recognised that rather than having recycling materials used in a way that they should not be, some storage should be allowed.

I was concerned about some of the stories that appeared in the papers about that, because I want to encourage people to continue to recycle materials as much as possible.

In a statement on 12 January 2009, I made it clear that materials that are collected for recycling in Northern Ireland do not go to landfill, but are used for the purpose for which they are intended.

11.15 am

**My Deputy Speaker:** That concludes questions to the Minister of the Environment on his statement.

## EXECUTIVE COMMITTEE BUSINESS

### **Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2009**

**The Minister for Social Development (Ms Ritchie):**  
I beg to move

That the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2009 be affirmed.

These regulations are made under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 and increase by 5% the compensation that is payable under the Order to people who satisfy the conditions of entitlement on or after 1 April 2009. The increase in the amount that is payable under the Order maintains parity with the corresponding scheme that operates in Britain and is in line with annual uprating of social security benefits.

I will explain briefly the Order's purpose. An employer can be sued by someone who suffers from an industrial disease when that disease was contracted as a result of working for that employer. However, the diseases that are covered by the Order can take a long time to develop and may not be diagnosed for 20, 40 or even more years after exposure to dust. By that time, the employer or employers who are responsible may no longer exist. Consequently, sufferers and their dependants can experience great difficulty in obtaining compensation.

The scheme was introduced in 1979 to help people who have no realistic chance of success in suing through the courts, as their employers are no longer in business. It provides for a lump-sum payment to sufferers. Payments are in addition to any award of weekly industrial injuries disablement benefit for the same disease. A claim can also be made by dependants after the sufferer's death.

In order to receive a payment under the 1979 scheme, a person must have been awarded industrial injuries disablement benefit. Two further conditions must be met before any payment can be made. First, there must be no relevant employer who can be sued. Secondly, court action must not have been brought or compensation received in respect of any of the diseases for which a person is claiming.

The scheme covers five respiratory diseases, most of which are directly related to asbestos exposure. They are diffuse mesothelioma; diffuse pleural thickening; primary carcinoma of the lung; byssinosis; and pneumoconiosis, which includes asbestosis.

Some people who suffer from mesothelioma are not entitled to any payment under the 1979 scheme because they were not exposed to asbestos in the workplace. However, since October 2008, the new mesothelioma scheme provides for lump-sum payments to sufferers of the disease, regardless of whether they were employees, self-employed or, indeed, had never worked, provided that they have not already received compensation from another source.

The amount to be paid under the regulations is based on a simple calculation, which cross-references the sufferer's age and level of disability. Higher amounts are paid to people who have higher levels of disability and whose disability arises at an early age. The maximum amount that can be paid from April 2009 is just over £74,000 for a person who is 37 years old or under at diagnosis. Lower amounts are payable to dependants who claim after the sufferer has died.

The regulations will help to ensure that the compensation that is provided under the Order maintains its value in line with the rate of inflation. I am sure that all Members will welcome the regulations warmly.

**The Chairperson of the Committee for Social Development (Mr Simpson):** At its meeting on 26 February 2009, the Committee for Social Development considered the Department's proposal to introduce The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2009, and on 12 March, it considered the statutory rule. The regulations will increase the amounts that are payable to the sufferers of certain dust-related diseases — or their dependants — who have been unable to claim damages from the relevant employer because that employer is no longer in business.

Dust-related diseases can take a long time to develop and may not be diagnosed until a considerable number of years after exposure. Therefore, it may be a common scenario that the employer that is responsible for the dust exposure is no longer in business when claims arise.

Although no amount of money could compensate for the misery and suffering that is caused by diseases such as pneumoconiosis, the amounts that are payable will offer some assistance to sufferers and their dependants. It is important that the compensation increases and that those amounts keep pace with inflation. In conclusion, the Committee recommends that the Assembly affirm the statutory rule.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I support the introduction of the regulations. Pneumoconiosis is a particularly nasty and debilitating condition that, as has been stated, takes a long time to manifest itself in many cases. Therefore, under the new regulations, people who, because the

relevant employer no longer exists, had no recourse to any other form of compensation will receive compensation. I welcome the regulations. Go raibh maith agat, a LeasCheann Comhairle.

**Ms Lo:** Like the Members who spoke previously, I welcome this new piece of legislation, which is fair, humane and compassionate. People who have contracted such conditions through work suffer greatly, and it is important that, where the employer cannot look after them, we make their lives easier.

**The Minister for Social Development:** I am pleased with the consensus of support in the Assembly for the regulations. I thank Mr Simpson, the Committee for Social Development, Mr Brady and Ms Lo for the positive way in which they dealt with the regulations. Mr Simpson made an apt point; no amount of compensation will ever cover the misery and suffering that people endure as a result of those illnesses.

I am certain that all Members want to ensure that inflation does not erode the value of compensation under the 1979 Order. It is important that the Assembly and the Executive deal with the matter in line with parity. The regulations will ensure that inflation does not erode compensation rates and that people in Northern Ireland who suffer from those ailments receive the amount to which they are entitled. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

That The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2009 be affirmed.

## **The Pre-Release Access to Official Statistics (Northern Ireland) Order 2009**

**The Minister of Finance and Personnel (Mr Dodds):** I beg to move

That the Pre-Release Access to Official Statistics Order (Northern Ireland) 2009 be affirmed.

The Order is part of a wider programme of work implementing the Statistics and Registration Service Act 2007. That Act established an independent United Kingdom Statistics Authority to promote and safeguard the production and publication of official statistics, and it requires the introduction of secondary legislation in Northern Ireland setting out rules and principles to be followed when granting pre-release access to official Northern Ireland devolved statistics.

Pre-release access to statistics is access primarily by Ministers and officials to the final statistics in the form in which they are to be published in advance of their release. The aim of pre-release access is to enable Ministers at the time of release to account for the implications of the policy areas for which they are responsible. It also allows Ministers and their supporting officials to take any immediate action that might be required in light of the statistical information being released.

Under current arrangements, Ministers and certain officials have privileged access to statistics ahead of their publication of up to five days' pre-release access in general and up to 40.5 hours for market-sensitive statistics. It is considered necessary to change the arrangements because pre-release access is sometimes cited as a contributing factor to problems of trust and confidence in official statistics.

There is no reason to believe that there is a problem of substance in Northern Ireland, but the Executive are committed to tackling any perception of interference in statistics. The Cabinet Office is responsible for bringing forward similar proposals for the UK Government, including the Northern Ireland Office (NIO), and the key elements of their legislation — which came into operation on 1 December 2008 — are limiting pre-release access to a strict maximum of 24 hours; requiring that pre-release access be limited to the minimum necessary number of people and the minimum number of statistics; and requiring that, where pre-release access is granted, it should be done in an open and transparent manner, with details documented and published.

There were no Northern Ireland-specific responses to the UK Government's public consultation on the issue in 2008. Executive Ministers were consulted in 2008, and replies were supportive of the changes incorporated in the legislation. The Northern Ireland statistics advisory committee was also consulted and fully endorsed the proposals. In addition, as required



by the legislation, the UK Statistics Authority, the Minister for the Cabinet Office, and Scottish and Welsh Ministers have all been consulted, and there are no unresolved issues.

The Executive, at their meeting on 20 November 2008, approved the making of the pre-release Order, broadly reflecting arrangements in place at UK-Government level, including the NIO. Thus it is proposed that pre-release access will be limited to a strict maximum of 24 hours, be limited to the minimum necessary number of people and the minimum number of statistics, and, where pre-release access is granted, it should be done in an open and transparent manner.

The need for pre-release access to a publication, and the people who are to be granted access, will be reviewed ahead of the release of the relevant statistics. In Northern Ireland, as at UK level, decisions on pre-release access will be led by statistical professionals. Each Northern Ireland Department will be expected to implement the new arrangements and publish a compliance statement to that effect.

Once pre-release access to a statistic in a final form has been granted, it will be under embargo, which means that its contents cannot be shared with others until the point of publication. Those granted pre-release access to statistics must, as now, not alter, or attempt to alter, the content or timing of the releases or the way in which they are presented. The pre-release access period must not be used for personal or political gain. Pre-release access may be removed from anyone who knowingly breaches those rules.

The rules ensure that pre-release will take place in an open, clear and transparent manner, with clear accountability; that represents a tightening of current practice. Passage of the Order will also ensure consistency with the position at a United Kingdom-level, including the Northern Ireland Office. The new arrangements will be reviewed after 12 months of operation.

The Order has been considered by the Committee for Finance and Personnel, and no objections have been raised. I, therefore, commend the Order to the Assembly.

11.30 am

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. I wish to make it clear that I am speaking as the Chairperson of the Committee for Finance and Personnel, and I will confine myself to speaking in that capacity.

I thank the Minister for his opening remarks. The Committee for Finance and Personnel considered the Department's proposal to make this subordinate legislation at its meeting on 25 February 2009 and

agreed that it was content with the policy implications of the proposed legislation at that stage. The rule was subsequently laid in the Assembly, and the Committee considered that rule and the accompanying report from the Examiner of Statutory Rules on 18 March. The Committee agreed to recommend that the rule be affirmed. However, it sought clarification from the Department of Finance and Personnel on issues contained in the explanatory memorandum, which does not form part of the legislation. The Minister mentioned that in his statement.

The explanatory memorandum states that under current arrangements, Ministers may have up to 40·5 hours' access to market-sensitive statistics prior to publication. The Committee was intrigued by the mention of the 40·5 hours' access period. The purpose of pre-release access is to enable Ministers and certain officials to account for the policy implications of statistics at the time of publication and, in certain circumstances, to be in a position to announce policy decisions when the data is released. The Committee was informed that the 40·5-hour period originates in the release practices protocol of the National Statistics Code of Practice, which will be superseded by the new arrangements in the 2009 Order. That 40·5-hour period means that, where privileged early access to market-sensitive statistics is granted, it will begin at 5.00 pm on day one, in advance of the release of the data at 9.30 am on day three.

Under the new arrangements, pre-release access for all official statistics will be limited to a strict maximum of 24 hours, and no distinction will be made between market-sensitive and non-market-sensitive statistics. The Committee for Finance and Personnel considered that further information on 25 March and agreed that it was content. On behalf of the Committee, I support the motion.

**Mr O'Loan:** I want to express my support for the Order. The issue is important, but, as the Minister said, it is less significant for a devolved region than it is for Westminster. I want to express my appreciation of the work of the Northern Ireland Statistics and Research Agency (NISRA), which provides an excellent service to Government. Statistics and research information from NISRA can be treated with a great deal of respect.

There is an important principle involved. There should be a necessary distance between Ministers and those who compile and issue statistics. The statistics that are issued can be politically relevant and, at times, embarrassing for Government. Therefore, the controls that are contained in the Order are important.

It is good that, in principle, we are moving to a maximum 24 hours of pre-access and the other restrictions on the persons to whom statistics are divulged that the Minister mentioned. Previously, as I understand it,

there was a mere convention about a five-day access period in certain instances and 40.5 hours for market-sensitive information. The narrower period is desirable and indicates that the maintenance of a necessary distance is being properly considered.

I have one question for the Minister. Certain statistics will be issued according to a predetermined timetable. Are there other statistics that are issued at the determination of a particular person? Is there any discussion between those who issue statistics and Ministers as to the appropriate time period in which a set of statistics that might have political implications is issued?

**The Minister of Finance and Personnel:** I am grateful to the two Members who contributed to the debate and put forward the views of the Committee for Finance and Personnel. I welcome their remarks, and I thank the Chairperson of the Committee and its members, who scrutinised the Order.

Mr O'Loan raised an issue about access to statistics. He also pointed out, quite rightly, that a debt of gratitude is owed to the people who are involved in this area of work, such as those from NISRA, my Department and statisticians in general, because they do fine work on behalf of the public. It is important that I put that on the record.

As regards another issue that Mr O'Loan raised, Ministers will be aware of the statistics to be issued; however, they will be unaware of the actual content of those until 24 hours beforehand. I hope that that assures the Member.

I ask Members to affirm the Pre-Release Access to Official Statistics Order (Northern Ireland) 2009, which should come into operation from 1 April 2009.

*Question put and agreed to.*

*Resolved:*

That the Pre-Release Access to Official Statistics Order (Northern Ireland) 2009 be affirmed.

## PRIVATE MEMBERS' BUSINESS

### Domestic Violence

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

**Ms J McCann:** I beg to move

That this Assembly deplores any instance of domestic violence and its implications for children, young people and vulnerable adults; calls on the Executive to bring forward proposals to ensure full access to refuge for persons affected and to address the issue of access to legal aid for vulnerable families; and further calls for adequate funding for the relevant support groups and community organisations in their campaigns and work in tackling domestic violence.

I ask the Assembly to support this important motion. I apologise on behalf of my colleague Sue Ramsey who cannot be here to move the motion because she is ill.

Domestic violence is a crime, and it is a violation of article 5 of the UN Universal Declarations of Human Rights. The impact of domestic violence on families is devastating. Statistics estimate that a quarter of all women experience some form of domestic abuse at some stage in their lives and that almost half the women who are murdered here are killed by their partners.

Anyone can be a victim of domestic violence. Victims can be any age, sex, race, culture and religion. They can be from any social background, be employed or unemployed, and they can have any marital status. The violence can include physical, sexual and emotional abuse. Although men and women can be abused, most victims are women and children. A significant number of elderly people also suffer abuse and neglect in their own homes at the hands of relatives.

Recent research indicates that almost 11,000 children in the North of Ireland live in homes in which violence occurs and that there is a strong link between domestic violence and the mistreatment of children. Children and young people can often be the forgotten victims of domestic violence, and the abuse can have far-reaching and long-lasting consequences for them.

In families in which there is domestic violence, children are also frequently abused by the violent parent. That can have damaging, long-term effects on their mental health, their sense of identity and their ability to form relationships. Domestic abuse can affect a child's performance at school and can lead to severe behavioural problems, and, sometimes, suicidal feelings. Domestic violence can also increase the risk of a child self-harming, misusing drugs and alcohol, and running away from home.

In the longer term, domestic abuse can make children feel socially and emotionally excluded and lead to problems well into their adult lives. Essential support work with children and young people that Women's Aid and other organisations carry out needs to be properly resourced and funded.

One of the key areas of prevention that has been identified is that of preventing domestic abuse from happening in the first place by changing public attitudes to it. It has also been recognised that such an awareness campaign must take place in schools. Preventative work in schools is carried out on an ad hoc basis, and, therefore, it is crucial that the Department of Education introduces preventative programmes as part of the school curriculum. Work in schools and within local communities sends out an essential message to children and young people that violence towards them or against a parent or relative is not acceptable behaviour, and, indeed, that it is unacceptable behaviour.

We need to ensure that there are services and support in place, especially refuges, so that anyone who is a victim of domestic violence can access them. Women's Aid has identified a number of gaps in refuge provision, including support for women with complex mental-health needs, women who have issues with drug and alcohol misuse and women with teenage sons. There is also a problem for women and children who are victims of domestic violence and have limited or no access to public funds.

In the North, approximately 50% of the population are not eligible for legal aid, and a further 25% are entitled to only partial assistance. As I said, that includes women whose immigration status prevents them from accessing the support services that they need. Very often, the support organisations have to pick up the costs, which can have an impact on other areas of their work. Therefore, it is important that an emergency fund is set up to ensure that all victims of domestic violence can access the support and refuge services that they need.

Partnership working and inter-agency support will ensure that adequate provision of refuges and services to support victims of domestic violence is maintained and developed. Recent statistics show that there has been an increase in the incidence of domestic violence being reported to the PSNI. It is believed that a combination of factors, including a Government advertising campaign and a more proactive approach in recognising domestic abuse as a crime, are responsible for that.

Despite changes from the situation several years ago, there are still problems in the civil and criminal justice system in the North of Ireland with regard to domestic violence cases. Women still do not have full confidence in the criminal justice system due to their experiences when attempting to get their partners

prosecuted. Evidence shows that there is leniency towards perpetrators of domestic violence, who receive sentences that are much shorter than if their crime had been committed against a stranger. So, further steps are needed to ensure that the issue of violence against women overall, and domestic violence specifically, are given an appropriate importance in the Government's policy on crime reduction and community safety.

Further changes are earmarked in the 'protection and justice' section of the Tackling Violence at Home strategy action plan, including training for the Public Prosecution Service and other justice agencies. That is to be welcomed as it will result in women feeling more positive about seeking help. As I said earlier, the lack of access to legal aid and the £400 cost of a non-molestation order add an unnecessary financial burden on victims who are already suffering.

There is a real need for political direction to ensure that a clear and consistent message is provided alongside a co-ordinated approach to tackle the scourge of domestic violence and to provide the support and protection that victims and survivors need. The Tackling Violence at Home strategy has the potential to make a fundamental shift in how society responds to domestic violence. However, its full implementation will require innovative thinking by all Government Departments and by those working in the statutory, voluntary, community and business sectors.

One of the Tackling Violence at Home strategy's successes was the high-profile publicity campaign that I mentioned, which resulted in an increase in the number of victims contacting the 24-hour helpline and other services. That has brought an improved focus and co-ordination in dealing with domestic violence on a cross-functional basis. We have also seen a range of associated policy developments that are designed to deal with awareness training, prevention, supporting victims and dealing with offenders.

There is also a need to shift the focus onto the abuser and to introduce new compulsory rehabilitation programmes, and develop existing ones, as part of a preventative campaign. That, alongside the training mechanisms for agencies involved in tackling domestic violence, which are set out in the strategy, will ensure a more co-ordinated approach.

All of us here need to give political leadership on the issue of domestic violence and ensure that the Tackling Violence at Home strategy is properly implemented and resourced. Debates such as this will raise awareness on the issue for women, children and anyone else suffering domestic violence in local communities and who is living every day with the fear and threat of such violence.

I ask all Members to support the motion, because all of us have a responsibility to ensure that all the sufferers

and survivors of domestic violence have access to the support and the services that they need. Go raibh maith agat, a LeasCheann Comhairle.

11.45 am

**Mr I McCrea:** I thank the Members who tabled this important motion, which I have no difficulty in supporting. I also want to record my full support for groups such as Women's Aid. They do an excellent job in helping those affected by domestic violence.

I want to mention, and pay gratitude to, the staff in the Cookstown Women's Aid centre in my constituency. I know the staff and support their efforts. I know the difficulties that they have and the problems that they face in dealing with women who suffer domestic violence.

All too often, in a debate such as this, we speak of facts, figures and statistics. I have no doubt that we will hear those today, but I want to speak about a real matter — a woman of whom I am aware who has suffered domestic violence. I hope that it puts today's debate into perspective.

Social services referred this woman and her three children to a refuge in November 2008. The woman had extensive injuries and had been taken to hospital for examination. An incident had taken place at her home. She had been severely beaten and abused by her husband: she sustained bruising to her face, chest, arms, and abdomen; her eyes were swollen and bloodshot; she had a fractured finger; and her lower arm was put in plaster.

A PSNI domestic violence officer attended the refuge to obtain a statement from the woman, and, together with social services, visited her on a number of occasions during her first week in the refuge. The refuge staff immediately began to work with the woman through a needs assessment and support plan, which incorporates the cycle of violence, healthy and unhealthy relationships, control and power, and the effects of domestic violence on children.

The victim was enrolled on the Journey to Freedom and My Life, My Choices programmes, both of which are self-esteem courses that help to bring women through domestic violence and to begin to move on. She also took part in the You and Me, Mum course, which considers the effects of domestic violence on children, and she attended a personal safety seminar organised by Women's Aid and facilitated by the PSNI community safety officer. She also attended a Delta parenting programme and a pharmacy programme that examined topics such as over-the-counter medication, healthy eating, smoking cessation and anti-depressant usage.

Unfortunately, the woman was unable to leave the refuge until after 6.00 pm because she was afraid that her partner might be in the vicinity. She went to her solicitor, and her children were appointed a guardian

ad litem. The woman attended court on a number of occasions and was again supported by the refuge staff during the hearings.

As a result of the domestic violence perpetrated on this woman, she could not return to her home and had to terminate her tenancy agreement. Her furniture and belongings had to be placed in storage. She then applied for housing in another area and has been on the social housing waiting list since November 2008. There are no suitable houses available to rehouse her and her children.

Her perpetrator was released from prison in February 2009 and immediately made it known that he was going to get his wife and children back as a family. Consequently, the three children were removed from the refuge and placed in foster care for their own safety and protection.

The sad reality is that the children are still in a foster placement, although they regularly attend the refuge to visit their mother. The perpetrator continues to try to contact the woman and has called at the refuge on two occasions so far. The children are the forgotten victims in this case; they have been removed from their mother for their own safety.

There is no doubt that there is a real need for support groups such as Women's Aid, but they cannot provide that service without adequate funding. Domestic violence continues to destroy the lives of hundreds of vulnerable adults and children throughout Northern Ireland. As elected representatives, we need to do everything within our power to ensure that support is available for victims, whether through full access to refuges, legal aid to vulnerable families or funding for support groups. I support the motion.

**Mr McCallister:** Domestic abuse is a blight on our society. It is, unfortunately, much more common and widespread than society at large cares to recognise.

In Northern Ireland, police respond to reports of domestic abuse every 23 minutes. The police receive more than 60 such reports every day. However, those figures mask the countless untold cases of abuse and the misery that abuse brings to individuals and their families. Indeed, Ian McCrea, a Member for Mid Ulster, has just given us one such example.

By its very nature, domestic abuse happens behind closed doors and between intricately connected people; therefore, there is often a tendency for others to ignore it and for those who suffer to excuse it. It is crucial that we send out a clear and concise message that domestic violence is categorically wrong, that those who suffer from it are not to blame, and that they will gain the full support that they need from the police, the courts and health and social services providers in Northern Ireland.

**Mr Storey:** Without making domestic violence in any way a political issue, last October, my colleague

Lord Morrow asked the Health Minister — who I am glad is here for today's very important debate — to detail the number of hospital or GP treatments, broken down by male and female, that were the result of domestic violence or abuse. The answer was that that information was not available.

Will the Member join us today in asking the Minister to consider that issue, which was referred to by my colleague the Member from Mid Ulster? It is vital that victims who go to hospital are identified and treated in accordance with the very serious issues that are raised.

**Mr B McCrea:** Will the Member join me in welcoming the development — led by the Policing Board — that all reported incidents of domestic violence are now split by gender and by the relationship between the attacker and the victim? That policy has evolved over a year's work, during which people have had to look at the statistics. Indeed, good statistics lead to good politics.

**Mr McCallister:** I thank both my colleague Basil McCrea and Mervyn Storey, a Member for North Antrim, for their useful interventions. The key message is that there must be a co-ordinated approach, and, as Basil McCrea said, the figures are needed in order to ensure that the right responses and proper policies on how to tackle this scourge are adopted.

We must not forget that domestic abuse, although commonly physical, can also be sexual, psychological or financial. It affects women and children and sometimes men. About 20% of domestic abuse begins during pregnancy and is often associated with alcohol and drug abuse. We must reduce domestic abuse, and to do so requires a co-ordinated and joined-up approach across all the relevant Departments that links charities and community groups into a joint strategy.

I strongly welcome the establishment of an inter-ministerial group on domestic and sexual violence, which is chaired by the Minister of Health and by the NIO. That group provides leadership and ensures that we undertake joint work across the relevant Departments. The group's regional strategy, Tackling Sexual Violence and Abuse, is also extremely welcome and is intended to guide policy and service responses from the healthcare, education and criminal justice systems.

The regional strategy focuses on three main areas that I believe are critical if we are to make progress. Those areas are: prevention; protection; and justice and support. The strategy also has an overarching leadership and direction strand that will guide and help to co-ordinate policy.

I draw Members' attention to the jointly funded 24-hour domestic violence helpline, which provides information, advice and support to all victims of domestic violence. I bring that helpline to the attention of all those people who may be suffering, and I urge them to

utilise it. I also note the annual media campaign, which has resulted in more people contacting the helpline.

We are moving in the right direction, and the Executive can do much more to help people who need refuge and access to legal aid. However, there is a framework in place with which we can work. I thank the Minister, who will respond to today's debate, for facilitating that co-ordinating role. Along with the Northern Ireland Office, his Department is playing a key role in addressing the issue of domestic violence.

**Mrs Hanna:** I support the motion and thank the Members who brought it to the Floor.

Domestic violence is recognised as a major social problem throughout the world. The real extent of the problem is unknown, because many cases go unreported. I agree that the Executive must prioritise making access to appropriate services and protection available to anyone who is a victim of domestic violence.

Over the past 30 years, some distance has been travelled in accepting that domestic violence exists. I pay tribute to everyone, such as Women's Aid and others in the voluntary sector, who petitioned tirelessly for that recognition, and for the funding to establish refuges.

In the past 10 years, inter-agency co-operation has increased considerably, and an interdepartmental working group has been established. In 2004, a regional steering group was set up with subgroups focusing on children and young people, domestic violence, violence and the law, and information. The Family Homes and Domestic Violence (Northern Ireland) Order 1998 offers some protection through non-molestation and occupation orders, particularly the exclusion order that forbids entrance to the home or surrounding areas. The role of domestic violence officers in the PSNI has developed, and local domestic violence partnerships have been established.

Despite all that progress, domestic violence remains a problem. According to a report by the NIO and the Department of Health, Social Services and Public Safety, 'Tackling Violence at Home', domestic violence:

"occurs right across our society and it has devastating consequences for the victims".

The report emphasises the particularly devastating effect on children, estimating:

"at least 11,000 children ... are living with domestic violence."

The report also contains the following statistics on domestic violence:

"It accounts for one in five cases of violent crime here ... on average every year 5 people are killed ... and about 700 families have to be re-housed."

It continues:

"On average every day in Northern Ireland, 12 women and 4 men are victims of domestic-related assaults ... it is estimated that

one in five women and one in nine men will experience domestic violence in the course of their lifetime."

That violence will, most likely, be at the hands of a partner.

As someone who has worked in the community and with victims of domestic violence, I am aware that I am speaking too academically. As mentioned, there are many facts, figures and statistics on domestic violence, but every fact, figure and statistic represents someone who is crying out for help. I wonder why some people use gratuitous violence: is it due to inadequacy, a desire for control or simply badness, sometimes fuelled by alcohol? A good Health Service here helps and heals, but gratuitous violence is extremely challenging to address. It is extremely difficult always to keep the people who are hurting and crying at the forefront of our minds, but domestic violence affects people.

The domestic violence freephone helpline receives approximately 20,000 calls a year, and many incidents, as Members know, are not reported. 'Tackling Violence at Home', the paper published in October 2005, and signed off by direct rule Ministers as current strategy, defines domestic violence as:

"threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation."

We have reached a stage where we must examine how we deal with domestic violence. We must think particularly about the children who have, perhaps, witnessed domestic violence and been rushed to a refuge by their mother. Notwithstanding the violence, those children leave behind everything that is familiar, including their friends, and they may have to change school when they are vulnerable.

Other children may not have witnessed the violence. When they are removed to a refuge, they do not understand why and become bewildered and resentful.

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

**Mrs Hanna:** It is very important that there is access to the fathers. Furthermore, refuges have no facilities for older teenagers; therefore, we must consider how they can be looked after. There are so many issues, and I do not have time to go into all of them, on which we need to do much more work to deal with this issue.

12.00 noon

**Mrs Long:** I thank the proposers of the motion for bringing what is a very important issue back to the House. Domestic violence is an important issue, for not just the Assembly, but for society and for those who are its victims. Underpinning the debate around the issue must be a basic acceptance by everyone that the use, or threat, of violence is unacceptable in any

context. The fact that it takes place behind closed doors does not excuse it in any way, nor does it lessen the impact that it has on society. The Assembly must be united in sending out that message today.

Domestic violence is also a complex and multifaceted issue. It damages not only the target of the abuse, but it affects children, the wider family, their community, their neighbours and their friends. We need to try to tap into those wider networks in order to give people support, so that they feel comfortable and safe in coming forward to report domestic violence.

Many Members have mentioned the statistics, and I apologise for not having been able to be in the Chamber for all those speeches. I think that the statistics show the tip of the iceberg, because many people do not report domestic violence. Indeed, many people do not recognise the treatment that they receive in their home as domestic violence. It is worth noting that the formal definition of domestic violence is threatening behaviour, violence or abuse on one person by another, where they are, or have been, intimate partners or family members, irrespective of gender or sexual orientation.

The use of, for example, threatening and controlling behaviour is often underestimated, but it can be a way in which people condition a victim to accept the abuse that is meted out to them. It is important that people who are subjected to that kind of controlling and abusive behaviour feel confident and secure in bringing it to the attention of the appropriate authorities at an early stage.

**Mr McCarthy:** Does the Member agree that the recent high-profile case in which the judiciary was seen to be lacking in sentencing for that very crime would not encourage people to come forward voluntarily?

**Mrs Long:** I agree with the Member that when sentencing seems to be light or inappropriate, or when issues are not taken seriously enough, it is a major disincentive to many people who are living with this problem in silence. It is also true when people feel that their complaint is not taken seriously when they report it, when there is not an adequate response, or when they feel that, having done everything that they have been advised to do, they are often left high and dry with very little support.

It is important that people are not put in that position, because we need to build confidence with those who are abused, so that, when they come forward, their position will be taken seriously and action will be taken to protect them, because, very often, when people present it is because they are in fear of their lives. It does not send out a strong message to people if they are back in the same situation a few months later, having received little practical support. Therefore, I totally agree with the Member on that point.

The Northern Ireland Office crime survey indicated that 11% of respondents aged 16 to 59 identified

themselves as being victims of domestic violence. Of those respondents, 15% were females and 9% were males.

The issue of domestic violence against men is often overlooked, and it is significantly under-reported. We must be acutely aware of that when we look at how we handle domestic violence and the construction of, and arrangements for, support services. Men who are subjected to domestic abuse often find it difficult to talk about, and they feel emasculated by what is happening to them. Therefore, it is important that adequate time and effort is put into ensuring that any mechanisms that are put in place to support victims of domestic violence can cope with all victims of domestic violence. It is also important that we send out the message to both men and women who have been subjected to domestic abuse that it is not their fault.

One of the very disturbing statistics that was highlighted in the NIO's 'Experience of Domestic Violence: Findings from the 2007/2008 Northern Ireland Crime Survey' was that 23% of female respondents reported being the victim of threats and violence during pregnancy. The proposers of the motion indicated their desire to assist vulnerable groups, and there can be no more of a vulnerable group than that of unborn children; yet, they are being subjected to stress and abuse while still in the womb. Indeed, it is horrific to consider that someone would feel that they were in a position to abuse a pregnant woman when most people feel that it should be a time to be protective of a person. That is clearly very disturbing.

I visited a number of women's refuges, and I talked to a number of women who have been subjected to violent and life-threatening abuse from their spouses. As a result, I am conscious of the difficulty that those women often have in being able to proceed through the civil courts because of the cost involved.

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

**Mrs Long:** It is often the case that part of the abuse is in the control of finances. Therefore, the need to pay for orders to keep the partner away from a victim can be prohibitive. That must be addressed as a matter of urgency.

**Lord Morrow:** As my colleague Ian McCrea intimated, the DUP supports the motion. However, as one carefully reads it, it becomes clear that certain aspects could and should have been added to it. For example, there should have been some reference that acknowledged and further encouraged the role of the police. Indeed, I was interested to hear what Basil McCrea had to say about the Policing Board taking an interest in the issue of domestic violence. That does not in any way imply that they were ever uninterested, but I know that it has an input.

The use of violence, either on or off the streets, is an issue of importance to everyone. However it seems

from reading the documents that were placed at Members' disposal that violence off the street, or domestic violence, is treated differently from violence on the street. A judge recently commented that he felt frustrated by the fact that legislation, in effect, differentiated between domestic violence and an assault that takes place on the street. He was also concerned by the continued insistence of the Public Prosecution Service in sending summonses to perpetrators of domestic violence by post rather than them being personally delivered and served, which therefore does not command the immediate presence of the accused in court.

Thus, there is a differentiation between what happens in the home and what happens on the street. However, I cannot understand why the law should be different. I hope that as a result of today's debate, some of the issues that have been articulated around the Chamber will be examined and that some positive and decisive action will be taken.

I draw the attention of Members to some of the statistics that have been placed before us. In preparation for today's debate, I reflected on whether domestic violence was applicable across the entire spectrum in Northern Ireland, and one very interesting statistic from the NIO's crime survey shows:

"Respondents with a Protestant community background (13%) were more likely to report having experienced domestic violence than those with a Roman Catholic community background (9%)."

Right away one asks why that is the case, and that is where I see a fundamental weakness in the motion. Does that say that there is hesitancy from those from a Roman Catholic background to report domestic violence to the police, whereas the same hesitancy does not persist in the Protestant community?

If that is the case — and I will leave it to others to decide whether it is — the motion should have acknowledged that there is a PSNI dimension to the issue and that those who suffer from domestic violence should not be reluctant in any way to call in the police to deal with the matter.

I think that it was Carmel Hanna who said that 11,000 children are affected by situations of domestic violence, and I am sure that that statistic is somewhere in the notes that I have been given. It was good that that point was brought out, because the children have to be protected as much as the person who is being battered and at the receiving end of the domestic violence. Therefore, the Assembly has to send out the strong message that the elected representatives in the House will not differentiate and that they want full co-operation on the issue with our policing authority, namely, the PSNI. It is vital that that message goes out.

**Mr B McCrea:** I support Lord Morrow's comments that the excellent work of the PSNI, which has been recognised by Women's Aid and other bodies, should

be recognised by all Members. He raised the issue of statistics, but he may not know that there has been a dramatic rise in reports of domestic abuse and domestic violence in areas west of the Bann. Although one does not welcome the fact that such abuse happens, one welcomes that it is reported. The community must report those things to the police.

**Lord Morrow:** I thank the Member for making those valuable points. He has drawn attention to something that I turned up as he was speaking. The PSNI's statistical report number 2, 'Domestic Incidents and Crimes, 1 April 2007 — 31 March 2008' states:

"During 2007/08 more than two thirds of all crimes with domestic motivation fell within the category of violent crime... There were 6,389 such offences, representing 68.8% of the total. Of the remaining offences, criminal damage accounted for 14.9%".

That brings me to my earlier point.

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

**Lord Morrow:** If those crimes of domestic violence are deemed as criminal, why are the associated summonses delivered in a different way than those for street crime, for instance? That should be looked at.

**Mr B McCrea:** I agree with a great deal of what Lord Morrow said. In particular, I do not understand sentencing policy. Everybody was shocked at the recent football hooliganism and the effects of violence on our street. However, when such violence takes place in the home, it seems that it is viewed on a different scale. In such cases, we seem to be satisfied with suspended sentences or plea bargaining, for instance, and I find that unacceptable.

I want to talk about the role of the Public Prosecution Service, the victims and the reason that people do not feel able to come forward and report crimes of domestic violence.

**Ms Ní Chuilín:** Lord Morrow's comment was valid, but I think that the reporting of cases of domestic violence requires that there is a trust and confidence in the Public Prosecution Service (PPS) more so than in the PSNI. The issues that Basil McCrea alluded to, such as the stigma that is felt by victims and the equality of horror and how that is reflected in sentencing, are massive issues that need to be tackled.

**Mr B McCrea:** I am grateful to the Member for her intervention; I agree with her. I should declare an interest as the chairperson of the human rights and professional standards committee. Along with Women's Aid, the Rainbow Project and the Men's Advisory Service, that committee spent a year looking at the issue of how the police have got to grips with encouraging victims of domestic violence to come forward. That has been one of the successes. All parties were represented, and they did excellent work.

That is the key issue. People ask why victims do not come forward. People are afraid that if they come forward, worse will happen to them. We have to reassure people of whatever sex, religion, or background that if they come forward and explain that there is a problem, society will protect them.

12.15 pm

The figures are shocking. It is said that one in four women will be subject to some form of domestic abuse in their lifetime, but one in nine men will also suffer such abuse, and that issue must be highlighted. Problems are experienced also by people in same-sex relationships and by people from the Travelling community. Those issues are under-reported because society will not take them on.

Carál Ní Chuilín mentioned the PPS, and I challenge the PPS to find a way of looking after victims properly. It is demeaning to victims to go through a year-long court case only to be considered an adjunct or someone who is almost simply a witness, to be unsure whether they will be called to give evidence, and to be, in effect, subject to people plea-bargaining — we have to change that. That is a challenge to the PPS and to the judiciary.

When the time is right, the House should consider establishing specialist courts with specialist lawyers and judges. We ask why people do not resist violence or stay in a violent relationship for so long; however, once we understand the complex psychological reasons, the issue will become clearer. We must send an unequivocal message that we will not tolerate violence against the most vulnerable members of our society.

Lord Morrow talked about equivalence and asked why it seems that violence outside the home is regarded as more of a crime than violence inside it. That argument could be taken a step further and it could be said that there is a fundamental breakdown in trust when someone is used and abused over many years in their home, which should be their sanctuary. That is what makes domestic abuse all the more heinous.

**Ms Lo:** I support what the Member is saying, but an important point that may not yet have been touched upon is the importance of preventative work. Education, school programmes and informal education in a youth group can be used to teach young people about relationships, violence and respect for one's partner.

**Mr B McCrea:** I agree with Ms Lo: the perpetrators of domestic abuse do not think that they have done anything wrong. They do not see the moral argument; they think that their behaviour is OK, but it is not OK. There must be a huge sentence for those people — we must get the sentencing right and send a clear message in the only language that they understand.

We must also look at non-molestation orders. Do people realise that it costs between £500 and £600 to



obtain such an order? One of the advances that the Policing Board has made is that it will now report separately on those issues so that breaking a non-molestation order will be regarded as a crime. In conclusion, this an area in which we can work collectively to do some good. I want the Assembly collectively to send a clear and unequivocal message that domestic violence against anyone is totally unacceptable.

**Miss McIlveen:** I support the motion. The issues detailed in the motion have been addressed very well by previous Members, so, conscious of time and the complexity of the issue, I will focus primarily on the perpetrators of violence and the impact of violence on families.

Possibly the most tragic aspect of domestic violence, which was highlighted by Mrs Hanna, is that more than 11,000 children in Northern Ireland will witness or be subject to domestic violence. Despite the existence of the inter-departmental group and strategy, every day the police receive about 60 reports of domestic abuse. To date, attention has been primarily on adult victims, but there is a need to focus also on tackling the perpetrators of domestic abuse, both in relation to the rigor of the law and possible treatment. Priority must be given to instances when the perpetrators of domestic violence are parents, given the potential risk that they can pose to the children who are in their homes.

**Mrs Long:** Anna Lo referred to the importance of education. Does the Member accept that often those who abuse and who are abused are conditioned by their experiences of watching other relationships around them? That allows them to accept such a relationship as normal for much longer than for many of those who have not had those experiences, and, therefore, the support and counselling to which the Member refers are absolutely critical?

**Miss McIlveen:** I agree with the Member. It is a huge issue for those who have experienced or witnessed domestic violence in their homes.

The issues of power and control are at the root of domestic abuse and violence, and those are most unlikely to begin and end with a partner. Research shows that children who live in a domestic violence setting are also likely to suffer physical abuse or are at a much higher risk of sexual abuse. Recent tragedies such as the McElhill fire tragedy in Omagh highlight the need for all the appropriate agencies to listen to children's concerns about domestic violence.

Although I do not want to detract from the excellent work being done by the PSNI, an issue that has been raised, and is of concern, is the fact that reporting of domestic abuse has been removed as a specific performance indicator from the Policing Plan 2009-2012. In a report published earlier this month, the human rights and professional standards committee of

the Northern Ireland Policing Board expressed concerns about the reporting of domestic abuse and about how statistics were gathered, and it indicated that any report of a domestic abuse incident should flag up whether a child or children might be at risk.

**Mr B McCrea:** The Member points out various issues. However, I want to reassure her that domestic abuse is referred to on page 13 of the Policing Plan: it is a high priority. The specific issue of reporting to which the Member refers will be discussed at next week's Policing Board meeting, when there will be a full report from the deputy chief constable as part of a six-month campaign. It will provide all the statistics that the Member needs, and I am sure that she will join me in welcoming the report.

**Miss McIlveen:** I thank the Member for that additional information. I welcome the report, its outcomes and any impact that it may have.

Even if perpetrators of domestic abuse are convicted and are parents, serious concerns remain about the contact that they will have with their children. Perpetrators could be convicted of grievous bodily harm and receive a suspended sentence, yet no assessment will be made in relation to their parenting or the contact that they have with their children.

Barnardo's provides services to children who have experienced domestic violence, and there are serious concerns that children are often placed in unsafe situations. It is essential that the courts recognise the impact of a perpetrator's domestic violence on children and assess a perpetrator's future contact on the basis of that risk.

Although a non-abusive parent in a domestic violence setting will often have had his or her parenting assessed by social services, a perpetrator will often not have. Unfortunately, there is no process or service in Northern Ireland where that can take place. That undermines the safety of children and reduces the impact of convictions. Indeed, women are often expected to manage child contact with a former violent partner themselves. There is an urgent need for perpetrators to have their parenting assessed.

Furthermore, courts must take account of the impact of domestic violence on contact situations and develop a model for assessing the perpetrator's parenting and risk factors. There is only one course available in Northern Ireland for perpetrators of domestic violence that is aimed at addressing their behaviour, and it is available only to those who have been convicted. It is not available to those who have not been convicted but want to change their behaviour voluntarily. The course has a 30% completion rate. There is no current assessment of the extent to which the abusive behaviour is likely to change or its impact on their parenting.

It is vital to recognise that domestic violence is a crime and deserves a tough response from the criminal justice system. There is also the need for a service that can provide access to treatment that will seek to ensure long-term changes in behaviour, and it must be available to those who are convicted and those who wish to engage voluntarily.

We must ensure that the victims of domestic violence are not made to suffer further and that the non-abusive parent and children are not made to leave the family home, if that can be prevented. Therefore, I support the extension of the provision of safe rooms, not only to those in public housing but to owner-occupiers. It is time to focus on the needs of children — not only while the perpetrator is in the family home but after he or she has left — and to address the real and serious risks to children of a parent who is a perpetrator of domestic violence.

**Mrs M Bradley:** Between April 2007 and March 2008, 34 incidents of domestic violence were reported every week in my constituency of Foyle; the police told us that that is only the tip of the iceberg. Domestic violence can range from minor assaults through to murder. In order to encompass the wide aspects of the crime, the terminology was changed to “domestic abuse”.

Domestic abuse is not just a single action — it is the beginning of, or another episode in, a living hell for the victim that gives them a horrible life that nobody deserves. Women whom I would have perceived as strong individuals have been reduced to nervous wrecks who only exist excuse by excuse to cover the hideous pain and suffering that is inflicted upon them by an abusive partner.

Domestic abuse is not always a physical attack; sometimes, the mind games and psychological torture are more damaging. In half of the cases, the children of the victims are also ill-treated. It is a crime that is not restricted by class or creed, and it is a crime that is often silent and hidden by the victim themselves.

This Assembly has an objective to make things better for the people of Northern Ireland. For one in four women in Northern Ireland that means providing effective support mechanisms to allow them to have the confidence to get out of that hell. That act requires tremendous courage and enormous strength that sometimes cannot be summoned by the victim alone. If they go it alone, the realisation of what they have done can often prove too much, and they are desperate for help and support at that stage. If the Assembly cannot help the lead organisations to provide the proper support mechanisms for those victims, it will have failed in one of its most basic objectives.

Women's Aid — which is the lead voluntary organisation in Northern Ireland — is desperate to help to eradicate all forms of domestic abuse. It tries to

achieve that by using educational programmes that are aimed at preventative measures by teaching equality and respect in all relationships.

The 7% increase in statistics from 2006 to 2007 is chilling to say the least. From 2007 to 2008, the fact that the PSNI responded to a domestic incident every 23 minutes can scarcely be comprehended. It is not only about supporting families who are in crisis; it could be a case of life or death. We require a cross-departmental strategy that, in the first instance, can identify the signs of abuse and then act upon them — whether through its departmental sections or by providing support to properly constituted and experienced organisations.

To listen, as I have done, to a woman who is or has been a victim of domestic abuse is a sobering and frightening experience. The threat of financial ruin or the worry of how they will be able to care and provide for their children are all mental flash cards that scare them away from making the decision to leave. The initial loss of confidence, which is common to all the victims, is really only a heartbeat away from loss of life. That was a heartbreaking reality for the families of 44% of murder victims in Northern Ireland in 2007-08.

Some victims, even if they are employed, cannot afford to protect themselves with a non-molestation order as it is too expensive. The combined cost of both stages of such an order can be up to £800.

A victim is changed forever: their lives are scarred beyond the understanding of those of us who are lucky enough to have healthy relationships. They are certainly changed emotionally, and sometimes they are changed physically, depending on the type of abuse that was meted out to them. Abuse or a suspicion of abuse can now be reported by any concerned person. Since the legislation was changed last year, the report does not have to come from the victim. I urge anyone who has a suspicion to report it.

**Mr B McCrea:** The Member may be interested to know that part of the police direction is now that any suspicion of domestic abuse must be followed through. If there is any suggestion that people could be let off with a caution, it must be noted why a charge was not progressed. The maximum charge possible must be pressed rather than one that would secure an easy conviction.

**Mrs M Bradley:** I thank the Member for that welcome information.

As I said, I urge anyone who has suspicions that domestic violence is taking place to report it. That action could save a life. It may be that that one phone call or that one approach is enough for victims to break their silence finally and admit that they are, indeed, victims. When, and if, they do that, we must ensure that the correct strategies and support systems are in

place to help and encourage victims, whether male or female, to build a new and better life for themselves and their children. I support the motion.

**Mr Deputy Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The sitting was suspended at 12.30 pm.*

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

*2.00 pm*

**Mr Shannon:** I am pleased to be called to speak on the motion. This is an important issue, and the fact that the Chamber is not full and bursting with people does not take away from that.

There is an epidemic of domestic violence in Northern Ireland, and as elected representatives, every one of us can express that clearly. It is estimated that one in four women in the Province have been physically abused by a partner. In the majority of cases, it is found that alcohol misuse is the key factor. These are not isolated events.

Domestic violence is often hidden behind closed doors, as many women feel too ashamed to talk about it and are made to feel responsible for the abuse. The only way to break the taboo is to ensure that the subject is discussed properly and that the appropriate blame is laid on the correct shoulders. I am glad that the motion has been brought before the Assembly today; we need to show both victims and perpetrators that this awful crime is not a secret, that people are aware that it happens and that it is unacceptable in Northern Ireland. The shame lies on the shoulders of those who inflict their anger towards other people, which is the message that domestic violence charities strive to send out.

Here bes the crux o' the matther – domestic violence bes a vicious cycle at happens agin an' agin. An owre affen, quhan thaim at ir abused heid tae a shelter – they ir apt tae gae beck tae the abuser. Hit's mae notion at yin o' the reasons fer thon bes at es mich es the charities ettle aa gien a netwaark o' hefts – the ring-fenced catter maun bae thaire tae mak' siccar at charities laike Weemin's Aid hae eneuch prugh tae gie systems an' netwaarks at waark fu' time wi' trained volunteers an' ir ap tae date an' knaw bes' hoo tae get the message through tae the victim. Thon's where A wud agin urge Depairtments tae mak' siccar at unnerspend bes announced sae catter can gae tae projects laike the fecht agin domestic violence.

The crux of the matter is that domestic violence is a vicious and repetitive circle. All too often, people who have been abused go to a shelter but then return to their abuser. Charities try to provide a support network, but there must be ring-fenced funding to ensure that charities such as Women's Aid have the money to provide systems and networks that operate full time with trained and up-to-date volunteers who know how best to get the message through to the victim. I again urge Departments to ensure that underspends are announced so that money can be allocated to projects such as the fight against domestic violence.

A new public protection unit has recently been set up in my constituency of Strangford to deal with domestic violence and child abuse. There are very sensitive issues involving child abuse and protection, domestic violence and abuse, vulnerable and missing people and the need for violent and sexual offenders to be managed in the community. There is clear evidence of links between domestic abuse and child abuse, and my colleague Michelle McIlveen, among others, referred to that this morning.

There are examples of children running away to avoid physical and sexual abuse and, in many cases, the abuser's power over his or her victim leads to crimes not being reported to the police and evidence being hard to obtain. The creators of public protection units seek to identify links between cases and provide specialist support to victims and witnesses. We need funding in order to provide that support, which is needed across the Province.

I am happy to join with all other Members of the Assembly in saying that we are aware of domestic violence. We will do everything in our power as an Assembly, and as elected representatives, to eradicate the horrible statistic of one in four women in the Province having been abused. We are sending the message that it is never OK for someone to use their fists against a vulnerable person, whether that vulnerable person is a child, a woman or a man. I support the motion and the fight against all forms of domestic abuse in all homes.

**Dr McDonnell:** I, too, support the very valuable motion. My party and I believe that there is no excuse, explanation or justification for domestic violence in any of its forms, whether it is actual violence, threatened physical violence, sexual assault, damage to property or the much more sinister non-physical intimidation, such as persistent verbal abuse, emotional blackmail and enforced social and financial deprivation.

Domestic violence can take all those forms and many more. According to figures released by the Department of Health, Social Services and Public Safety, every day in Northern Ireland, 12 women and four men experience domestic violence. Alarmingly, one in five women and one in nine men will experience domestic violence at some stage in their lives.

It is deeply disturbing that at least 11,000 children in Northern Ireland live in proximity and close association with daily domestic violence; no child deserves or should have to put up with that.

As a GP in a previous existence, I have seen the serious long-term damage that domestic violence does to the victim — male or female, adult or child. I have witnessed the physical and mental suffering that they are forced to go through; the humiliation and the degradation; the low self-esteem, the depression, the

mental misery and the sense of being totally trapped — all of which leave serious mental scars, and perhaps physical scars as well. I have also seen how domestic violence can completely destroy young lives and young dreams.

Many children who live with violence in their homes end up suffering severe mental-health problems and other illnesses. They also suffer educational underachievement and a sense of marginalisation, and they often wander down the dangerous road of crime, antisocial behaviour and drug abuse. They often have an inability to form positive, healthy, constructive personal relationships.

A considerable amount of good work is done by support groups and community organisations, such as Women's Aid, in tackling domestic violence; however, more support could be provided if funding streams were more consistent and secure. The reporting of domestic violence to the PSNI has increased, but there is still significant under-reporting. Far too many people continue to suffer in silence. Women suffer for the sake of their children, and children suffer trying to keep the family together and often blame themselves for the anger, conflict and violence between their parents.

If we are serious about doing what we can to end this scourge on our society, we must develop a robust cross-departmental approach to supporting people in such circumstances. I welcome the Minister's plans, but I remain to be convinced that they will produce the necessary results and I urge the Executive — not just the Minister — to consult all the essential support organisations and victims to develop what we need: a robust system, adequately funded, pro-active and cross-departmental in outlook. This is not exclusively an issue for the Department of Health. Its Minister may lead on the issue, but it spills over into the responsibility of other agencies and Departments.

We could learn much from Scotland where a framework is in the advanced stages of development. A key part of our strategy must involve putting in place adequate support structures for victims, providing refuge accommodation and legal aid to empower victims to end abuse in their relationships. It should also be about changing attitudes and educating adults and children to know that domestic violence — wherever it occurs — is wrong, unacceptable and that there is help available to put a stop to it.

To suffer domestic violence and live in continual fear from a partner, parent or child is unimaginable to many of us, but it is reality for many people. An end must be put to that reality; the victim could be your relative or mine, your neighbour or mine. We cannot and must not stand back and ignore what goes on behind closed doors. Helping to end the despicable domestic violence that goes on might cost a small

amount of money but, in the end, it will be worth it to improve the quality of many lives.

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

**Dr McDonnell:** I support the motion.

**Mr Lunn:** We, of course, support the motion. Its subject is very important, and I congratulate the proposer and her colleagues for bringing it back to the Assembly.

I do not want to repeat statistics, although it is very difficult not to repeat things when you are around seventeenth in the pecking order. However, one statistic that did jump out at me is that 23% of pregnant women are being abused by their husbands. I find that absolutely astonishing. That statistic is probably not even correct given that so many of those crimes go unreported. It is absolutely unbelievable. It makes me wonder what sort of society we have bred that allows such a statistic to be upheld.

It makes me wonder, too, about the rest of the statistics that have been mentioned. Surely, they are all under-representative given the failure and reluctance of women — I should say men as well, and perhaps particularly men — to report that type of crime. Basil McCrea said that good statistics mean good politics. I was not quite sure what he meant by that. However, if he meant that good statistics are a basis for formulating good law and good practices, I would agree with him.

Over the years, I have known, factually and anecdotally, of cases of domestic violence. I have never had anybody come into my constituency office to make that sort of complaint, and I would not expect that. However, of the cases that I have known about — of which there are quite a number — not one has been reported to the police. One case involved a lady who had a broken cheekbone and was badly bruised. She left her husband for six months but then went back to him. That says something about relationships. In a lot of cases, it is not the fear of retribution or of a repeat offence that prevents people from reporting domestic violence to the police, but the fear of social stigma. That is perhaps especially true in the upper echelons of society where domestic violence is every bit as prevalent as it is among the working class. There is a loyalty factor as well.

There are differences in the punishments for domestic violence and incidences of violence outside the home. Violence is violence and an assault is an assault. Both are crimes that have to be punished. However, it is hardly a surprise to me that, on some occasions, judges are more lenient in cases of domestic violence. If there was clear evidence of a wish for reconciliation, if a wife who had been violently assaulted spoke for her husband, if she made it clear that it was the first time, and he made it clear that it would be the last time, frankly, if I were a judge, I would take note of that.

Although the crime may be the same, perhaps there are occasions when the punishment is different.

It was, I think, Basil McCrea who said that there should perhaps be a slightly different legal process for those types of case. I do not have the answer; however, I wonder whether a different system — something a bit less formal and a bit less expensive — could be brought into play. Perhaps somebody has an idea about that. In all those cases, I wonder whether the full rigour of the law — in open court and in public — is really the way to go.

There is no statistic that I can find to indicate how many of the 23,000 cases reported each year led to a breakdown of the relationship. I suspect that the number of total relationship breakdowns is a small percentage of that figure. That makes me think that, in a lot of cases, the couple wants to maintain the relationship. I doubt whether we will ever see statistics for that. Perhaps a more conciliatory and arbitration-based approach might have some effect.

**Mr B McCrea:** I apologise for coming into the House towards the end of the Member's contribution.

He asked a specific question. There are 30,000 cases; 10,000 are criminal in the sense that they are proceeded with. Of those 10,000 cases, 7,000 are violent crimes. Although domestic violence is totally underreported, it still represents 25% of all violent crime. Those are huge figures. I agree with the Member that a different way of dealing with that must be found, but the figures are quite shocking.

2.15 pm

**Mr Lunn:** We still do not know how many of those cases lead to a total marriage or relationship breakdown.

The Alliance Party agrees with the motion, and the way in which it deplores violence. We totally agree that full access to refuge facilities is essential and that correct funding be provided for support groups and for any legal action. It is absolutely deplorable that a woman — I refer to women for simplicity — who is under such a threat of violence that she has to take her husband or partner to court does not receive legal aid for the prosecution yet he does for his defence. That is outrageous, and perhaps it is a case for a ministry of policing and justice to be devolved to Northern Ireland so that we can do something about it.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** Domestic violence and abuse is a serious problem and has a devastating impact on the lives of victims and their families. In Northern Ireland, it has reached disturbing levels. Statistics show that 11,000 children here live with domestic violence on a daily basis. Every year, six people, mostly women, are killed, and more than 700 families have to be re-housed as a result of violence in

the home. Every week, the police attend over 400 domestic violence incidents and deal with more than 100 domestic assaults on women and men. Recent statistics show that in 2007-08, 23,000 such incidents were reported to the police.

Victims are often reluctant to pursue a case through the courts because of concerns about the consequences of a prosecution and the impact that it might have on the family. Family members are reluctant to see a relative being sent to jail or to see the break-up of a family.

Such violent abuse affects people across society from all walks of life. Trevor Lunn spoke of working-class families, but the problem goes right across society. The vast majority of victims are women, but a number are men.

Violence in the home also has a particular impact on the development of children, who are very much the silent victims. The long-term effects on children who suffer or witness domestic violence can lead to significant problems. Juvenile crime, poor educational achievement, substance misuse, mental-health problems and homelessness are just some of the consequences for child victims of violence in the home.

The economic impact is quite staggering. About £180 million each year is the cost of domestic violence in Northern Ireland when the cost of services such as police, courts, health and social services and the loss of economic output is counted.

The cross-departmental strategy for addressing domestic violence in Northern Ireland, *Tackling Violence at Home*, was launched in 2005. The strategy aims to tackle domestic violence under the three key strands of prevention, protection, and justice and support. It is helping all the voluntary and statutory agencies to develop a consistent and long-term approach to the prevention of domestic violence and to produce an effective response where it is needed.

Action plans have been produced, and a regional steering group has been established to ensure that the plans are implemented rapidly and effectively. Five local domestic violence partnerships support people at a community level and bring together local groups and Government to help to tackle this scourge. The police and justice agencies, along with the Social Security Agency and housing agencies, have a responsibility to ensure that victims and their families get the necessary protection, financial help and accommodation.

The motion:

“calls on the Executive to bring forward proposals to ensure full access to refuge for persons affected”.

It is certainly my intention that appropriate support services and refuges are available for victims of domestic violence. The Department for Social Development's (DSD) Supporting People initiative, through the

Housing Executive, has played a crucial part in the provision of emergency refuge and temporary accommodation for those who suffer domestic violence. It also helps the voluntary sector to provide a range of other services to victims.

Ensuring that victims have a safe place to go when they are affected by violence is crucial. There are currently 17 women's refuges and move-on schemes that provide 148 family and single accommodation units for victims and children who have fled domestic violence. They are supported by DSD with funding of just over £3 million each year. In addition, £1 million is allocated through Supporting People to floating support services — an important support mechanism for women and their families who do not live in refuges.

There is absolutely no doubt that refuges are needed for victims of violence who are forced to flee violent homes. They are safe havens that are free from harm and abuse, where families can rebuild their lives and make decisions about their future. Why, though, should families and children who have endured domestic violence face even greater distress by being forced to leave their home? It is the violent abuser who should leave. Children must be given every opportunity to remain in the familiar surroundings of their home and to stay in their local school with their friends.

Greater protection and support is now available for families who wish to stay at home. Changes have been made to the law and to improve enforcement of non-molestation, occupation and restraining orders. Those are aimed at helping families to remain and feel safe in their own homes. Last year, the Housing Executive piloted a sanctuary scheme, which provides a room where a victim and her children can be safe in their own home. The scheme is now being extended across Northern Ireland.

The Housing Executive and registered social landlords can now repossess properties from tenants whose co-habitants have been driven out by domestic violence or threats of violence. That could help victims to return to their family home. I want that protection to be strengthened, so that more and more families are able to remain safely in their homes.

To achieve that would be a major challenge for Government. We must face up to that challenge if we are to tackle the problem of domestic violence in our society. With funding from my Department, the Northern Ireland Office and the Housing Executive, the Women's Aid Federation operates a 24-hour free-phone service, which is open to anyone who is affected by domestic violence. That helpline provides vital support and advice for victims of violence. In 2007-08, more than 24,000 calls were received.

Under the protection and justice strand of the strategy, there have been a number of developments in

support of victims. Police have greater powers of arrest for domestic violence. In addition, there are increased penalties for breach of protection orders. Work is being undertaken by the Legal Services Commission as part of its reform programme to examine how access to justice for victims of domestic violence can be improved.

On the prevention front, we must get the message across to everyone that domestic violence is never acceptable. Public-information campaigns, using television, radio and poster advertisements, have focused on encouraging those who are suffering violence and abuse to end their silence. The current campaign focuses on perpetrators of domestic violence, making it clear that they are committing a crime and that they can be prosecuted, even if the victim is too scared to testify or give evidence.

When I addressed the House in May 2007, I undertook to raise the profile of domestic violence and to secure the commitment of ministerial colleagues to give the issue the priority that it deserves. I have done that by setting up an inter-ministerial group on domestic and sexual violence, which held its first meeting last year. Its next meeting is planned for 6 May 2009. The group aims to provide local leadership and to ensure joint working across Government to tackle domestic violence.

I also gave a commitment to secure extra money to support victims, and was successful in getting an extra £200,000 per annum. That funding is being used to deliver educational programmes for children and young people, and counselling for victims. Research shows that 30% of domestic violence starts during pregnancy. Abused women have higher rates of miscarriage, stillbirths, premature labours and injuries to the foetus.

In 2006, my Department introduced a policy to ensure that expectant mothers are asked about domestic violence when they attend routine antenatal clinics. Work is ongoing to extend that provision to victims through A&E units and doctors' surgeries.

The strategy and its associated plans are facilitating many other initiatives. Barnardo's delivers awareness training and mentoring for Health Service staff, and the Men's Advisory Project provides counselling and anger-management services. By the end of March, approximately 1,200 sessions will have been delivered. Moreover, the NSPCC delivers support services for children who suffer domestic violence, and approximately 1,600 support sessions will have been delivered to mothers and their children by the end of March.

Furthermore, Women's Aid offers education programmes to schoolchildren to teach them about healthy, non-violent relationships. In 2007-08, more than 7,200 children took part in those programmes. Guidance was distributed to MLAs and MPs to help them to better identify victims of domestic violence and provide information on the available support

services. Staff from the Court Service and the Public Prosecution Service have received special training in order to make that process less intimidating for victims of domestic violence.

I have provided funding for the roll-out of the multi-agency risk assessment conference in Northern Ireland. That proven process will help to identify victims of domestic violence who are at greatest risk of harm and will establish a plan to ensure their safety. Nine staff will be involved in that process at a cost of £300,000 a year. That is jointly funded by the Department and the Northern Ireland Office. Those staff will be located in police public-protection units and will work with social workers, probation officers and others in order to identify and support high-risk victims.

I have included two targets that relate to domestic violence in the Department's priorities for action for 2010 and have ensured that domestic violence targets are included in the Northern Ireland policing plan. I wrote to Paul Goggins some time ago and he responded by assuring me that he would include those targets in the policing plan. Although Michelle McIlveen said earlier that such targets are not in the plan, Basil McCrea confirmed that they are included in the policing plan for 2009-2012, which will be published soon.

Jennifer McCann mentioned legal aid. That is matter for the Northern Ireland Office and the Court Service. However, the Legal Services Commission is revisiting that matter. Mervyn Storey asked whether GP practices keep a record of the gender of victims who visit them with complaints of domestic violence. GPs do not keep specific statistics on domestic violence disclosures, because victims do not tend to go to GPs about incidents of domestic violence.

I have previously discussed the pilot integrated family court scheme. Under the current domestic violence action plan, the Northern Ireland Court Service is taking the lead on that matter and will introduce proposals for a pilot integrated family court. Such schemes work successfully in England and ensure that victims do not have to continually return to court for court orders or for applications for custody or exclusions. That is an important issue that goes to the heart of where we need to be.

Although it is difficult for the authorities to protect families inside their own homes, we need to strive to do so. As Members have said repeatedly, violent attacks in the home must be treated in the same way as those that happen outside the home. The success of that idea will depend on good policing and equipping the police and the Court Service to support victims. Family courts offer a real opportunity for progress and could ensure that perpetrators receive the punishment that they deserve. That is an important way forward.

We have made progress on domestic violence. Nowadays, no one suggests that domestic violence should be kept within the home and that the authorities should not become involved in domestic disputes between husbands and wives. About 10 or 20 years ago, such garden wisdom was common. Everyone in society now understands that it is totally unacceptable and that the authorities will continue to reinforce the existing remedies.

Working together, we must make domestic violence absolutely unacceptable and ensure that appropriate resources are in place to provide support for victims.

2.30 pm

Those who suffer domestic violence must be encouraged to seek the help that they need and end the silence. We all have a part to play in achieving that.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I thank all the Members who contributed to this important debate. I have just carried out a rough count, and I think that 19 Members made a contribution to the debate, either through making a speech or by interventions.

I thank the Minister for being here and welcome what he said about how to address the issue and about raising its profile. I will first make a few points of my own, and then I will refer to other Members' contributions; each and every contribution from Members today was exceptionally valuable.

Members referred to the key findings of the Northern Ireland crime survey for 2007-08, but they are worth repeating: one in 10 respondents was a victim of domestic violence; respondents from a Protestant background were more likely to report than respondents from a Catholic background; some 27% of victims believed that their worst incident had been seen and/or heard by children; and 42% of respondents perceived that the Government and their agencies, such as the police and the courts, were doing too little to address the problem of domestic violence.

I have selected those particular key findings because, having listened to the debate, I think that they underpin the contributions of Members — not entirely, but they encompass the thrust of the contributions that were made.

**Mr I McCrea:** Will the Member give way?

**Mrs McGill:** I am reluctant to take interventions, because I am going to comment on what each Member said. If there is time after I have made all my own points, I will give way.

My colleague Jennifer McCann, who opened the debate, provided a stark statistic on which a number of Members commented. One quarter of all women experience domestic violence in their lives; that is a frightening statistic. A second statistic referred to by

Jennifer McCann is that 11,000 children have experienced domestic violence; most Members referred to that statistic. That is important, and I will repeat it: 11,000 children have experienced domestic abuse.

It is difficult to comprehend the implications of that, which include problems at school. Research shows that experiencing violence at home has damaging and devastating effects on children at school and in later life. We heard from Members that that is a problem; if someone experiences domestic violence in early life, it tends to be repeated in adult life.

Ian McCrea commended Women's Aid, as did other Members. He gave a graphic account of a case in his constituency, and referred to the good work that was done by Women's Aid in Cookstown. He said that the woman involved in that case had no house for herself and her children and that the children ended up in care. That is a serious situation, but the Minister spoke about how the housing situation might be resolved.

John McCallister used the phrase "blight on our society", with which I agree. He spoke about the PSNI having to respond to incidents of domestic violence every 23 minutes, and he also made reference to the Northern Ireland Office and the Health Department working together.

He also talked about the difficulties that pregnant women in these situations face. We do not need to go into details, but it is horrifying to think about pregnant women and their unborn children being abused.

Carmel Hanna has worked with victims of domestic abuse and has first-hand knowledge of the problem. She talked about the children, and she asked why abusers do what they do. She said that this was a challenge, and I concur with that. I do not believe that we understand fully the reason that domestic violence happens.

Naomi Long began her contribution by saying that this was a very important issue. We all agree with that, and as I have said repeatedly, the contributions from Members underline that. She highlighted the fact that domestic abuse takes place behind closed doors, and she drew attention to the silence that surrounds it. That paints a particular picture that must be addressed.

Several Members, including Mrs Long, talked about sentencing and said that it was in no way encouraging. It is not encouraging; the evidence and the experience to show that are there. Who is actually being sentenced? We must recognise that, very often, the initial victim, and not the perpetrator, is sentenced. The Minister said that attempts were being made to address that situation. Members of the Policing Board also addressed that issue.

Lord Morrow made particular reference to one key finding in statistics when he talked about the difference in numbers between Catholics and Protestants reporting domestic violence to the PSNI. He said that the statistics



pointed in a particular direction. I selected that key finding myself, and there are many reasons that the statistics show that there is a higher rate of reporting of domestic violence from the Protestant community. I reassure Lord Morrow that we are all trying to build confidence. We are trying to build confidence in my side of the community so that people can feel that they can go to the PSNI. As elected Members, we encourage them to do that.

Lord Morrow used the word “battered” when he talked about victims of domestic violence. Again, that was very graphic and very telling. He wondered why, if the violence happens in the home, it is treated one way by the judiciary and sentenced accordingly, but if it happens in the street, it is dealt with differently. The Member for Lagan Valley Basil McCrea also talked about building confidence, and he supported Lord Morrow’s comments. As a member of the Policing Board, Basil McCrea is able to raise the issues in the place where they should be dealt with properly.

Michelle McIlveen talked about the problem from a different angle, and she focused her contribution on what must be done about perpetrators. She made a valuable point, and she mentioned a case in my constituency and what flowed from it. She said that perpetrators often remain in the situation where they can continue to harm. I am not sure that that is being addressed fully. I know that some measures have been put in place as a result of that case in my constituency, and we must ensure that such work continues.

Mary Bradley talked about the figures in Foyle and about the price of a non-molestation order. She has experience of that in her constituency, and we can all relate to that. Jim Shannon talked about the one in four women who have been the victims of domestic abuse, and he related many of those cases to problems with alcohol. He supported the funding for Women’s Aid and its work. Dr McDonnell described the motion as valuable. He emphasised the work of Women’s Aid and reiterated the fact that 11,000 children are affected by domestic abuse.

Trevor Lunn also mentioned the statistics on reporting instances of domestic abuse to the police. That issue is being addressed slowly. He wondered about legal aid, and the Minister referred to that.

Minister McGimpsey spoke about how devastating domestic abuse is for communities and families. Certainly, this issue is a challenge for all of the bodies. My party tabled this motion, and we very much welcome, and are pleased with, today’s contributions. We all are saying the same kinds of things —

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

**Mrs McGill:** The challenge in dealing with the issue remains. Go raibh maith agat, a LeasCheann Comhairle.

*Question put and agreed to.*

*Resolved:*

That this Assembly deplores any instance of domestic violence and its implications for children, young people and vulnerable adults; calls on the Executive to bring forward proposals to ensure full access to refuge for persons affected and to address the issue of access to legal aid for vulnerable families; and further calls for adequate funding for the relevant support groups and community organisations in their campaigns and work in tackling domestic violence.

## PRIVATE MEMBERS' BUSINESS

### All-Party Assembly Group on Autism

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

**Mr D Bradley:** I beg to move

That this Assembly expresses its concern at the high rate of autism and the consequent development challenges to Government and non-Government agencies across health, education and social care; and commends the United Nations designation of 2 April as world autism awareness day and the invitation to all Member States to observe this day annually to raise public awareness of autism.

Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm an rún áirithe seo a mholadh. On behalf of the all-party Assembly group on autism, I am pleased to propose today's motion.

There is no doubt that autism is being recognised as a global human rights issue. The United Nations designation, which is referenced in the motion, places autism in a group of issues that requires a united push to break down the barriers that have been created by years of neglect and inequality in each member state.

For example, in Northern Ireland, since 2002, we have witnessed prevalence rates of autism rise from four in 10,000 to 71 in 10,000 and further, to one in 100. That equals 20,000 people locally with autistic spectrum disorder (ASD), and, if one counts their families, the lives of 68,000 people are touched day and daily by autism. That is a huge number of people.

The increase in autism among the school-age population from 900 to 4,000 cases among children and young people reflects a staggering 400% rise in only six years. That is due to the systemic lack of investment and cannot be explained solely by improved identification. Autism is recognised globally as the fastest rising disability, and research indicates that unmet need is causing the highest rates of mental stress in the disability sector.

Despite that evidence — and the obvious pressure and challenges that are faced by those families and providers, hundreds of whom gathered outside this Building today — services, policies, legislation and awareness have remained underfunded, underdeveloped and under-researched at Government level.

In commending the motion, I call on the Executive to take forward the first Northern Ireland ASD awareness campaign in direct response to the sentiments expressed in today's motion and the United Nations requirement for autism awareness.

I think that this is the fourth Northern Ireland Assembly debate on the issue since 2002, and I think that it is the second or third such debate in which I have spoken. Yet none of the measures — universal ASD screening, services for adults with autism and autism legislation — that was supported unanimously in the Chamber has been put in place by the Departments concerned.

That is in spite of an unusually active parent disability lobby, which, as I said, we saw outside Parliament Buildings today. That lobby should have enabled us to transcend the barrier of shame into action long ago. The lobby is led by parents and people with autism. As I said, they brought the issue up to the steps of Stormont today and into the Chamber.

2.45 pm

I commend the genuine commitment of, and work undertaken by, the Department of Education and the Department of Health, Social Services and Public Safety with regard to long overdue policy and service initiatives for autism. The Department of Education's task group on autism, supplemented by a range of policy documents, has created initiatives, such as a regional ASD psychology and advisory service and the Middletown Centre for Autism.

The Department of Health, Social Services and Public Safety — and I am pleased to see the Minister here, and I welcome him — has just completed its consultation on an action plan for autism, the aim of which is to address gaps in the early-years provision by establishing a care pathway and removing the IQ barrier to service for individuals with Asperger's syndrome. Significantly, autism has pioneered a major shift within the Department's programme of care structures by establishing a new cross-cutting programme of care. Yet, it still appears that we are light years away from the initiative being appreciated and generalised across all Departments.

Our Departments appear to lag behind the voluntary sector, which has pioneered ASD provision within a regional and partnership perspective. It is therefore my view, and the view of the all-party group, that it is imperative that the Assembly stands up for autism, seizes the initiative and brings forward a legislative directive that creates a mechanism to ensure several outcomes.

First, it must ensure that autism is recognised and provided for in a co-ordinated manner as a social and communication disability that uniquely cuts across the remits of the Department of Health, Social Services and Public Safety, the Department of Education, Department for Employment and Learning (DEL), Department for Social Development (DSD), Department for Regional Development (DRD) and the Department of Culture, Arts and Leisure (DCAL).

Secondly, it must ensure that an autism advocate is appointed for families and individuals with ASD to undertake specific responsibilities, such as improving access to existing services to a review of outdated disability legislation, addressing “entitlement to services” issues for families and supporting families to access existing human rights and equality provisions, which are currently reporting an under-representation of cases with ASD.

Thirdly, it must ensure a regional autism strategy that crosses key Departments, involves the voluntary sector and encompasses all previous ASD policy initiatives while addressing the specific challenge of support services for life transitions into adulthood and incorporating a regional training strategy.

In proposing to introduce the autism Bill (NI) shortly, which is a legislative response to the challenge of ASD, the all-party Assembly group on autism has been informed by an independent report entitled ‘Improving Services for People with ASD’, which was produced by the Assembly Research and Library Service and published in 2008.

That report reviewed the existing legislation, policy and practice in Northern Ireland. It viewed the significance of the isolated departmental actions on autism as a stepping stone towards legislation and not as an end in themselves in view of the need to secure accurate and agreed data on the number of individuals with autism to inform and map cross-departmental planning and funding; address the gaps in existing legislation to counter discrimination — the report also confirmed the barriers in access to services; and required Government to act for autism to counteract the existing piecemeal accumulation of ASD policies that focused on individual Departments.

Within the United Kingdom and Ireland, it is time for the Northern Ireland Assembly to decide whether or not it wants to lead or follow. It is time for the Northern Ireland Assembly to stand up for autism. The Welsh Government have agreed a cross-cutting regional response that fits Wales.

In England, the Autism Bill has had its successful Second Reading, and in Scotland, a national cross-cutting strategy is being considered. Each jurisdiction must devise a response that is unique to its situation. We can look to Wales for an example of a managed, accountable ASD service infrastructure across all Departments; to Denmark for a national plan; to Sweden for legislation on the entitlement to services from Government; and to other jurisdictions as well. We can learn from the practice of other nations.

Members of the all-party Assembly group on autism ask for the support of the Chamber once again, and for the support of the disability community, in particular, as the Bill is progressed. The Bill will bring a measure

of recognition and equality to autism, which will raise the profile of the whole disability sector generally. It is not about taking anything away from anyone — it is about opening the door to a disability that has been denied access because the strategies and learning techniques required have been alien to our existing structures.

Children, young people and adults with autism, as well as the families who live with them, have lobbied us hard over the past seven years. Autism advocacy groups have been building a bridge for political action so that change will happen, in our lifetime, for future generations. As the last span of that bridge is put in place, let us make sure that we also put in place the piece that is needed to meet their requirements.

**Mr Craig:** I want to deal with the issue of why legislation on autism is needed here. Existing legislation does not mention ASD, and some people say that that leaves a lot of flexibility, and that the legislation is not prescriptive: in other words, by not ruling something in, you are not ruling anything else out.

However, generic provision has never worked for ASD. Generic services do not work for people with ASD — they need specialist ASD intervention. They also need clarity and structure in the intervention required for them. What works for everyone else does not work for ASD sufferers. ASD sufferers currently get such provision from specific charities. It is solely from those charities — who provide services and policies — that we have seen progress on autism.

People with ASD learn differently due to the nature of their impairment. Unique teaching strategies and training are required for those people. As a society, we need to put those in place. I have touched on the generic nature of our existing legislation, but even within that, there are sub-categories which are more detailed: for example, the Disability Discrimination Act 1995 is weighted heavily towards physical disability — it can be done.

Special needs services are required across the Department of Health, Social Services and Public Safety, the Department for Social Development and the Department for Employment and Learning. That those Departments need to work together shows the need for legislation: how else can we bring them together and make them work for the benefit of ASD sufferers?

Legislation is about giving parents official recognition, after 18 years of lobbying against denial by services and Departments, that the disability actually exists as a distinct and unique disability. It does not have to co-exist with other learning disabilities. It is unique. Legislation brings with it the imperative for action.

Legislation is essential in order to require public bodies to, for instance, improve access to services and facilities for people with ASD. Legislation is needed to establish foundations, principles and guidance for a

cross-cutting regional strategy for all Northern Ireland Departments. The key obstacles to progress on ASD are lack of regional cross-departmental strategy and funding.

Each Department prefers to produce its own action plan: in 2008, the Department of Health, Social Services and Public Safety brought out its action plan; the Department of Education produced an action plan in 2009; and there are three health and social care strategies. There is no joined-up thinking about ASD sufferers.

This legislation is needed because it requires all Departments to work together strategically, rather than pay lip service to policy collaboration. Legislation is critical because current legislative recourse is having a negative impact on families, who are left in a catch-22 situation. If there is no official recognition of ASD against which to judge cases, families usually end up giving up before going to court. Many cases fail, and confusion is allowed to continue.

Legislation should recognise autism as a social and communication disability, with a range of co-morbid conditions that necessitate a unique degree of access across education, learning-disability, mental-health and sensory-disability services. Legislation should require the appointment of an ASD co-ordinator to act as an advocate for individuals with ASD and for their families.

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

**Mr Craig:** I certainly will, Mr Deputy Speaker. That co-ordinator will monitor and develop a cross-departmental strategy and make amendments to existing legislation. With that in mind, I support the motion.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Éirím le tacaíocht a thabhairt don rún. I support the motion.

At the outset, I commend the Minister of Education for the report of the task group on autism and for the establishment and support in Middletown — in my constituency — of the all-Ireland centre of excellence for the education of children and young people with autism. In advance, I also commend the Minister of Health, Social Services and Public Safety for the forthcoming autism action plan.

Those are significant, positive milestones on the journey to address a need that is not being met. The challenge for us all is that autistic spectrum disorder does not fit neatly into one compartment. The Department of Health, Social Services and Public Safety is to be commended for considering a new, cross-cutting programme of care to include ASD.

Other Departments such as DEL, DSD and DCAL must also buy in and provide services to ASD sufferers and their families. An autism Bill is the mechanism by which to combine all responsible Departments. The

Bill would establish a regional training strategy to be co-ordinated by the voluntary sector, as happens in Scotland. Specialist training of psychology, psychiatry and paediatrics staff is essential — indeed, critical — in order to achieve an accurate service system.

The North of Ireland has the highest rate of staff training in diagnostic interview for social and communication disorder, autism diagnostic observation schedule and autism diagnostic interview — the main specialist training assessment tools required for ASD diagnosis. That is because Autism NI brought that training to the North in 1986, in partnership with local paediatricians.

There is also an autism diagnosticians forum, which, although independent, began as an Autism NI special-interest group. The only similar forum in existence is in Western Australia. Unlike other disabilities, autism has been subject to reliable diagnosis since only 2000. That is why the training of health visitors in detecting ASD must be more strategic and less piecemeal than current arrangements.

3.00 pm

As far as we are aware, there have been only two health visitors who specialise in detecting ASD employed in the North on temporary contracts. Could those in the voluntary sector with relevant expertise be utilised to supplement that provision with additional quality services?

There is a major concern about the length of time it takes for assessment and diagnosis. Current waiting times range from six months to two years, which is due to a failure to prioritise and manage a co-ordinated approach to ASD rather than a lack of funding. The first spend on ASD by the Department of Health, Social Service and Public Safety was part of its Priorities for Action 2003-04 and targeted that area. Further funding has since been received.

The Department's action plan and Priorities for Action 2009-2010 imposed a target of 13 weeks on waiting lists, in line with other health issues. However, it is difficult to adhere to that time frame when it comes to ASD, and a concern exists that the opportunity to make an accurate assessment may be lost to the pressures involved in trying to meet the deadline.

An autism Bill would encompass the Department's action plan and Priorities for Action targets. Those would be supported by the long-term regional ASD training strategy and a mechanism for a co-ordinated, consistent, strategic service development for ASD. The Bill also addresses the issue of adult diagnosis by establishing a cross-departmental requirement to plan strategic service development with joint financing arrangements. That would mean that joint diagnostic protocols, such as assessment and treatment, could be applied to all individuals. Whether an individual was

identified in education or through the criminal justice system, the same protocols would be applied as a right rather than a coincidence.

In the absence of at-home expertise, the Bill provides access to the regional ASD advocate for an expert diagnosis of complex cases out of state. That would facilitate an easy assessment of high cost, low-incidence services for ASD to assist with service development.

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

**Mr Boylan:** I will, sir.

The Bill could result in the implementation of the guidelines set by the Scottish Intercollegiate Guidelines Network and the National Institute for Health and Clinical Excellence guidelines on autism. Furthermore, early intervention is the critical next step and must be integrated into any proposed diagnostic service. I support the motion. Go raibh maith agat.

**Mr McCallister:** I thank my colleagues for helping to secure today's important debate. Many Assembly debates are self-serving and party political, but this one addresses an issue that cuts across our entire society, and we must work collectively to make the necessary changes in service provision. Only cross-departmental working and raising community awareness will improve the lives of the thousands of people who suffer from autistic spectrum disorder in Northern Ireland.

Autism is a particularly challenging learning disability with social and behavioural implications that require support throughout an individual's life. However, autism and autistic spectrum disorders do not receive the necessary recognition, nor do those who suffer from it receive the full range of support they require. The National Autistic Society Northern Ireland, in conjunction with Autism NI, does great work in providing support and raising awareness. The society suggests that more than 17,000 people in Northern Ireland have autism. If their families are included in the figures, more than 68,000 people in this small Province are affected by autism.

However, the society also estimates that more than 90% of people do not know how common autism is. In addition, 55% of people who have heard of autism think that it affects only children. Autistic spectrum disorder has no physical attributes, which often leads to people suffering in silence. Also, people can be misunderstood, misdiagnosed and shunned, which can lead to further isolation. Today's debate is, therefore, crucial in raising community awareness of the problems associated with autism.

I commend the United Nations for designating 2 April as world autism awareness day, and I welcome the fact that that has initiated today's debate.

It is crucial that, throughout their lives, people get the support that they need. That means that people who live with ASD — and their families — need prompt assessment, diagnosis, treatment and support. That support must be available as those children grow up and go through their education and further learning into adulthood. Therefore, it is crucial that Executive Departments provide integrated services, but that must take place most explicitly between the Department of Health, the Department of Education, the Department for Employment and Learning, the Department for Social Development and the Office of the First Minister and deputy First Minister.

**Mrs Long:** The Member referred to the fact that people see autism as a childhood disease. Does he agree that it is particularly important that adults who are living with autism have better access to diagnostic services so that they can take the first steps in finding their way to get the proper support that they need in order to be able to live their lives to the full?

**Mr McCallister:** I thank the Member for that useful intervention, and I agree wholeheartedly. That is critical. There are many other issues to factor in, but access to diagnostic services, as well as support throughout their lives, is critical. That is why so many Departments need to be involved as those people progress through their lives. We have made progress in recent years, but there is still more work to be done.

I congratulate and thank the Minister of Health for launching the autistic spectrum disorder strategic action plan, which hopefully, will be implemented very shortly. The Minister's proposals are influenced heavily by the excellent work of the independent review of autism services, which was chaired by Lord Maginnis. The review is designed to standardise assessment, diagnosis, treatment and support across all health trusts. The proposed regional ASD group will co-ordinate services and promote the early identification of developmental delay in children and early signs of autism. That is a much-needed change, as some families and children are waiting for up to three years to get a diagnosis, which means that they cannot get specialist educational assistance and get on to a lifetime pathway of support.

There have been calls for new legislation on autism, but the independent review highlighted categorically that it is not needed. We need to focus on the implementation of existing strategies, not on further unnecessary bureaucracy.

It would be remiss of me not to address a debate on autism without raising the serious reservations that I have about the appropriateness or potential effectiveness of the Department of Education's proposed Middletown centre of excellence for autism.

That centre will be neither central nor excellent. It is my firm belief that the project is a white elephant that

will serve a few at the expense of the majority of sufferers, and it may not even be appropriate for those who are lucky enough to gain a place in it. There are serious reservations about the medical provisions that are available to autistic children in the area and about how the centre will provide excellence in assessment, research, training and learning support in such an isolated location. How will parents, let alone specialists who are stationed in population centres, assess and be attracted to the proposed facility? There appears to have been no forward planning in the choice of the site for the centre of autism.

**Mr Deputy Speaker:** I ask the Member to please draw his remarks to a close.

**Mr McCallister:** We have been left with a potential drain on much-needed resources.

I support the motion.

**Mr McCarthy:** On behalf of the Alliance Party, the all-party Assembly group on autism, and the United Community group, I support this important motion fully.

I was extremely proud and humbled to be part of the Stand up for Autism rally outside Parliament Buildings earlier today and to be standing shoulder to shoulder with people who are at the coalface and who know exactly what is required. The Assembly must lead from the front, and all Departments must give priority to providing the necessary support to everyone with autism, both young and old.

It is a sad fact that the number of people with autism is increasing, and it is incumbent on all of us, particularly those who are in Government, to act accordingly.

I pay tribute to organisations such as Autism Northern Ireland, the National Autistic Society Northern Ireland, and other organisations and individuals at the forefront of providing support and counsel to people with autism and their families. So much progress is being made on a worldwide basis, and we are part of that progress. Some of us recently visited the US, a trip that culminated in the signing of a memorandum of understanding on Capitol Hill. Of course, we are all working together locally in the Celtic Nations Autism Partnership to make things better.

It is now time for action to be taken across all Departments in Northern Ireland; there can be no more excuses. People on the ground with experience of the needs of those with autism know what is required.

As indicated by Dominic Bradley, the chairperson of the all-party group, the Assembly must now support the autism Bill and put the legal framework into operation as soon as possible. That Bill will ensure that people with autism get the right access to services in areas such as health, social care, education, employment and so on. Although I am glad that the Minister of Health is here today, autism is not his sole responsibility; the

other Ministers in the Executive have a responsibility to get their teeth into this and to get on with it.

The Bill should recommend that an autism co-ordinator be appointed to ensure cross-departmental service development, and it should also contain a strategy to link all Departments together. Furthermore, it should provide trusts with suitably qualified and trained professional staff, and make provision for support and information for those with autism. Critical to all of that must be a ring-fencing of funding to deliver the ASD strategy.

In May 2008, the independent review of autism services, chaired by Lord Maginnis, produced an extremely detailed report with a number of crucial recommendations. Those recommendations must be adopted and worked on to provide the best — and nothing but the best — services, now and in the future, for those with autism.

I recently received some correspondence from the parents of a youngster, pleading for proper planning for young adults with autism. Funding should be made available for support, including learning and useful stimulation, and the desire to care for youngsters in a family setting. Those are fairly basic requests, and the Assembly must surely do what it can to support that youngster and their family. Indeed, that request could be repeated over and over again throughout Northern Ireland. If the Assembly is to mean anything at all, it must listen to the cries of ordinary people. We cannot let those people down; let us bring ASD to the top of our agenda.

Thursday 2 April marks world autism day. That day has been adopted by the United Nations General Assembly, and we are delighted to be part of it. This Thursday will see autism organisations across the globe call on their Governments for the help that is the entitlement of all people with autism.

I plead with the Assembly, and more importantly with our Executive, to stand up for autism as we have done today. Those with autism need, deserve and must have the same opportunities as everyone else in our society, from birth right through life's journey. Remember, children with autism grow into adults with autism —

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

**Mr McCarthy:** It is our duty to support those with autism all the way. I support the motion.

**Mr I McCrea:** Like all the other Members who have spoken in the debate today, I support the motion. I put on record my appreciation to Arlene Cassidy from Autism NI and the former Speaker of the Assembly, Eileen Bell, who has worked tirelessly alongside staff to provide the secretariat services for the all-party Assembly group on autism. I also want to

mention the National Autistic Society, which also carries out very sterling work. However, and more importantly, it would be remiss of me not to mention the parents and family members of those who suffer from ASD.

I wish to deal with early or rapid intervention. Early intervention gives meaning, moral justification and substance to the diagnostic label of autism. Without it, diagnosis is a cold instrument of truth. Early intervention has been led by the voluntary sector. Some commentators say that there is an over-diagnosis of autism in Northern Ireland and that there is no need to label individuals as autistic, because that prevents inclusion. Data on autism is poor, and parents seek a diagnosis to give them direction and support, which is not available in our society.

3.15 pm

One might ask from where those commentators get their evidence? Worldwide research on early intervention across the disability community proves its cost-effectiveness, and research in the field of ASD has confirmed that to be the case here as well.

Early intervention in ASD is a specialist area, and it is difficult to access in many parts of Northern Ireland. Therefore, a diagnosis is often the gateway to that provision. Early-intervention strategies for ASD are good models of practice for all people. An effective assessment and diagnostic process will inform the content of early or rapid intervention, which is based on individual need. Rapid intervention is rare, due to the lack of adult diagnostic services and patchy treatment services.

The current process of diagnosis is too slow. A child might not see a specialist for 18 months or two years — if they are lucky — after his or her parent has brought him or her to the GP, during which time the child could have been in an appropriate behaviour programme.

Some infants who are suspected of having autism reach school age before they see a specialist. That cannot be allowed to continue. Early and rapid intervention is essential to ensure that the child is placed in a programme and receives the best level of care.

The role of the voluntary sector in providing a voice for the needs of parents is vital. The Department of Health, Social Services and Public Safety action plan has failed to give the voluntary sector a strategic integrated role. Only an autism Bill (Northern Ireland) will be able to provide that advocate for parents and strategic planning for an integrated role for the voluntary sector.

The keyhole jigsaw of early intervention programme is proven but not applied comprehensively across Northern Ireland. That programme has been the subject of five research reports by the University of Ulster, and it has achieved international recognition. It is a product

of a unique partnership of voluntary and statutory agencies alongside parents in Northern Ireland. The keyhole jigsaw of early intervention programme includes a resource kit for families, pre diagnosis; a training programme for preschool playgroups; a training programme for parents; and a six-month home visit programme for the child.

Unfortunately, the programme does not have recurrent funding anywhere in Northern Ireland, although various boards and trusts have purchased or implemented parts of it. The programme design means that it must be a voluntary and statutory partnership. The content of the keyhole jigsaw of early intervention programme can be updated. Currently, it provides access to all ASD interventions and strategies.

There is a lack of co-ordinated action, and the problem with the current system is that it works against mainstreaming innovative practice. The Department of Health, Social Services and Public Safety action plan is limited to children's services for the next three years, and the priorities for action for 2009 refer to the importance of early intervention and set 13-week targets for access to specialist treatment, but do not specify the existence of a pre-existing mechanism.

An autism Bill would provide for an autism advocate for parents and an integrated strategy that will facilitate quality programmes and rapid intervention treatments for adults. The absence of a co-ordinated regional response to early intervention has alienated families and encouraged them to become supporters of various separate strategies. There needs to be a mechanism for parents to access all appropriate interventions and intensive treatments within the keyhole jigsaw of early intervention programme. I support the motion.

**Mr Weir:** Unlike a number of the Members who have spoken in the debate, I am not a member of the all-party Assembly group on autism. I commend the motion that is before the House and welcome the fact that it is in the Order Paper. I wish to concentrate on one aspect, although I commend 90% of the remarks that have been made by Members who have spoken.

I take a degree of issue with what Mr McCallister said about there being no need for legislation; I believe that there is such a need.

**Mr D Bradley:** Will the Member give way?

**Mr Weir:** I will give way in a second or two.

I would also like to think that I would keep more of an open mind than he has about the Middletown centre for autism.

I am happy to give way to Mr Bradley.

**Mr D Bradley:** I thank the Member for giving way. Is the Member aware that over the past number of months, Mr McCallister has supported an autism Bill

faithfully and only last week offered to sign up his support for it? However, today he tells us that he is opposed to it.

**Mr Weir:** Mr McCallister will have to answer for himself on that point — one can only speculate as to his motivation if he has performed a U-turn on the matter, although we can probably use some guesswork in identifying that.

As I indicated, a lot of good points have been made in this debate. I want to concentrate on a matter that has been touched on by only a couple of the Members who have spoken but that is one that I consider to be equally valid. That is the problem of adults with autism. A good deal of attention has — rightly — been paid to the importance of having early intervention and enough protection for children with autism; however, in many ways, the issue of adults with autism sometimes becomes the Cinderella issue of the autism debate and can be ignored slightly.

In that respect, I commend the good work that the National Autistic Society has done to highlight that issue. That organisation has produced an excellent publication entitled 'I exist: The Message from Adults with Autism'. That document details the results of a survey that showed that, of the adults with autism who took part in the survey, 96% feel that with more support they would feel less isolated, 34% have experienced severe mental-health difficulties, and 57% suffer from depression.

There is a tendency to think of autism as purely a childhood issue, particularly because of the impact that it has on our education system. However, statistics show that one in 100 people suffer from some form of autism, which is a condition that affects people throughout their entire lives. As the National Autistic Society puts it, the challenge is to think differently, act positively and transform lives.

Although the National Autistic Society is doing good work with such things as its Help! programme, which provides degrees of support to families and carers, the level of support that exists in Northern Ireland for adults with autism is, at best, very patchy. Of the five trusts, one provides more or less permanent family support workers, two other trusts have funding for a family support worker who is provided simply on a one-year basis, therefore calling into question whether that provision will be renewed, and two others provide no support whatever.

As Mr Boylan indicated, in Northern Ireland there are now high levels of training in the diagnosis of autism in the children's sector. However, many adults with autism have gone undiagnosed for years, and it may be that their symptoms are only properly described when they are bringing a member of their family for diagnosis. We need to give the same level of support to

adult diagnosis. In relation to the literacy aspect, we need to ensure that there is proper provision in the learning disability budget for the full range of autism services and that a certain amount of money is autism specific.

As the National Autistic Society indicated, we must ensure that, when it is implemented, the ASD strategic action plan meets the needs of adults with autism. We need to ensure that the plan is fit for purpose and, to help us to do that, the National Autistic Society has identified six objectives that should be met.

First, the local trusts must record the number of adults with autism in their areas. I believe that, until now, there has been a weakness in that area. Secondly, there should be a named professional in each trust area who is responsible for diagnosing adults with autism. Thirdly, health and social care trusts should establish a clear route to enable adults with Asperger's syndrome or high-functioning autism to access assessment and support. Fourthly, health professionals who are in regular contact with adults with autism must be trained properly. Fifthly, adults with autism and their families and carers should be involved in the development of services — we cannot simply have something imposed on people; we need to work with them. Finally, the new autism-spectrum services should be developed for adults, their families and their carers.

We need to give that support across the spectrum. Much good work has been done, but there is a good lot to be done. Obviously, it is an interdepartmental issue. However, in tackling the great problem of the provision for autism, we must ensure that, in providing the best of services, adults with autism are not simply ignored. I urge Members to support the motion.

**Mr Savage:** I declare an interest as secretary of the all-party Assembly group on autism, and I support the motion. However, I wish to speak about a number of matters that worry me greatly about how we deal with autism in Northern Ireland.

The Minister of Education has gone out of her way to push for an autism facility at Middletown, which has the potential, dare I say it, to become a major North/South white elephant. Already, the Minister has spent more than £3.4 million of taxpayers' money on that facility, and yet not one child has benefited. Members have raised concerns about the facility with the Minister on numerous occasions. However, she has continually dismissed any points that have been raised.

I am concerned that a huge amount of resources will be wasted in bringing children out of their local, stable environment for a five-week period, unsettling them — which, as any parent of an autistic child would tell you, is not a good idea — and then, when the five weeks are over, pushing them back to their home environment.

We need a proper autism strategy in Northern Ireland — not legislation. Parents want to see delivery on the



ground, and that is where the help is needed. We need local services, delivered locally, with early identification, early assessment and diagnosis and, most importantly, early intervention.

Shortly after assuming office, my colleague, the Minister of Health, Social Services and Public Safety, recognised that autism was a major issue. He was determined to take action and initiated the independent review of autism services, so that a clear strategy could be developed for future services. The independent review — chaired by Lord Maginnis, as my colleague has just said — made a number of clear recommendations, and it also had its own concerns about the facility at Middletown. The fact that an international panel of autism experts has misgivings about the centre, clearly leads one to conclude that that facility has not been considered properly.

The purchase of the Middletown site cost millions, refurbishing it will cost more millions, and yet, in the whole process, not one autism expert has been even consulted. At departmental level in the Department of Education, not one autism expert is employed to head up that and other projects affecting autistic children, and, in this day and age, that is just not on.

We need to invest our money in local services — not buildings detached from population centres. We must provide the parents of autistic children with the help and support that they need, properly funded, rather than trying to make a name for any particular organisation by trying to create an autism Bill that would not be worth the paper on which it was written.

**Mr D Bradley:** Will the Member confirm whether he has signed a pledge of support for an autism Bill for Northern Ireland?

**Mr Savage:** We certainly support the bid for a new autism centre; however, we have information on the report on autism services in Northern Ireland.

I want to make a few comments regarding Autism NI. I readily acknowledge the wide range of work that that organisation undertakes and has been providing throughout the Health Service here for many years. However, I have a number of concerns about recent activities. I have received complaints from parents of autistic children who are dissatisfied with the direction that Autism NI has taken regarding legislation.

The reality is that, despite devoting much time, energy and money to that cause, a proposed autism Bill will not provide any assistance to parents where they need it most.

3.30 pm

It is most disturbing that Autism Northern Ireland has spent thousands of pounds courting Members of Parliament and Members of this House, yet parents across the country are crying out for help. I appeal to

Autism Northern Ireland to work with all shareholders to address the current need. As Lord Maginnis's —

**Mr Deputy Speaker:** Order, please. I am finding it difficult to hear the Member. Other Members should give the Member their attention.

**Mr Savage:** I will draw my remarks to a close. All that my party and I want is to ensure that the parents of autistic children in Northern Ireland receive all the help that they need.

**Mr P Ramsey:** I welcome and support today's motion. It is clear that the all-party Assembly group on autism is standing up for autism by bringing forward the draft autism Bill on behalf of the parents, the carers and the health organisations that it represents. I was very disappointed that the Member who spoke previously said that thousands of pounds have been spent by an organisation in order to court Assembly Members. At some stage, that statement should be withdrawn, because it is unfair and incorrect. It impugns the character of so many people who work and care for people with autism.

**Mrs O'Neill:** Does the Member agree that the Member who spoke previously made those comments to deflect from the fact that his party does not stand up for people with autism?

**Mr P Ramsey:** That is the case. That party will have to defend its position, because it signed up for the proposals one day and withdrew its support the next.

The awareness of autism is increasing due to well-organised campaigns that are mounted by Autism Northern Ireland, which is a local charity that consists of parents, professionals, support groups, friends, acquaintances and constituents. Thankfully, people are becoming more aware of what autistic spectrum disorders are. That is to be appreciated, given that those disorders affect 20,000 people across Northern Ireland.

Unfortunately, there is still a lack of understanding of autism, as it is a hidden and very diverse condition. However, there is scope for that understanding to improve. That is one of the reasons why Members feel that it is appropriate to bring forward an autism Bill for Northern Ireland.

The motion draws attention to the challenges of the health, educational and social care needs of people with autistic spectrum disorder. I will briefly address some of those needs in turn. In recent years, parents have become increasingly concerned about the inadequacy of services in Northern Ireland for individuals with autism and, in particular, Asperger's syndrome. It is generally thought that parents of autistic children are more likely to see their child's special health needs going unmet.

Many autistic children have additional physical and mental-health needs. Parents who care for autistic children face a significantly greater burden as they try

to deal with their emotional, developmental and behavioural problems. Many parents in that position have to cut back on the hours that they work, and single parents may have to quit their jobs altogether to look after their autistic children.

We currently face a range of problems with autism, such as the waiting lists for diagnosis of autism; the diagnostic process itself; intervention after diagnosis; day services; and respite — the list is by no means exhaustive. Although recommendations have been made about those issues, we need to see more action and improvements. The Health Service must enhance diagnostic assessment and early intervention services for children and young people. It is essential that medical professionals work in partnership to address the needs of individuals who suffer from autism.

As a number of Members have stated, older individuals with autism are falling through the system's cracks. That has huge implications for their development, life and social skills, and their mental health. That issue has been raised by mental-health organisations, parents and carers.

Autism and education is a hot topic for schools and parents in Northern Ireland and around the world as the occurrence of autism in children increases, unfortunately, very rapidly. Today, teachers have a much higher number of autistic children in their classrooms than was the case a decade ago. For that reason, it is very important that all children receive appropriate education and structured support. That support must be made available to help to maximise skills and to enable every child to achieve their full potential, not only in childhood, but in adulthood.

In May 2008, the independent review of autism services recommended that autism-awareness training should be part of teacher-training courses, and that is an important point. It is crucial that a teacher can address the ongoing and changing needs of the child growing up in the education system.

Autistic spectrum disorders are lifelong developmental disabilities. There is a mistaken belief that autism affects only children. Worryingly, people do not realise that difficulties continue into, and right through, adulthood. As a society, we should try our best to learn and understand what adult autism is all about, what it is like and the unfortunate circumstances that lead up to it. We must also find the best way to help and give comfort and support to adults with autism.

The National Autistic Society reported that 63% of adults with ASD say that they do not get enough support to meet their needs. That is another challenge for the Minister of Health, Social Services and Public Safety, and I am delighted that he is present for today's debate. Many parents and carers do not get enough support from statutory agencies, and some have yet to

receive a carers' assessment. There is little guidance for professionals who carry out assessments, and, because of communication difficulties, it is not always easy to identify the needs of an adult with ASD.

The motion is timely and the SDLP supports it, and, more importantly, the autism Bill that I hope will be brought before this Chamber on behalf of parents in Northern Ireland.

**Lord Morrow:** At the outset, I apologise for not being present at the start of the debate, but I was chairing the Committee on Procedures.

I welcome the opportunity to speak on this timely motion, which raises an important issue. It is imperative that the nature and expression of this disorder are further highlighted and, consequently, understood by society to ensure that sufferers are neither penalised nor marginalised during their lives as a result of collective ignorance about their condition and symptoms.

Autism and Asperger's syndrome are wide-ranging conditions with varying degrees of seriousness. Autism is known as a lifelong developmental disability, and sufferers share three main areas of difficulty that affect them in different ways. Those three social categories are communication, interaction and imagination — routine experiences that we take for granted day in and day out. However, for autism sufferers, those matters are not straightforward and can impact severely on their daily life and the daily lives of their families and carers. Thus, a specialist programme must be put in place to help sufferers to deal with daily living, while sensitively handling their specific needs.

The matter does not apply only to selective education, because when the school bell rings, the autistic child's difficulties do not immediately stop. As with most conditions, their needs are constant and continuous, but care and support levels have fallen far short of those provided for other learning disabilities.

Similarly, what of the teenage and adult sufferers of ASD? What sort of support is in place for their specific needs? The independent review of autism services recognised the lack of ASD services across Northern Ireland, particularly for older adolescents and adults. Consequently, the review team's main focus was to develop specialist ASD services, while emphasising the need to create more co-ordination and cohesion across the broad range of services that are required.

The team found that the main delay in progress and the lack of specific services came down to financial constraints. It is therefore essential that a pragmatic approach is adopted to ensure that the needs of ASD sufferers are seen as a priority, given that they have been somewhat short-changed in the past, possibly through a lack of pertinent knowledge. Thankfully, we are at last witnessing a change in that regard, and ASD is becoming a more widely known and understood condition.

However, I must admit that I was shocked by the figures for Northern Ireland, and I had not fully comprehended the extent of the issue.

Alongside educational service and care support, however, there needs to be a faster and more streamlined diagnosis for those who may be affected. In some areas, a child has had to wait for up to 26 months to be assessed. That is a long time for a parent coping with a young child with learning difficulties, and, surely, in our modern society, that is totally unacceptable and needs to be changed. I hope that the Minister will take a long, hard look at that situation.

In a statement last June, the Health Minister acknowledged the need to address the shortfall in ASD services in areas such as workforce, specialist assessment, early intervention, structured behavioural interventions and family support. I welcome the fact that the Minister is fully aware of the situation, and would hope that he plans to fast-track proposals for the implementation of the review team's recommendations.

I will conclude by paying tribute to parents, charities, carers, support groups and others who have championed this cause, and led to a serious rethink in relation to ASD and, indeed, at times —

**Mr D Bradley:** Will the Member join me in expressing his disappointment at the remarks made by Mr Savage in the Chamber earlier? Will he also join me in dissociating himself from those remarks, and in describing them as disgraceful and demanding that Mr Savage withdraws those remarks?

**Lord Morrow:** I have to say that I did not hear the remarks of Mr Savage, because Mr Savage was on his feet speaking when I came into the House. So, I cannot truthfully comment on what Mr Savage did or did not say. I understand that he did cause consternation among some Members around the House in whatever he said, but I must emphasise that I did not hear his comments.

Finally, I warmly congratulate all those who have, at times, ploughed a very lonely furrow when the condition of ASD was neglected and not appreciated or understood by many people. It is because of the campaigning and championing of the issue by many people that we are debating it in the House today. I trust that the Minister, and the rest of us, will be more appreciative and understanding of the subject.

**Mr Durkan:** Like others, I support the motion. Some important and positive points have been made in the debate. One of those has been the repeated emphasis of the need to recognise the number of adults with autism. In the past, a lot of our debates have, naturally and understandably, focused on children with autism, the need for diagnosis and services and the pressures faced by their families. However, the increasing

recognition of the needs and circumstances of adults with autism is a very positive development and is, in many ways, a credit to a lot of the organisations that have campaigned on the issue, including very strong campaigns such as the "I Exist" campaign, which I helped to launch here and in different aspects of which others, too, have been involved.

There is increasing awareness of autism at a certain public-policy level. The general public, too, maybe has an increased awareness of autism partly as a result of the campaigns that I have mentioned and partly through some media depictions of people at various points of autistic spectrum disorder. However, that in many ways leads to an assumption that there has been a comparable increase in the provision and development of services, resources and policy commitments to meet that wider public understanding. Many people assume that, because more people are being diagnosed, and because the statistics are becoming stronger, that, somehow, services are being topped up commensurately, and, clearly, that is not the case.

It is the case all too often that parents of children who have been diagnosed as autistic have to navigate their way through systems and negotiate between services as though they are the first to be in that situation.

It is an indictment of us all, and of the logic of the public-policy system, that that is still the case. There is better understanding and awareness, yet when the stage of diagnosis is reached — and we have heard much about the long wait to get to that — they find themselves still in a limbo.

3.45 pm

Parents have to do more and more research into the condition to find out different aspects for themselves. They have to surf between the various organisations and charities to gain more awareness and find out more information and greater detail about potential services. They find themselves pushed about from one service provider to another, and they hear phrases such as, "not quite fitting our budget", "we do not have a proposal yet" and "that is a good idea and we will work on something there".

That is why the all-party Assembly group on autism is such a useful instrument. It helps to bring together the different experiences and frustrations that Members encounter in their constituencies, and it provides a platform for the ideas of the various organisations which deal with those issues.

I welcome the Health Minister's presence at the debate and the commitments that he has made. We have a strategic action plan, and it is very welcome, even if some Members want it to contain more or believe that the plan does not go far enough. We might raise questions about the other Departments and ask whether they will play their part.

I also recognise the work of the independent review of autism services, chaired by Lord Maginnis. He has issues about the Middletown Centre for Autism, which he raised yesterday at the meeting of the British-Irish Parliamentary Assembly. There is an argument that that centre is a prestige project that does not deal with everything. However, let us be clear: it is a positive and important commitment, and it plays a positive role. Just as one size does not fit all, one centre does not fit all. That centre is not an adequate response, and we need a much more articulate and guaranteed provision of services at all levels and in all localities.

That brings me to the point of a Bill. I am perturbed to hear Members pour cold water on the idea of a Bill. We have had positive commitments in the past: when the taskforce reported a number of years ago, very strong commitments were made by the Department of Health, Social Services and Public Safety and the Department of Education and yet we have not seen them fully put into practice. Only a Bill will give us that sort of guarantee. That is why I supported the private Member's Autism Bill for England and Wales in Westminster a few weeks ago: it creates an important precedent. If MPs vote that Bill through Westminster, there will be no argument against a similar Bill in this Assembly.

Why Members of this Assembly should argue against legislating on the issue I am at a loss to understand.

**Mr Storey:** I will speak first as the Chairperson of the Committee for Education. The issue has been brought to our attention, and it is relevant to the Education Department.

I will set in context what the Committee has heard over the past two years. It has received various briefings from Autism NI, for example; a joint briefing with the Committee for Health, Social Services and Public Safety; a meeting with the parents of children with ASD from Lisburn; and a meeting with Hugh Morgan, the implementation manager of the autistic spectrum disorder strategic action plan for Wales. The Committee's Deputy Chairperson represented the Committee on an Autism NI-organised Celtic Nations Autism Partnership visit to the US, where it met representatives of similar organisations in Washington in September 2007. The Committee is also scheduled to meet with Wendy Lawson, an advocate for people with autism, with Autism NI on 28 April.

In October last year, the Committee heard from the chief executive of the Middletown Centre for Autism and some of his senior colleagues. The Committee raised a number of concerns at that time and received detailed responses from the centre and the Department of Education. I will return to those when, in a few moments, I speak as a Member. One key issue raised was

the need for an overall strategy for autism in Northern Ireland. Previously, the Committee had heard from Hugh Morgan, on his role to oversee the implementation of the all-Wales autism strategy.

The Committee for Education received a comprehensive update, a briefing paper from the Department of Education, in September 2008, which included statistics on the prevalence of ASD and the educational provision —

**Dr W McCrea:** I thank the Member for giving way. Does he accept that although we have heard the statistics, which are very important, we need to always be very careful to remember that those statistics represent people? Behind every one of those people is a family that is, in many ways, at a loss to know what to do. Therefore, as legislators, we must ensure that everything is done to help those families through their time of crisis, and continuing crisis, in their family's development.

**Mr Storey:** I concur with the Member's comments. We always need to keep that focus when debating these issues and we cannot allow statistics to get in the way of reality. Children, young people and their families have huge issues to face as a result of dealing with ASD.

The issue of specific legislation was raised. I am happy to make available to Members the report that the Department of Education prepared for the Education Committee. It is worthwhile reading that report: it certainly gave the Committee a very informed perspective on legislation and other issues around ASD. One issue arising from that paper, and from other recent and very welcome initiatives that address the early diagnosis and assessment of children — including funding from the Minister of Health, Social Services and Public Safety — is the need for a Northern Ireland strategy for autism. Time and again we keep coming back to that, and it is something that needs to be underscored by the debate.

There needs to be a cross-departmental strategy involving the Department of Education, the Department of Health, the Department for Employment and Learning, and others, together with voluntary sector interests and the Middletown Centre for Autism. The template for that has been developed in Wales. It raises the question of whether we need a champion for autism. After today's debate, I certainly do not think that that champion will be Mr Savage. One Department must take the lead on that work, and I note that the Health Minister is due to respond to the debate.

Very briefly, I will talk about issues that the parent of two boys with Asperger's syndrome raised with me today. Knowing that this debate was coming up, she sent me a text message summarising the issues she deals with as the parent of two boys with Asperger's syndrome. Networking of services, early grief

counselling for parents of newly diagnosed children, and continued support services for teenagers who have ASD are all issues. The other issue was around education and support for carers. We need to remember the carers of, and the people involved in caring for, people with ASD.

In conclusion, there needs to be more training in recognising ASD, and it should be part of the professional training of all front line health and education professionals. All staff working with children and adults should be alert to the telltale signs of ASD. A clear referral route should be established, with key workers appointed to provide support to individuals and their families. I support the motion.

**Mr B Wilson:** As a member of the all-party group on autism, I support the motion. As the Members who spoke previously have pointed out, there have been a number of important and positive milestones on the journey towards meeting the needs of people with autism. I particularly welcome the fact that the Department of Health is considering a new cross-cutting programme of care that will include ASD. However, there is a long way to go to provide satisfactory services. What about the services provided by other Departments: DCAL, DEL, DSD and so on? We need a mechanism to join together all Departments and services for people with ASD and their families. That mechanism is the proposed autism Bill.

The Assembly research paper, 'Improving Services for People with ASD', must be given serious consideration, along with the response from the all-party group on autism.

Autism is a lifelong condition, and anyone with it needs support throughout his or her life. The needs of individuals with autism are wide-ranging. Autism is a neurological disability that requires specialist programmes that are supported by specific assessment tools, such as the diagnostic interview for social and communication disorders, the autism diagnostic observation schedule and the autistic diagnostic interview – revised.

Those types of intervention range across health and education and include behavioural treatments, education-based approaches and visual communication systems. The Bamford Review, in its limited consideration of the provision of services to individuals with ASD, pointed out the importance of good systems of training.

The "I Exist" campaign highlighted the gap between the support that adults with ASD need and what they actually receive. The fact that there is no accurate figure for the number of people suffering from ASD is a major problem for service provision. The lack of co-ordination across services and Departments is a significant factor in limiting service development and funding priorities. However, a review of the research

evidence suggests that there is a lack of available services for people with ASD. Services are inadequate, and they can also take years to obtain, when early intervention is so important.

There are three main options for improving on ASD services. First, the Government can continue to use the existing policy mechanisms to provide services for individuals with ASD but apply extra funding. The Department's action plan takes that route, and that is not adequate. Secondly, the Government can strategically examine what they want to achieve in providing ASD services and can develop a civic, cross-cutting strategy to improve on the co-ordination of the services and eliminate gaps.

The all-party group proposes that a third option be taken. The Government can create a legal obligation for action on ASD by enshrining it in legislation. That approach is taken by the Autism Bill, and we believe that that is the way forward. There is no legislation in the United Kingdom or Ireland that is specific to ASD. ASD-specific legislation is needed, and the all-party group proposes a number of options.

**Mr D Bradley:** Will the Member agree that the position of the Ulster Unionist Party on an autism Bill is, to put it mildly, all over the place? A Member from that party who spoke supported the Bill last week but does not support it this week. A Member from that party signed the petition of support to the Bill last week but withdrew his name this week. At Westminster, the private Member's Bill is supported by the Ulster Unionists' sister party, the Tories. Indeed, that Bill is being advanced by a Tory.

**Mr B Wilson:** I agree; I am not particularly clear on where the Ulster Unionists stand on the issue. Legislation is essential.

First, legislation that relates to information gathering, similar to that which exists in the United States, is inadequate. That type of legislation ensures that research is being funded and carried out to map ASD with a specific aim to inform service planning. Secondly, legislation can be sought to counter discrimination against people with ASD, including filling the gaps where existing legislation is believed not to be adequate. The third option is to create legislation that requires Government to provide autism services or which establishes a specific autism strategy. That is addressed by the Autism Bill.

Therefore, I appeal to the disability community to support the legislation, and I support the motion.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I thank the proposers of the motion. The debate has been interesting, although Members have talked a lot about legislation and not enough about what needs to be done.

4.00 pm

Given the importance and priority that all of us attach to autistic spectrum disorder (ASD), the debate provides a welcome opportunity to outline the way forward. Prevalence rates have been discussed and argued over by experts for many years. There is no universally accepted figure. However, the medical-research figure of approximately 90 cases per 10,000 people provides a useful starting point.

It would be a mistake to suggest that any one exercise or action will lead to the identification of all ASD cases in Northern Ireland. One of my first actions as Health Minister was to set up an independent review of autism services, which was chaired by Lord Maginnis. That did not need legislation forcing me to do it: I did it because I knew that it needed to be done.

Following on from that review, my Department is preparing an ASD action plan, which will be published shortly. The plan will promote earlier identification and diagnosis. It will also ensure better co-ordination and collaboration with other agencies and Departments to provide services that are linked to people who are affected by ASD at all stages of their lives. Some Members made those points. Perhaps not all Members have had time to read the action plan.

It will take time, plus the co-operation of different Departments and agencies together with the expertise that is available in the voluntary and community sector, to compile an overall picture of all of those who are affected. Even when that is done, there will still be cases where people have not had contact with providers or a need for services, including health and social care, further education, social security or specific housing needs.

The absence of a quick fix or any easy answer should not deflect us from the task of compiling data to piece together more accurate figures for the numbers that are involved. That information will help to inform the development of a range of services across a range of Departments. Research on ASD is under way across the world, and new ideas and information will inform the development of services. As we gain more understanding, we can develop and refine our services, and also promote awareness and more targeted training to help us to understand ASD and to help individual families and carers.

We need to promote an understanding that individuals can be affected by autism in different ways and to different extents. As a result, some people need different types and levels of help. The most effective response that we can offer is a wide range of services that can address the needs of individual cases. Many of us have an understanding of the challenges that are faced by individuals, their families and carers, including difficulties with language and communication; with social and emotional interaction; and with flexibility of

thought and imagination. That can be associated with a range of learning disabilities and other conditions, which can make diagnosis extremely difficult.

Many individuals who are affected by ASD may have no learning disabilities. Some people with ASD will have average or above-average intelligence. Some people can seem to function in everyday life, but may struggle with social interaction or with transitions through different stages of their lives. Some might live their lives in a state of constant distress. If we are to cover all of the need for all cases, we must ensure that the policies, services and approaches that we develop fit together. That needs to cover issues that include health and social care, social security, education, further education, housing, employment and leisure facilities.

There have been some calls for autism-specific legislation. My response was to put that question to an independent review of autism services. The review team concluded that it did not regard autism-specific legislation as necessary or appropriate at this stage. Indeed, I have listened to the debate and I am still waiting to hear what exactly is missing from Northern Ireland's legislation that I need to put in place in order to allow me to address those needs. We already have full-scale equality and disability legislation — more than any other part of the UK.

That does not suggest that autism is less of a priority, or less of a challenge for families or individuals, or that the gap between the services that we have and those that we need is reduced in any way. If anyone doubts the urgency and importance that are attached to autism services, they can look at the actions that I have taken.

I announced an independent review and, 12 months later, published a draft strategic action plan for public consultation. I am sure that Members will agree that actions speak louder than legislation. After the consultation, I anticipate that the full action plan will be published in May.

**Mr McCarthy:** I thank the Minister for giving way. The longer I listen to the Minister's response to the debate, the angrier I become. If the Minister had been outside the Building today, he would have seen at first hand the number of people that are crying out for help. I can speak with some authority, because although it is not in the same bracket as autism, I know exactly what people with young people need at the moment. The Minister is rambling, and he does not seem close to outlining the help that those people will receive. They do not need help next year or the year after — they need it now. On behalf of the people who have come here today, I plead with the Minister — and other Ministers — to get their head around this issue and to provide the services now that those people need.

**The Minister of Health, Social Services and Public Safety:** That was a ramble if ever there was

one. Mr McCarthy has, clearly, not listened to a word that I have said. I am taking action, and that is why I have produced the strategy and the action plan. The proposed full action plan will be ready for publication in May 2010. I cannot be any clearer.

I intend to improve autism services without preventing people from accessing other services or promoting competition between different groups that lobby for resources. Part of the problem is that nobody has identified a specific legislative gap that needs filled. The range of powers available to me is already broad and comprehensive. If we are unable to deliver a service or an action at some point in the future because of legal barriers, we can revisit the issue then. For the time being, that seems unlikely.

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

**The Minister of Health, Social Services and Public Safety:** No; I will carry on for a minute, and then let the Member in.

Meeting the respite needs of individuals who are affected by learning disabilities — including autism — is a high priority for everyone. Plans are in place to gain more detailed information on respite services across all the health and social care trusts. That will provide a clearer picture of the overall provision and inform the process of developing respite services in the future.

**Mr Durkan:** I thank the Minister for giving way. We must be careful about contraposing the strategy and action plan that the Minister has mentioned with the need for legislation. Those of us who argue for the introduction of legislation do not support it at the expense of a strategy or action plan. However, those who argue against legislation seem to support a strategy without legislation.

Has the Minister read the private Member's Bill at Westminster? Essentially, it covers the six key points that Lord Morrow outlined that are not covered by existing Northern Ireland legislation. Nobody is obliged to obtain information about the number of children and adults with ASD. One service is not obliged to inform another service, and legislation would create such provision. The Minister might be concerned that legislation would be health-specific and centred solely in one Department. However, nobody in the House wants a Bill that centres solely on his Department; it should take in other Departments as well.

**The Minister of Health, Social Services and Public Safety:** The Member mentioned action versus legislation. I have heard a lot of talk about legislation; I am saying that I have the legislation that I require right now. Members should let me know if they identify a gap — I will fill that gap. However, right now, I am talking about addressing the matter. When I became a Minister two years ago, that was one of my first actions. Although the Department is finally about to publish its

action plan, people such as Kieran McCarthy are calling for legislation, and nothing but legislation.

World autism awareness day is on Thursday. It will help to raise awareness about autistic spectrum disorders. We need all the autism awareness days that we can get; we need to raise autism awareness every day. That is why the ASD action plan places an emphasis on providing awareness training and, where appropriate, more specialist training. Part of the consultation exercise on the ASD strategic action plan asks for ideas on engaging with others and working in partnership in order to promote ASD services.

We have a wealth of ideas and opinions on how to engage with others. The historic underfunding of services for those affected by autism has meant that many people have experienced difficulties. That needs to end.

Autism services need to improve to ensure an improved quality of life for individuals and their families. It is an indicator of the importance attached to autism services by all those involved, myself included, that over £2 million in investment has been secured for autism services. Alongside with that new funding, trusts have been set a new target under the priorities for action for 2009-2010 whereby, by March 2010, no child will wait longer than 13 weeks for assessment following referral, and a further 13 weeks for commencement of specialised treatment. Lord Morrow said that the Minister should take note; it should be clear from the priorities for action — which were published some time ago — that I did take note.

Money will never be the only way to improve services, and services do not have to be resource intensive. We need to identify and share examples of best practice, and take note of what individuals, families and carers have to say about services. Examples of best practice are evident in the voluntary and community sector, where people know how to innovate and develop services using the available resources. That sector also provides an essential resource for families and statutory services. We can always rely on those in the voluntary and community sector to tell it as they see it, rather than telling us what we want to hear.

We need to hear all of the various opinions and take account of the full range of voices in the voluntary and community sector. The need to develop more services to meet the needs of adults who are affected by autism is clear and accepted by all concerned. The need to develop services for people of all ages is outlined in the ASD strategic action plan — it is not simply about children. The ASD regional group, to be established as part of the action plan, will take forward a range of actions intended to raise both the range and level of services for adults — and people of all ages — who are affected by autism.

The regional group will be led by the Health Department and the five trusts, and will comprise representatives of DSD, the Department of Education, DCAL, and the voluntary and community sector. We are preparing our action plan for publication; other Departments can then see what we propose to do, and how we will need to get it done. The plans that those Departments make to develop and improve their services will be discussed through the regional ASD group, and can work alongside the plans of my Department.

Only by close co-operation and collaboration can we help to close all of the gaps and provide the full range of services that are needed. This is not a matter for the Department of Health alone. I am gratified to discover that all other parties support the initiative, support sufferers of ASD, and recognise the need to go forward. As those parties control the other Departments, I am sure that I will have absolutely no problem in getting that co-operation.

**Mr D Bradley:** Will the Minister give way?

**The Minister of Health, Social Services and Public Safety:** I have just finished, so the Member will have to shout at me another day.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. Before continuing with the winding-up speech, I shall say a few words on behalf of the Committee for Health, Social Services and Public Safety, of which I am the Deputy Chairperson. The Health Committee has taken a key interest in the issue of autism, and has been supportive of efforts to improve services for people with autism.

We pressed the Minister to address the issue, and welcomed the setting up of the independent review of autism services in September 2007. Lord Maginnis, who chaired that review, briefed the Committee when his report was published in July 2008. A draft action plan, to which the Minister has referred, was subsequently published and put out for consultation. The Committee listened to a range of views, and paid a visit to Wales, before making a response to that action plan.

The main issue that was highlighted by the Committee, and about which we have heard several times throughout the debate, was that the draft action plan seeks to address services for people with ASD solely from a health perspective. We need a much more holistic approach. In his evidence to the Committee, Lord Maginnis acknowledged that shortcoming when he told us that the one constraint on our inquiry was that we did not have the authority to step outside the parameters dictated by the Department of Health, Social Services and Public Safety.

Lord Maginnis also felt that other Departments had no desire to co-operate, and unless that is overcome difficulties will emerge in future.

4.15 pm

**Mr D Bradley:** Does the Member agree with me that the present piecemeal provision leads only to the type of wrangling that we have heard today over the Middletown centre? Does she also agree that we need the services of the Department of Education, DEL, DCAL and DSD as well as the Department of Health, Social Services and Public Safety, and that the most effective vehicle for the delivery of that cross-cutting support is autism legislation?

**Mrs O'Neill:** I thank the Member for his intervention, and I agree fully with him. Representatives of Autism NI and the National Autistic Society stressed to the Committee that the needs of people with autism can be met only by cross-departmental action with a legislative imperative.

**Mr B McCrea:** Will the Member give way?

**Mrs O'Neill:** I am running out of time. If I have time at the end, I will give way.

When we visited the Welsh Assembly Government we learned that three years ago they adopted a social-care model of services for people of all ages with autism involving not just their Department for Health and Social Services but their Department for Children, Education, Lifelong Learning and Skills and other Departments. A strategic autism action plan for Wales was published in April 2008 and signed off by the Ministers for those aforementioned Departments. They stressed that working in partnership, especially with the voluntary sector, was the key to success in that area. We also witnessed partnerships in action when we visited a number of projects in Wales. There is much that we can learn from how autism is dealt with there.

I welcome the opportunity to bring the Assembly's attention to the Committee's main recommendation to the Minister of Health, Social Services and Public Safety. The Committee put forward the view that although autism is primarily a health issue, other Departments, including the Department of Education, the Department for Employment and Learning, the Department for Social Development and the justice system have a crucial role to play. The development of the autism action plan offers an opportunity to broaden the approach to developing comprehensive services for people of all ages with autism. The Committee strongly recommends that the Minister of Health, Social Services and Public Safety should take this issue to the Executive and seek the establishment of a ministerial subgroup to develop a joined-up approach to the issue. We await the publication of the Minister's response.

Speaking as an MLA and as a member of the Assembly all-party group on autism, I thank everyone who contributed to the debate. The majority of parties in the House have sent a clear message to those who live with autism every day — and to the parents, carers



and friends who took the time to come to the steps of Stormont this morning — that we will support them in their cause and for the protection of their rights.

A number of key issues were highlighted during the debate, one of which is that autism does not fit in existing legislation. I want to tell the House what autism is not: it is not a learning, physical or sensory disability; it is not a mental-health issue, a medical condition or a disease. It is a social and communication disability. It can exist alongside any of those other disabilities, but it is not a causal factor. With autism, all the normal rules are suspended.

How can a person teach or live with someone who cannot process or cope with social situations? How do we ensure that people with autism are not excluded? We can start by recognising autism as a social and communication disability. That is a vital step in moving forward. It is only then that we will be able to see adjustments and ensure that protections are put in place.

**Mr I McCrea:** Does the Member agree with me that there is a need for specialised social workers who have the understanding and the skills that are required to work with young people and adults with autism?

**Mrs O'Neill:** I could not agree more with the Member.

I am running out of time, and I want to make a comment about the parental lobby, as many parents and carers were on the steps of Stormont this morning. We must put on record our strong support for those parents and thank them for their continued lobbying. Not for the first time, they came here to lobby us because they want no less than the protection of their children's rights. Since I was elected to the Assembly in 2007, the autism lobby in my constituency of Mid Ulster has been very strong and has been the first at my door. Two women in particular — Ann McIlvenny and Cecilia O'Hagan — have worked tirelessly on autism issues across Mid Ulster and have provided immense support to parents in the area.

**Mr Deputy Speaker:** I remind the Member that she was allocated 10 minutes in which to speak; she can slow down. *[Interruption.]*

**Mr B McCrea:** Do not tell her to slow down, Mr Deputy Speaker. She said that she would give way to me at the end of her winding-up speech if there is time.

**Mr Deputy Speaker:** Continue, Mrs O'Neill.

**Mrs O'Neill:** Thank you, Mr Deputy Speaker — a common criticism of me is that I speak too quickly.

I make it clear to the House that we need to recognise that lack of support and care for parents of children with autism leads to high stress levels among them. Therefore, we need to do all that we can to counteract that and support them.

A number of Members referred to the need to support adults with autism. Again, I welcome the attention that has been brought to that issue today. We also need to focus our attention on adults with autism.

Several Members spoke about early intervention and diagnosis. Ian McCrea referred to the fact that some commentators have said that diagnosis is a label that perhaps prevents inclusion. However, "diagnosis" is not a dirty word — it gives direction to parents in seeking support and signposts services and easily identifiable needs. Early intervention is the key to assisting children with autism. The Keyhole programme of early intervention, which was mentioned earlier, has been proven internationally. Despite that fact, the programme is not provided comprehensively across the North. If it could be applied here, that would ensure that there is a mechanism for all parents to access whatever types of interventions they think appropriate for their children.

The comments made by the UUP about the centre of excellence at Middletown were said, perhaps, to try to deflect attention away from the fact that its members stood up in the House today and said that they will not support the autism lobby for legislation. That is unfortunate. I think that John McCallister commented that the lobby is categorically not needed. I do not know how he has the expertise to make that assumption.

**Mr B McCrea:** I wear the same badge; I have the same tie, and I have been involved in the issue from the start. Therefore, I categorically reject the allegation that people are trying to play politics with the issue. Frankly, I find the allegation distasteful. The Minister of Education was challenged about Middletown. Members of the Committee for Education talked about the centre. The Minister of Health, Social Services and Public Safety stood here and said that he does not need legislation, because he has all the legislation he needs. If any Member can point to an area in which something needs to be done but that the Minister does not have the power to address, speak now and the Minister will seek that legislation. That is the challenge. This is not about politics, it is about action.

**Mrs O'Neill:** I am going to move into the reasons why we need autism legislation. I say to the Member that I find it distasteful that his party will not support the autism legislation today.

Much work has been done by the autism lobby to progress the Autism Bill, which will enshrine, in legislation, the rights and entitlements of those in the autistic spectrum. I remind Members that that is not a privilege for autistic children and adults; it is a right. The legislation will place a legal imperative on those responsible to work together to provide services; it will ensure that parents are given official recognition of their child's disability and it will ensure and establish

foundation principles and guidance to establish a cross-cutting strategy. With the best will in the world, the Minister of Health, Social Services and Public Safety — who has taken action, which we welcome — has no control over the other Departments. Therefore, a legal imperative is needed so that all Departments have to work together in order to improve services for people with autism.

In conclusion — I am not going to have time to refer to the Minister's comments — I commend the Minister of Health, Social Services and Public Safety and the Minister of Education for their work in improving the lives of individuals living with autism. However, the challenge is this: autistic spectrum disorder does not fit into the current system — there remains inequality of provision. Autism is an invisible disability that needs attention and needs addressed now. A number of motions on the issue have been passed unanimously in the House; however, action has been lacking. We need to see action and we need to send a clear message to the parents and carers of those with autism that this is an equality issue and that we are going to see it through. Go raibh maith agat.

**Mr Deputy Speaker:** I am afraid that the Member's time really is up now.

*Question put and agreed to.*

*Resolved:*

That this Assembly expresses its concern at the high rate of autism and the consequent development challenges to Government and non-Government agencies across health, education and social care; and commends the United Nations designation of 2 April as world autism awareness day and the invitation to all Member States to observe this day annually to raise public awareness of autism.

## PRIVATE MEMBERS' BUSINESS

### Sales of Alcohol to Minors

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

**Mr Poots:** I beg to move

That this Assembly calls on the Minister for Social Development to introduce a series of measures on off-licence sales of alcohol to reduce its availability to minors.

It does not give me any great joy to bring this motion to the House. As I researched the issue, what I found became quite scary. I have to say to the Minister for Social Development that we are sitting on a time bomb, and we need action soon because there are major problems with regard to young people and the consumption of alcohol, and how that affects our society. First, they are damaging their own health. Secondly, they are jeopardising their own future. Thirdly, they are damaging the social infrastructure that we enjoy.

The statistics are quite alarming. I do not normally make much reference to notes when I am speaking, but today I will make considerable reference to them because there are so many statistics on the issue. For example, 17 million units of alcohol are consumed by minors — youngsters between the ages of 11 and 17 — each week. That is equivalent to 1.7 million bottles of wine or 6.9 million pints of beer. By the age of 16, most children have consumed alcohol; in fact, when 360,000 children in the United Kingdom were surveyed, they said that they had been drunk the previous week, and 3.5 million of our young people have consumed alcohol.

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

In Northern Ireland in 2006-07, just short of 400 young people were admitted to hospital as a consequence of alcohol consumption. That is not the figure for those who attended accident and emergency units but the number who were actually admitted to hospital.

What are the consequences for society? Clearly, the resultant antisocial behaviour is a consequence for society. We saw the consequences of alcohol abuse on Saturday, although the people involved were adults rather than young people or children. Nonetheless, much of the violence that took place on Saturday was related to the abuse of alcohol, and many of those involved will have started drinking when they were young.

Of the 10- to 17-year-olds who regularly drink, 39% have committed a violent offence, 34% have committed a theft and 17% have committed criminal damage. In

2004-05, 359 young offenders in Hydebank Wood Young Offenders Centre admitted that they had a dependency on alcohol, 468 admitted an addiction to either drugs or alcohol and only 58 could say that they were not dependent on either alcohol or drugs. That is an indication of the link between the abuse of alcohol and violent crime carried out by young people. When we hear stories from our senior citizens and from other young people who have been targeted by some of those individuals, no one can deny that we have a major problem in our towns and cities.

It is concerning that 27% of young people indicated that they had bought alcohol themselves, so they did not need an older person to purchase alcohol for them. We need to take cognisance of that, because not enough is being done on that front; I hope to hear some positive suggestions from the Minister. In 2002, one licensee was prosecuted and convicted of selling alcohol to a minor. In 2003, 2004 and 2005 there were no convictions, and, in 2006, there was one conviction.

Do not dare tell me that enough is being done when just two people from the licensed trade have been prosecuted in the past five years, and 27% of young people who say that they are consuming alcohol say that they are buying it themselves, because those two facts do not stand up. Evidently, something has to be done.

4.30 pm

As for the damage that these young people are doing to their bodies, I will quote some of the adverse consequences that the Chief Medical Officer, Sir Liam Donaldson, cited in his 'Draft Guidance on the Consumption of Alcohol by Children and Young People':

"Young people are not immune to the chronic diseases and conditions associated with excess alcohol consumption in adults, and deaths from liver disease are now occurring at younger ages.

Adolescents and young people who drink and drive, or allow themselves to be carried by a drink driver, are more likely to be involved in a car accident.

Adolescents and young people who drink alcohol are more likely to sustain an injury, often as a result of an assault.

Alcohol abuse in adolescence, during a developmentally sensitive period, poses a particular danger to the emerging brain faculties of executive functioning and long term memory.

Adolescents are likely to be more vulnerable to adults to both subtle brain damage and long lasting cognitive deficits following alcohol exposure.

Alcohol may increase feelings of depression.

Stress/anxiety based drinking is associated with long-term and more severe negative outcomes.

There is a relationship between adolescent alcohol use and mental health problems.

Alcohol consumption during an evening may affect a child's performance at school on the following day.

There are associations between alcohol consumption and subsequent behaviour with peers and friends. Excessive alcohol can be detrimental to a young person being able to maintain friendships.

Alcohol consumption can have a detrimental effect on young people's short term educational performance.

Alcohol consumption by young people, particularly students, is more likely to make them vulnerable to being the victims of crime.

Alcohol may make some young people more likely to display aggressive behaviour, although it is likely that other factors such as their personality and family life will play a role.

Alcohol consumption is associated with: not using a condom during a young person's first sexual encounter; an increased likelihood of having sex at a younger age; unprotected sex; teenage pregnancy and the likelihood of contracting sexually transmitted diseases."

The case for the damage to the individuals is clear. The case for the damage to society is clear. The case for the absence of qualitative work that is being done to reduce alcohol consumption is also clear.

The Department of Health, Social Services and Public Safety has set out a strategy for 2006-2011 to address the misuse of alcohol. That strategy is based very strongly on education — that is fair enough, but it is not enough.

I suggest that we examine several possibilities. First, I believe that there should be no sale of alcohol to people under the age of 21. The establishment of such a measure would help to tackle the problem of young people obtaining alcohol. That has already been done in the United States of America, it is being looked at in Scotland, and we could take a lead on that issue.

Off-licences should not be allowed to sell alcohol in bags that are not labelled with their name. It is strange that nearly every company except off-licences wants to advertise their names by labelling bags.

There should be a differential pricing structure in respect of pubs and off-licences. Promotions by many off-licences and supermarkets encourage a considerable amount of alcohol to be consumed. For example, one supermarket in December 2008 took a £22 million loss-leading strategy on the sale of alcohol. Consequentially, far more of it was sold. In Scandinavian countries in particular, where alcohol is more expensive, less of it is sold.

The police should have greater powers of confiscation, whereby the drink does not have to be opened. If someone who is underage has drink on them, the police should have the power to confiscate all the drink that they have. There must be stronger regulation of outlets that sell drink.

I had to be in the Royal Victoria Hospital with a relative earlier this year, and over half of the people in the accident and emergency department in midweek had injured themselves as a result of alcohol. We must do something about alcohol, and we must do it now.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in what is a very important debate, and I thank the proposer for the motion.

As the Member pointed out, there has been a marked change in the patterns of drinking among young people over the past 10 years. Statistics show that more and more young people are misusing alcohol. Children have started drinking as young as 11 in Ireland, and Ireland as a whole has one of the highest levels of binge drinking among the 15 to 16 age group in Europe. One need only take a look at our streets during the weekend or in a holiday period to see the level of alcohol misuse, particularly among young people.

Alcohol misuse can have consequences for young people themselves, their families and the community in general. Young people are more vulnerable to suffering physical, emotional and social harm from drinking alcohol, and it can lead to their having mental-health problems or becoming involved in antisocial activity. There are also links between heavy binge drinking and violent crime.

The number of children in treatment for alcohol misuse is also on the increase. Therefore, there is a real need for young people who have alcohol-misuse problems to get residential service and care and the help and support that they need to overcome their addiction. However, we must also look at innovative ways in which to tackle underage drinking and at providing alternatives for younger people.

The Colin area of my West Belfast constituency has a midnight football project that has been running very successfully for a number of years — people from the community sector give their time free on a Friday night to bring teams of local young people together to take part in competitions. That has worked very well, and we need more of those intervention projects. It is not enough to say that we must tackle underage drinking; we must be realistic and have alternative activities for those young people. While there are a number of local initiatives involving statutory, community and political representatives working together, it is clear that more must be done to provide such activities.

However, we must also use existing legislation more vigorously and introduce further legislation, where necessary, in order to stop on-street drinking, which has become a major problem in most communities. There is evidence of a link between the number of outlets selling alcohol in an area and the level of drink-related problems. There is also a connection between the price and consumption of alcohol.

There is, therefore, a clear onus on off-licences and supermarkets that sell alcohol to ensure that they do so in a responsible manner. Last year, our party brought a motion to the Assembly that called for off-licences to be compelled to label their carrier bags so that the sources of alcohol for young people were clearly identified — an initiative that worked very well several years

ago, when some local off-licences in my constituency voluntarily participated in such a scheme.

Drinks promotions must also be more controlled — particularly offers that encourage multiple purchasing — because evidence shows that young people are particularly influenced by specific alcoholic drinks, and if those can be obtained cheaply they will buy even more, which may end up in the hands of very vulnerable young people.

We must all be realistic, because adolescence is a period in which young people begin to experiment with alcohol and when they can be influenced by more sinister elements in society. It is also a period during which choices that they make can have a long-term impact on the course of their lives. There is a responsibility on all of us — parents, Governments, schools, communities, police and the drinks industry — to ensure that the scourge of underage drinking is tackled and that young people have positive influences when they make life choices.

We must consider putting new initiatives in place, including the provision of more intervention projects such as midnight soccer and the opening of youth centres late into the evening and at weekends, where trained people can be on hand for young people to talk to about any problems that may lead to alcohol misuse. For many young people, alcohol misuse can be a symptom of a wider problem.

Therefore, there are short- and longer-term measures that we must put in place if we are seriously to make a difference in tackling underage and on-street drinking, which have become too acceptable and create problems for individuals, their families and the community in general. I support the motion.

**Mr Armstrong:** The motion relates to an issue of great importance — the sale of alcohol to minors — and it is another example of the need for joined-up government that involves the Departments responsible for Health, Social Development and Education.

Few could argue that alcohol abuse is not a real problem in Northern Ireland and in wider British society. Above all, it affects young people, particularly females. The UK has some of the highest levels of drunkenness in Europe, and Northern Ireland is not exempt. Much media attention has focused on the growth of binge drinking. Many young people, regardless of whether they have reached the legal age for alcohol consumption, drink a great deal, and they seem to consider that drinking themselves into a state of near oblivion is part of a good night's craic.

I am not a killjoy; I too enjoy a social drink. However, I am scared by what I see at closing time on Saturday nights on the streets in towns and cities and by the problem that faces society. Last year, the British Medical Association (BMA) highlighted the problem

in its report, 'Alcohol Misuse: Tackling the UK Epidemic'. According to the BMA, 11 is the average age at which the first alcoholic drink is taken in Northern Ireland, and the greatest increase in drinking occurs between the ages of 11 and 13. An incredible 80% of all 16-year-olds have taken a drink. That is scandalous; they are children.

Such a state of affairs has major health and safety implications, because the consequences are short and long term. Alcohol consumption, particularly when heavy and prolonged, is associated with a wide range of medical conditions and is a significant cause of premature death worldwide.

Excessive alcohol consumption is linked to domestic violence, road-traffic accidents, cancer, heart attacks and liver disease. Alcohol abuse is associated with crime, violence and antisocial behaviour, and it has an adverse impact on family and community life. Drunk people are often victims of crime because they are incapable of thinking straight and are unable to defend themselves. There is a real risk that the dangerous level of drinking by young people today will set the pattern for their behaviour as young adults and will have serious repercussions on their long-term health and well-being.

A co-ordinated approach is required, because the current policies clearly do not work. It is not enough to educate young people on the effects of alcohol through health-promotion and education programmes. That message is not getting through. The fact that so many underage drinkers have easy access to alcohol indicates that something is badly wrong. The availability of alcohol that is sometimes even cheaper than water must be addressed. The law must be enforced properly and rigorously, and those who sell alcohol to underage drinkers must be punished severely. The crisis has been ongoing for some time, and we can no longer sit back and do nothing.

**Mrs Hanna:** I support the motion and thank those Members who tabled it.

Strong evidence exists that the consumption of alcohol by young people is on the rise. Children who are aged as young as 11 are drinking to excess, and the fact that some who are aged 14 or 15 are being identified as regular drinkers means that alcohol abuse is a huge problem. As Edwin Poots said, it could be described as a ticking time bomb that is damaging health, families and lives. It could also be said that, as a society, we are drowning in drink. Is it any wonder that many young people abuse alcohol?

One of the biggest worries for parents must be — and should be — underage drinking and alcohol abuse. The Department of Health, Social Services and Public Safety reminds us daily of the frightening and fatal repercussions of binge drinking and alcohol abuse.

Unfortunately, no single answer can solve the problem of underage drinking. Some options are worth considering. For example, it is important to educate and train off-licence staff and proprietors, and it is advisable to establish responsible management policies and adequate supervision.

4.45 pm

Robust identification checks are very important, and they should be used to deter underage people from purchasing alcohol. There should also be sufficient numbers of staff working in the evenings and at weekends when most of the alcohol is purchased. Up-to-date information about the laws and penalties needs to be passed on to licensees to highlight the need to avoid some sales and to remind them of their responsibilities, as well as to ensure that they know that they will be prosecuted if they do not adhere to the laws. In fact, they must be prosecuted.

As Members will know, illegal access to alcohol is rife across Northern Ireland. There are persistent offenders, and, unfortunately, the enforcement rates with regard to underage sales of alcohol are low. Therefore, there must be more enforcement. All retailers, including off-licences, need to work more closely with the PSNI and with Trading Standards Service to ensure that best practice is shared on how we can best reduce opportunities for young people to buy alcohol.

The effective delivery of education regarding the damage that alcohol causes to our young people must be delivered in schools and colleges. We also have to promote more sport in school and encourage health and fitness, and we should encourage young people to take part in sport for its own sake — not everyone is into competitive sport. We have to get our young people active for various health reasons, but, particularly, so that they may become more concerned and think more about what they put into their bodies.

The impact of alcohol abuse is having a crippling effect on NHS resources, and it is getting worse. Excessive drinking is primarily an issue for the Department of Health, but it needs a cross-departmental and organisational approach, with input from the Department for Social Development in relation to trading standards, including off-licence sales of alcohol; from the Department of Education; from district councils for the enforcement of by-laws; from the PSNI; from the Court Service; as well as from health, voluntary and community organisations, residents groups and churches; and, of course, from the parents. The parents are an essential element, and they must be involved in any strategy to tackle the problem.

Alcohol plays too significant a part in our culture, in our society and in our economy, and, given the potentially damaging impact of alcohol misuse for our young

people, we need that multifaceted approach. Underage drinking happens not only via off-licences, but via supermarkets, pubs and clubs, and that is why we need a wider approach.

Although today's motion addresses underage drinking, many of our concerns apply equally to alcohol abuse generally, but that debate is for another day. The Minister for Social Development is committed to maximising the contribution that liquor licensing legislation can make to tackling alcohol abuse in underage people, and, along with the Committee for Social Development and the Executive, I have no doubt that she will consider the best way forward.

**Ms Lo:** Underage drinking is an increasing problem in Northern Ireland, and I continually hear complaints about it in my constituency. It is disturbing to learn that, on average, young people take their first drink at under 12 years of age. Children say that they have easy access to cheap drink through purchasing from supermarkets or off-licences. Sometimes, they get it from proxy purchasing by irresponsible adults who buy drinks on their behalf. It is well evidenced that underage drinking causes not only health and behavioural problems for the individuals, but social problems for all of us.

Alcohol abuse by young people can lead to ill health, poor school attainment, antisocial behaviour, crime, accidents, injuries, rape and teenage pregnancies, all of which place burdens on public services, which should be put to better use.

The Minister for Social Development's proposed Bill to amend the Licensing (Northern Ireland) Order 1996 was announced in November 2008. It set out a range of new proposals to update liquor licensing, and I very much welcome the proposed reform.

The proposed new law will provide a number of measures that are aimed at tackling underage drinking. First, it will give the police and the courts powers to close licensed premises immediately, and for up to 24 hours. Secondly, the proposed penalty points system will lead to suspensions of liquor licences for premises. Thirdly, the introduction of a new statutory proof-of-age scheme — and the compulsory display of specified signage about that new scheme — will make it clear that shop and pub staff have the right to see ID from purchasers if they are in doubt about their age. Such new steps must be rigorously enforced.

Furthermore, as has been the case with the police in England and Wales for the past six years, the Police Service of Northern Ireland should also be given the power to carry out test purchasing, which is conducted with a code of best practice and takes into account the participants' safety and welfare. That will discourage licensed premises, supermarkets and off-licences from selling alcohol to underage drinkers.

Test-purchasing operations in Great Britain have led to a large number of warnings and prosecutions, and it has been proven that such schemes contribute significantly to the reduction of drink-related crime and disorder. Belfast City Council has already set the precedent here by undertaking test purchases on sales of cigarettes to children under the age of 16, while the PSNI also carried out a test-purchasing initiative in 2004 to good effect, which received support from the public.

Apart from law enforcement, it is also important to encourage the retail sector to observe their social responsibilities by not selling alcoholic drinks to minors. The owners and staff need training in following guidelines to ask for proof of identity, as a matter of course. Furthermore, if IT reminders can be built into cash tills to prompt staff to check proof of identity when flavoured alcoholic drinks are purchased, such devices should be used.

Underage drinking is a scourge on our society, but it is not only the responsibility of Government. Parents, teachers, youth workers, the drinks industry and communities must also work together to guide our young people, and provide them with positive role models.

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** The Committee for Social Development considered the Minister's proposals for liquor licensing at its meeting of 25 September 2008. With the rest of the House, Committee members listened with interest to the Minister's statement on that subject on 17 November 2008.

The abuse of alcohol is a blight on families, communities and many parts of society throughout Northern Ireland. The Committee was unanimous in expressing its concern about the growing excesses in the consumption of alcohol, particularly among young people, and it agreed that steps needed to be taken to make a real difference and to address the problem.

The Committee largely welcomed the Minister's proposals on liquor licensing, particularly the introduction of a statutory proof-of-age scheme. Members of the Committee felt that such a scheme was necessary, but not sufficient, to curtail alcohol consumption among minors, and that the scheme must be backed up by test-purchase arrangements. Under those arrangements, young people who clearly look underage are sent into off-licences by the PSNI to test whether illegal purchases can be made. Although members of the Committee recognised the need for test purchases, they also expressed concerns on the safety protocols that must be in place to protect those young people. Notwithstanding that reservation, the Committee supports the idea of a statutory proof-of-age scheme.

Members of the Committee raised concerns about the practice of proxy purchasing. That is when adults purchase alcohol on behalf of children. It is clear that a

statutory proof-of-age scheme will not eliminate that problem and may lead to an increase in the practice of proxy purchasing.

The Committee has recommended to the Minister that she augment her liquor-licence proposals so that the PSNI could ban from particular off-licences those individuals who are engaged in proxy purchasing.

Members of the Committee highlighted the successes of the community off-sales initiative (COSI) in Belfast. They believe that that initiative should be used to supplement the Minister's statutory proof-of-age scheme, and they support a clampdown on the practice of proxy purchasing on behalf of underage drinkers.

The Committee was exercised by the use of alcohol promotions. Members said that cheap alcohol, which is sometimes cheaper than soft drinks or bottled water, leads to more alcohol consumption among young people. Some Committee members recommended minimum pricing for alcohol, but the Committee recognised the difficulty of fixing minimum prices without there being corresponding arrangements in other jurisdictions.

The Committee supports the motion and urges the Minister to bring forward her liquor-licence proposals and to consider amendments to proposals that have been made in light of the comments of the Committee for Social Development.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt ar son an rúin.

I speak in support of the broad thrust of the motion, because we have to take steps to ensure that alcohol is not found in the hands of minors. That goes without saying. Members who have spoken have outlined a variety of reasons that alcohol should not be sold to minors, and each of those reasons is valid. It leads to crime among young people and results in antisocial behaviour. Underage drinking has health implications, and the age profile of people drinking alcohol is reducing by the year.

We have to avoid the situation where we think that the sale of alcohol to minors is the responsibility of a single agency or that a single law will prevent the phenomenon. We have to find other ways to tackle the problem and to ensure that the emphasis on dealing with the matter is not reduced to being the responsibility of one agency, the people who sell alcohol, or the people who are tasked with making sure that it is not being sold to minors. We have to find a more collaborative and collective way of doing that.

Last year, an Assembly Ad Hoc Committee examined some of the issues to do with on-street drinking and problems relating to the designated places in which it was impossible to seize alcohol from minors — and even from people who are not minors. The whole

problem of the sale of alcohol to minors should not be seen as a single issue.

Of course, people who sell alcohol have a responsibility to ensure that they do not sell it to minors. They must do everything that is in their power and follow the letter of their licence to ensure that they do not do so. The same point should be made in respect of enforcement. Measures should be taken; it should not be seen as a nuisance or as something that is impossible to do. Many things can be done.

I want to return to the idea of a collective and collaborative approach and look at some examples that are best placed in good practice. They do not need legislation, but they do require some application. For example, for the past four years, the civic alcohol forum in Derry city has been chaired by the mayor. That forum comprises interested parties and agencies across the board: individuals who are involved in working with young people; representatives from the vintner trade; the PSNI; representatives from political parties; and community representatives. It has a wide remit in dealing with minors, and it is innovative in its approach.

In the past number of years, we have seen the effect that the forum has had in the city, particularly during the Halloween festival and other on-street festivals, during which alcohol abuse — by young people in particular — was a phenomenon. The forum is trying to create a climate in which young people realise that they can go on the streets and enjoy themselves without having to drink alcohol. Young people follow that example.

5.00 pm

Other initiatives need to be taken also. Edwin Poots, and my colleague Jennifer McCann, spoke about such initiatives, and the issue has been debated in the Assembly previously. One initiative that I have seen working in Derry involves off-licences selling alcohol in bags with the store label on them so that people can ascertain where the alcohol came from. Those stores do not do that because of a statutory requirement; they do it as a matter of civic concern.

One major off-licence in Derry has had a hotline in place for the past three or four years. Many people have used it, such as parents, neighbours and those living in the vicinity of the off-licence. It has had an impact: many young people now say that they now do not go to such establishments. Of course, that can also create an issue of displacement — if young people know not to go to one store, they will go elsewhere. However, the principle remains important — if people apply themselves, they can come up with measures to deal with the problem.

Where such initiatives work, we should be encouraging people to continue with them. Another example is that local taxi firms, through a sort of

self-proclaimed charter, do not take young people to off-licences. Young people going to off-licences and then congregating outside them was a phenomenon in the city in which taxi firms sometimes unwittingly took part. Those taxi firms have now taken steps to ensure that that does not happen. Similarly, they have a charter — again, self-proclaimed — regarding deliveries, in that they do not perform deliveries unless the customers are regular customers whom they know to be of a responsible age.

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

**Mr McCartney:** I am sorry, I did not realise that my time had run out.

**Lord Morrow:** I thank the Members who brought the motion before the House. However, there is something regrettable about society if we find ourselves in the position of having to bring a motion such as this before the House. It is obvious that there is something wrong that needs to be addressed, and it is patently obvious that that has not been done to date.

I am firmly of the school of thought that lays a lot of the responsibility and blame on parents; I believe that when law and order breaks down on the streets, it has already broken down in the home. All parents have a big responsibility, as do those who sell alcohol to minors — that is, people who are under 18 years of age. At times, they do not fully take that responsibility on board, and the issue has to be addressed at that level also.

When I was looking into this subject — and I am sorry that I did not get as much time to prepare for the debate as I would have liked — I found that some research material makes very startling reading. Around the House, Members have constantly brought questions to the Minister of Health, Social Services and Public Safety and, perhaps to a lesser extent, the Minister for Social Development, in relation to the sale of alcohol to minors.

Just before the Deputy Speaker called me to speak, I was reading information on how, at Christmas time, minors, or young people, were told to enjoy their Christmas, but to “know your limits”. There is something wrong with a message that says “know your limits”, because, as far as I am concerned, the limits for a minor are zero — they should not touch alcohol. That is the message that needs to be got out to minors, not that they should go out and enjoy themselves but know their limits, because that puts out the wrong message altogether.

As I look through some of the material that I have been gathering in relation to the debate, particularly information on some recent court appearances, it is patently obvious that there is an enforcement issue, and one that needs to be addressed at a social level. Very often, we say that an issue needs to be addressed

in schools, and we turn to teachers. Although this issue does need to be addressed in schools, it also needs to be addressed in the home. As elected representatives to this Assembly, we should never be afraid to say that. We always seem to want to place responsibility at some other place or with someone else, but responsibility starts in the home.

Recently, I read in a newspaper that children as young as 11 years of age are getting access to alcohol, which is something that Carmel Hanna also said during her contribution. What are parents doing while their 11-year-old child is accessing alcohol? Responsibility does not always lie with someone else; there is a responsibility in the home.

As I looked through the research papers, I saw that my colleague Lord Browne had asked the Minister of Health and Social Services whether he would consider raising the age for buying alcohol from 18 to 21. I wish that the Minister had been more positive and said that yes, he would, as that is what should be happening.

My colleague David Hilditch asked the Minister a similar question about the misuse of alcohol by minors. Members have asked questions about alcohol statistics, and the answers reveal that the numbers run into hundreds. Jim Shannon asked for a breakdown for each constituency, and the startling figure that came back was a total of 670. That is 670 young people who have had access to alcohol or who have a criminal record as a result.

I have information to hand, which I will not read out, about the number of youths under 17 years of age who cannot be named for consuming alcohol and intoxicating liquor in public — they are described as youths who cannot be named. There is a challenge for the whole spectrum of society to admit that there is a problem that must be tackled directly by the Minister of Health, Social Services and Public Safety and the Minister for Social Development.

**Mr B McCrea:** There is no doubt that there is a problem with minors drinking — particularly binge drinking — and the problem is not just for them but for society. Mr Poots referred to the number of people who end up in accident and emergency departments. There is also the amount of time that police spend on drink-related matters over a weekend and for anyone who has been on a response team, the question is not whether we have a problem but how we fix it.

This may be a mea culpa, but I drank before the age of 18, and I wonder how many other Members in the Chamber had a drink before they were 18. Before I reached the heady age of 18, it was almost a fixation among young people to try to get a drink, because that was part of socialising. One should not underestimate the powerful drive in adolescents for trying to get a drink — it is part of their culture. However, we must



find a way to curtail such activity. Now that I am slightly older and slightly wiser, I realise that it was not the best plan.

One could start by looking at the issue of control and consider more draconian ID cards — photo ID or fingerprints — and the legal age for drinking could be raised to 21.

Recently, I introduced a motion in front of about 150 children at W5, where I proposed that the legal age limit should be raised from 18 to 21, in which I was opposed by someone from advertising. A vote was taken before the debate, which I lost 132 to 18. After I had given my best pitch about raising the age limit to 21 and had finished talking, I had reduced the deficit to 112 v 38 — I had saved 20 people. That shows that there is an issue.

In this House we talk about engaging with young people. Perhaps the legal age for drinking should be raised to 21; perhaps the age of sexual consent should be 17; and perhaps the voting age should be reduced to 16. I hear many people say that they can vote but they cannot drink.

About a week ago, I attended at a meeting in the Presbyterian centre, where one of the young people said that we should reduce the legal age for drinking. Jim Fitzpatrick asked her to what age it should be reduced, and she replied that it should be reduced to 12 years of age. There were 350 young people at the meeting, and they all cheered. The danger of introducing legislation to raise the legal age at which one can drink is that we make drinking seem more attractive to children.

Where I agree absolutely with Lord Morrow — and I am in great danger of always having to follow him because I am always agreeing with him, which is, I think, more of a problem for me than for him — is about the attitudes of parents. The issue comes down to parents. I am sorry, but there is an issue about rites of passage. There is an issue whereby people force drink on young people, and say: “Go on, son, have a drink”. I do not know whether we have all done that, but we have certainly all seen it — and what are people to think of that?

So, one comes to some of the issues that might be addressed. I have heard people say that this is more than just the responsibility of the Minister for Social Development. I do think that a holistic approach is necessary. It is, perhaps, something on which the Office of the First and deputy First Minister (OFMDFM) should take the lead. There is the issue about there not being enough facilities for our young people. Where do they go? What do they do at night? Youth clubs close at 9.00 pm, or they do not open at weekends.

More needs to be put into sport. More needs to be done with regard to volunteering. Those were the volunteers about whom I spoke who came along and

talked about those issues. I really do think that that whole issue is the forgotten sector. The youth sector is, perhaps, something that we, as an Assembly, ought to promote and fund and do more with — not just because it is youth, but because alcohol and other risky behaviour have such a long-term impact.

Our schools should start to consider informing our young people about what is actually going on with the development of the brain. The more that I learn about these things, the more I realise how long it takes for all of the brain's neural wiring to complete. That has to be explained to young people, and they will work it out for themselves.

I agree that we do not want drink to be cheap. We do not want dial-a-drink, which is when a person phones up Sainsbury's and gets drink delivered to their house, or, as Raymond McCartney said, in Londonderry taxis deliver drink. We do not want advertising, and we do not want pop groups. However, we have to treat people responsibly. I would urge a holistic approach, and perhaps the Minister will raise that with her Executive colleagues with regard to the way forward.

**Mr A Maginness:** This motion is very restrictive in its approach to the subject of alcohol abuse by minors. The motion does not, in my opinion, reflect the full extent of the problem and the full extent of the approach that must be taken to resolve the issue. It is based primarily on regulation, and regulation is fair enough. All of us in this House would agree that regulation should be improved, applied rigorously and tightened up. I think that everyone agrees with that.

However, that will not resolve the problem of alcohol abuse by minors. The experience in Europe — in Spain, France, Italy, Greece and even Croatia — is that people take drink and, very largely, behave. The only people who I have seen misbehaving with drink in countries such as Spain and France are the Irish or, indeed, the British. There is something in our culture — whether that be Irish or British — that tolerates the abuse of alcohol. I do not understand why that is so. Therefore, there is a cultural problem that has to be addressed by way of education and other means, although I do not know how. However, the problem is more than simply one of regulation.

There have been some innovative ideas. People have talked about raising the legal drinking age to 21. I do not know whether simply raising the age will resolve the problem. There is a problem at present with identifying young people. It is difficult for people in off-licences to be certain that a young person is of the age to consume or purchase alcohol. It has been suggested that we brand bags so that we know where the drink has come from.

5.15 pm

If, say, Mr Poots had an off-licence, the bags would be “Poots’s” bags. I see that Ms McCann has left the Chamber, but if she owned an off-licence, the bags would be “Jennifer McCann’s” bags. Of course, people will be mischievous and mix the bags up, and, in such circumstances, we will not be able to identify where the drink has come from. People will deliberately confuse the issue. Therefore, I do not think that there is any simple solution by way of regulation.

**Mr Poots:** I have listened to the Member for three-and-a-half minutes, and his argument seems to be that there is no point in doing anything. I suggest that it is better to do something than to do nothing.

**Mr A Maginness:** Mr Poots has misunderstood or misheard. I said that regulation is important and that it is a feature of the whole regime that one would adopt to tackle the problem of alcohol abuse by minors. However, it is only one aspect of the problem. The cultural aspect is very important, and addressing it involves education. Alcohol abuse is a public-health problem, and, again, we need education to address it. My point is that regulation alone will not solve the problem. The Minister has wisely proposed a statutory proof-of-age scheme, and that is important. It is also important that penalty points be introduced to penalise off-licences that serve young people. Similarly, test purchasing is a necessary weapon.

However, a more fundamental problem is the relatively low price of drink. What are we doing about that? Indeed, does the Assembly have the power to control the price of drink? I am not certain that we do, but we can perhaps explore that matter. The price of drink has remained unchanged for many years. Yes, it has gone up in actual figures, but, in real terms, the price has remained fairly stable for a long time. In relative terms, drink is quite cheap.

The problem arises from a degree of relative affluence in our communities, whereby people have a relative amount of cash with which to purchase cheap drink. That is a source of temptation for young people. We must take a much broader view of the situation.

**Mr Craig:** There is no question about it: young people aged 12 and up — and sometimes even younger — are being supplied with drink. We heard that fact mentioned in many of today’s speeches, and there can be no argument about it. Who is supplying them? The answer is so-called friends, and, unfortunately, family members. Indeed, as Lord Morrow pointed out, even parents are supplying drink to young people.

If we think that that is not a serious problem, let us look at the statistics: 48% of 10- to-17-year-olds obtain alcohol from their parents. That is the scale of the problem with regard to parental responsibility. Police officers in my constituency have carried out stings to

find out who is supplying drink to young people in areas where there are problems with antisocial behaviour. Many times, those officers have reported to me that it is the parents who are dropping their young people off in those areas. It is the old Nimby situation; those parents do not want antisocial behaviour in their own backyard, but they are quite content to drop their children off somewhere else and allow a situation to develop there.

Is that an enormous problem for society? I believe that it is. In my constituency, there are over 122 referrals to the youth-justice system every month — all for alcohol-related problems and antisocial behaviour occurring in Lagan Valley.

I do not believe for one second that Lagan Valley is any worse or better than any other constituency, but those are enormous statistics. Alcohol is even being brought into schools, which have to face that problem every day.

Alcohol misuse costs Northern Ireland approximately £800 million a year, but what are the real costs that cannot be calculated in pounds and pence? What about family members who suffer the consequences of what some young people are doing? People who start so young do not learn how to drink responsibly. A lot of them have huge difficulties with drink later in life, and many families have to live with that massive problem. I have personal experience of friends who got caught up in the circle of alcohol abuse, leading to their premature death. That continues to happen, and it is a huge issue.

Is it acceptable, as the Minister of Health stated yesterday, that alcohol is 64% cheaper in real terms than it was 30 years ago? Is it acceptable for off-licences to not put labels on their bags? Why do some off-licences not want labels on their bags? Tesco and Sainsbury’s proudly advertise on their carrier bags, but why do off-licences run away from doing the same? Is it because they know full well where the drink is going?

Should the minimum age for drinking alcohol be raised to 21? We often hear about issues concerning ID cards; identification would not eliminate the problem, but it would help. More specifically, should drink advertisers be forced to match-fund the Health Service with the money that they spend on alcohol advertisements? Should alcohol advertisements have to contain a health warning in large, bold font, similar to the warnings on cigarette boxes? We need to look at the actions of the drinks industry if we are serious about tackling the issue.

What about the action that is taken against those who are caught plying young people with drink? Such people cannot be let off with a slap on the back of the hand, because that does not work. The fines and penalties handed to those people must be increased if they are to

work as a deterrent — the current measures are not working. Every day, up to 13 teenagers are admitted to hospital due to binge drinking, which is an 11% rise since the mid-1990s. The current approach to educating young people about drink is not working, and, therefore, I support the motion.

**Miss McIlveen:** I, too, support the motion. Mr Maginness criticised its wording, but I remind him that he had an opportunity to table an amendment in advance of the debate, which may have been helpful. I appreciate that the Minister for Social Development is here to respond to the debate, but other Departments also need to be involved and should not shirk responsibility for the matter.

We debated a similar motion in April last year — it does not seem as long ago — that called on the Minister to introduce measures to tackle the increasing levels of alcohol misuse. I realise, of course, that the ills of society cannot be cured overnight. However, for some reason, there is a sense of national pride and identity in the amount of alcohol that can be drunk, and that filters down to our children. The Assembly needs to consider a framework of measures to cut across Departments and deal with education, treatment and enforcement measures.

As the twelfth Member to speak in the debate, there is very little new that I can add. I do not intend to rehearse arguments on the impact of underage drinking on healthcare, policing and our society in general, but a number of improvements should be made. Surveys and research have cited attempts to demonstrate maturity, peer pressure and rebellion against parents as among the causes of underage drinking. However, we must also consider the impact of a lack of parental supervision, inappropriate role models, and the way in which alcohol is presented by the media in advertising, television programmes and newspaper stories.

One need only look at programmes such as ‘Big Brother’, in which housemates are supplied with alcohol to encourage certain behaviour in order to liven things up in the house and generate interest. That sets an incredibly bad example to young people.

We must consider the outlets that supply alcohol. Are they doing enough to ensure that what they sell does not make its way into the hands of minors? Not only must IDs be checked more stringently but, as already stated, legislation should be promulgated to ensure that alcohol is not sold at a low price that makes it more accessible to minors. Supermarkets are bound by competition laws that prevent them from fixing prices between them, but there is nothing to stop Government introducing legislation to regulate alcohol pricing.

Enforcement issues range from reserved matters — such as the seizing of alcohol from minors and the manner in which alcohol-related crime is dealt with in the courts — to prosecuting establishments that are

guilty of making alcohol available to minors, either through direct selling or indirect supply, and tightening the licensing process to exclude repeat offenders, thus placing the onus on vendors to take measures to prevent alcohol from falling into the wrong hands. Licensing is a matter for DSD but, as Anna Lo and other Members said, the police should be encouraged to use the powers at their disposal, such as test purchases of alcohol, seizure of alcohol consumed in a public place and the issue of fixed penalty notices — all of which are in the Criminal Justice (Northern Ireland) Order 2008.

The weekend before last, Jim Shannon and I had the privilege of being on patrol with police in our constituency. Drinking hot spots are well known, and the police are doing all they can with limited resources; that is another issue that should be addressed. Furthermore, I wish to see an increase in prosecutions of establishments caught selling alcohol to minors. Effective enforcement will ensure that off-licences and bars act much more responsibly.

In the last debate in the Assembly on this subject, we discussed measures implemented by Ards Borough Council, the police and the Northern Ireland Housing Executive. I will spare Members a reiteration of what was said and refer them instead to the Hansard report. At that time, I called for such schemes to be rolled out across Northern Ireland, and today I repeat that call.

We need to address a mindset that has become the norm in our society and we must challenge it by whatever means at our disposal. Education alone will not solve the problem, but it plays a vital role. Young people need to be made aware of the dangers that alcohol presents not only to themselves but to society in general. It is not an easy problem to tackle, but successfully addressing it will be of immeasurable significance to society.

**The Minister for Social Development (Ms Ritchie):** I am grateful to Edwin Poots and Jim Shannon, as I am sure other Members are, for providing the Assembly with an opportunity to discuss this important topic. I am also grateful to all the other Members who have contributed to the debate. Like many, I agree that this is not solely about regulation: we need a holistic approach that encompasses public health, education and many other approaches.

The disgraceful scenes that we witnessed in the Holyland area of South Belfast and those of last week referred to by Mr Poots leave us in no doubt that there is an onus on Members, as public representatives, to unite to tackle the scourge of alcohol abuse.

Alcohol abuse also goes on behind closed doors. I am grateful to Mr Poots and Mr Shannon for bringing forward such an open-ended motion. Most motions in this respect urge me and fellow Ministers to take

specific action to combat alcohol abuse, but this motion is completely non-prescriptive.

However, as Minister with responsibility for liquor licensing legislation, I have been asked to make some unspecified changes to our laws to guarantee resolution of a complex, cross-cutting social problem that has bedevilled and continues to bedevil every jurisdiction in these islands and further afield. That is a tall order, as I think all Members will agree.

5.30 pm

I was confident that the absence of clear recommendations to be explored in debate would not deter Members from coming up with a wide range of ideas about what I should do. I have not been disappointed. I have heard many points — many of them familiar — about many issues to do with alcohol-related harm.

Some of those issues, and some of the solutions, fall within my area of responsibility. The remainder, which form the large majority, fall to other Executive or Whitehall Ministers and, in particular, to the police. However, I recognise that combating underage drinking and alcohol-related harm demands co-ordinated partnership working. I am happy to restate my commitment to maximising the contribution that liquor licensing and neighbourhood renewal, which are my responsibilities, can make — along with other initiatives from the public, private and community sectors — to tackle alcohol abuse by under-18s and others.

I draw Members' attention to the fact that Mr Poots and Mr Shannon first tabled the motion six months ago, in October 2008. Since then, I am pleased to report, a lot of headway has been made on reforming and strengthening licensing laws. It may be helpful if I take a moment to briefly update the House on that progress.

I will begin by touching on the proposed licensing and registration of clubs (amendment) (Northern Ireland) Bill. For some time, I have been convinced that stricter enforcement measures are urgently needed to address growing public-health problems, disorder and underage drinking in Northern Ireland. For those reasons, I decided to introduce, in the first instance, a short Bill containing new enforcement provisions, which earlier consultations had shown to have widespread public support.

In September 2008, I submitted a policy memorandum for a Bill to the Executive for their consideration. On 17 November 2008, I made a statement to the House announcing my proposals. On 29 January 2009, I received Executive approval for the Bill. The Bill will form the first stage of a two-stage approach to reforming the law. I hope that that Bill will be introduced in the Assembly by this summer and will be in operation by early 2010.

The Bill will introduce three enforcement measures that will apply to all licensed premises, including

off-licences and registered clubs. First, the Bill will amend the existing law by providing the police with powers to close registered clubs or licensed premises immediately, for up to 24 hours, because of disorder or noise nuisance. Secondly, the Bill will introduce a new penalty-points scheme under which points may be endorsed on a licence or club certificate following convictions for breaches of the law. The new points system, which will be unique to Northern Ireland, will target persistent offenders. It will provide for underage sales to attract mandatory points, which will lead to the suspension of a licence certificate if the offender accumulates a certain number of points in a three-year period.

The Bill will introduce a new statutory proof-of-age scheme which, for the first time, will specify acceptable proof-of-age documents. Those documents will be a passport, a photo-card driving licence, a Northern Ireland electoral card and any proof of age standards scheme (PASS) accredited photo-identity card.

Clubs and licensed premises will be obliged to prominently display a notice that draws attention to the proof-of-age requirements. The notice will also make it clear that it is an offence for under 18s to buy alcohol, for anyone else to buy it for them or for staff to sell it to them. Furthermore, it will list the penalties for those offences.

DSD officials have been in touch with trade representatives, the PSNI, the Northern Ireland Office, the Department of Health, Social Services and Public Safety and the Northern Ireland Court Service to ensure that the arrangements for giving effect to the enforcement proposals in my Bill are practical, acceptable and fit for purpose. Work is continuing to finalise the detailed drafting, and I am confident that we are on track to meet my goal of bringing it forward in the summer.

I am confident that those measures will support our common goal of protecting our children and young people from the harm of underage drinking, however and wherever the alcohol is obtained. When taken in conjunction with the new test-purchasing powers, which the PSNI hopes to bring into use in the summer, those measures should be even more effective.

The new enforcement measures that are contained in the Bill will be steps in the right direction. However, we are all realistic enough to know that fighting alcohol abuse and its effects is a continuous process. One principle remains unchanged, however, and that is the importance of striking a proper balance between combating abuse and respecting valid social and economic freedoms.

I have looked over the key themes and concerns that have emerged in discussions since the Assembly returned. Those can be grouped and reflected as

strategic propositions. First, there should be a co-ordinated approach to dealing with alcohol across Departments and across the public, private and community sectors. Secondly, we must educate people about the dangers and effects of alcohol. Thirdly, existing laws should be better enforced and strengthened. Fourthly, alcohol should be more responsibly marketed, more tightly regulated and made less accessible. Some of those propositions, such as better co-ordination, education and enforcement appear to be incontrovertibly good measures.

Everyone would probably favour a co-ordinated approach to handling alcohol in society. Good education about the effects of alcohol would help us all, and it would especially help young people to make better-informed choices and to avoid damage and damage-limitation costs further down the line. We have already adopted better enforcement of laws to regulate alcohol in society, and that must surely help.

Other propositions are more problematic, and, as always, the devil is in the detail. If strengthening our laws, promoting more responsible marketing or making alcohol less accessible means, in practice, limiting the rights of the moderate, law-abiding majority to enjoy alcohol and of respectable traders to trade in it on an equal footing with their competitors, we will not easily reach consensus. We must, therefore, try to advance by means of fair compromises and good judgement, and we must certainly not rush to impose measures in reaction to the latest headlines. We must be careful.

In every case, we must be able to demonstrate that our preferred course of action is grounded in robust evidence, is proportionate to what we perceive to be the problem, is within our legislative competence and does not fall foul of British or European law, including the European Convention on Human Rights.

Sometimes, ideas that appear simple and attractive can, on further investigation, throw up significant challenges to putting them into effect. Introducing a legal requirement for off-licences to mark containers and label plastic bags is a classic case in point. On the face of it, that seems to be a straightforward proposition, yet the difficulties with its introduction far outweigh any benefits that it might bring. For example, there are issues to do with EU legislation.

As my colleague Mr Maginness pointed out, there are also issues with regard to evidence in court. Bags that are given out with purchases from Mr Poots's off licence, for example, could be transferred to an off licence that is owned by Ms McCann. Therefore, the labelling of plastic bags throws up certain problems.

I have kept a close eye on developments elsewhere that are relevant to our situation and which have, in some cases, stimulated calls from Members for similar local action. The Scottish Government are planning to

prevent the sale of alcohol as a loss leader and thereby stop off sales supplying free and reduced-price alcohol if one or more of that product, or any other product, is bought. They are also considering raising to 21 the minimum age for off-sales purchases in their area.

Whitehall has made action on young people and alcohol a priority and will work more closely with the alcohol industry to continue to reduce sales to underage persons. Recently, Ministers there decided to introduce a mandatory code of practice for the alcohol industry using the Policing and Crime Bill that was introduced in December 2008. They have also arranged to review the voluntary agreement whereby the trade must put alcohol health information on cans and bottles. The findings will help them to decide whether stronger provision in the form of a legal requirement is needed. Finally, they will study recent research on alcohol and pricing to help them to decide what further action may be necessary to make an impact on alcohol-related harm.

We have all followed the recent revelations from the minimum-pricing debate in Britain, and I, for one, will continue to watch that space with considerable interest. The National Assembly for Wales plans to look at a national proof-of-age scheme and to monitor British developments on pricing and promotion. In 2008, the Irish Government introduced stronger legislation to combat underage drinking. The new law provides the gardaí with powers to carry out test purchasing and to seize alcohol from persons who are under 18 years of age and in places where they believe public disorder may occur. It also introduces mixed trading regulations, similar to those that were introduced in the North in 1997, which require pubs and nightclubs to have CCTV systems in place.

In conclusion, ministerial colleagues and I can introduce measures, not just through licensing legislation, but wherever we judge that they can be effective to reduce and counter alcohol-related harm, particularly when it affects young people. I have made a start and the Executive have backed me and my Bill. I have plans to do more. I will watch and carefully consider identified good practice; in that context, I aim to meet ministerial colleagues from Scotland and elsewhere. I will assess how lessons that have been learnt can be applied here, if necessary, in a way that is proportionate to our situation.

In the end, the debate must extend beyond licensing: there are huge health issues and policing challenges. Perhaps, most of all, there is the challenge to change the drinking culture away from the extreme consumption that is prevalent at present. If we are serious, well-thought-out and joined-up action is required. I will play my part. I will not, however, bring forward measures for the sake of scoring political points or in a knee-jerk reaction to the latest headlines. Abuse of alcohol and

its availability to young people is much too serious a matter for that.

**Mr Shannon:** I thank all Members who participated in the debate for their valuable and knowledgeable contributions. The sale of alcohol to minors is an enormous problem, and the Minister acknowledged that in her summing-up remarks. In my winding-up speech, I will deal with the remarks that were made by other Members and the Minister.

As an elected representative, I face problems that concern community safety daily. Each day, people come into my office whose homes have been torn apart by alcohol and, to a lesser extent, drug abuse. Those are real problems. Every year in the UK, there are 1.5 million victims of alcohol-fuelled violence. That is a fact. It is clear that community safety is threatened by the misuse of alcohol. Police superintendents advise that alcohol is a factor in half of all crime. A Home Office study found that the growth in beer consumption is the single most important factor in violent crimes against the person. Research also shows that a high proportion of victims of violent crime are under the influence of alcohol at the time of their assault.

5.45 pm

In an analysis of data that was drawn from 41 probation areas between April 2004 and March 2005, the offender assessment system analysis team found that — and these are scary facts that no other Member mentioned — 37% of offenders currently had a problem with alcohol use, 37% had a problem with binge drinking, 47% had misused alcohol in the past and 32% used violent behaviour that is related to their alcohol use. Those are shocking statistics that paint a clear picture of the need for change, which must begin with young people learning to drink responsibly at an appropriate age — 18.

Every Member is concerned that young people, on average, start to drink at the age of 11. We must address that problem. The problem begins between the ages of 11 and 16 and impacts on people when they reach an age at which they must get a job. The statistics show that some people are drunk as many as 20 times a month. Those are incredible and worrying facts. Northern Ireland has the highest rate of binge drinking in Europe, which is worrying. Drinking is related to other problems such as underage pregnancy, sexually transmitted diseases, theft, vandalism, violence and traffic accidents. We must address those issues, which affect home life and communities.

In my constituency, I work with community groups and residents' associations that are determined to stamp out abuse in their areas. Members mentioned offering education programmes for children and providing a safer option than standing on street corners. Jennifer McCann mentioned midnight football, which is a good

example that will be replicated this year in Killyleagh and Crossgar in my constituency. Although I do not ignore the negatives, I always try to focus on taking positive steps. Community groups in my area are working hard to end the vicious circle of alcoholism and drug abuse. However, they cannot do so alone, and, therefore, we have brought the motion to the Chamber today in order to obtain support.

It would be remiss of me not to say a few words in Ulster Scots. I will restrict it to two sentences.

Strang drink althers personalities an when young fowk ir onie learnin' wha they ir, tae add strang drink tae the mix means at they wulnae iver hae a richt unnerstannin o' wha they ir.

Alcohol changes personalities, and when young people are learning who they are, adding alcohol to the mix will prevent them from gaining a good understanding of who they can be. The Chamber made a clear decision on cigarettes. Although I welcome many of the issues that the Minister raised, it is important that we do more.

My colleague Edwin Poots and I discussed the matter and realised that we both felt strongly about it. There are clear examples of underage drinking in both our constituencies, and, therefore, we brought the motion to the Assembly. Mr Poots underlined that prosecutions are non-existent. The Minister's response indicated that the situation will change, but only time will tell. As Members know from their constituency work, young people become aggressive when using alcohol. The Chamber needs to send a clear message today to those people who have the power to make changes, namely those who sell the drink in off-licences to parents and family members. Many issues need to be addressed.

About half a dozen Members referred to the age of 11 as the time when some young people start drinking. I think Basil McCrea mentioned that, at an event for young people, they were asked at what age they should be able to drink alcohol, and when the answer of 12 was given, they all cheered. That should tell us something about our society. It makes the issues clear for each of us.

Jennifer McCann, who is no longer present, referred to the midnight football scheme that has been successful in west Belfast, and will be successful elsewhere — a scheme is being established in Newtownards. It takes people away from temptation and puts their focus and energy into football — that is important. She also mentioned the need to control drink promotions. I think the point she was making is that cheap drink leads to more drunks, which is a symptom of a wider problem.

Billy Armstrong — in between fighting with his mobile phone — managed to express some points of view about the problems of promiscuity among young people, particularly young girls. That is a UK epidemic.

Carmel Hanna always makes a valuable contribution to debates, especially those on health or social issues. She referred to the problem as a time bomb ticking away and said that the Province, and the whole of the UK, is “drowning in drink”. The facts and figures outline for many of us what we are trying to deliver. She also said that the solution is education in schools and colleges. The police, too, have a role to play, as do parents.

Anna Lo also referred to alcohol abuse destroying lives. She mentioned the issue of test purchasing, about which we have had a positive response from the Minister. David Hilditch, the Chairperson of the Committee, also mentioned the Committee’s recommendations in relation to proof of age and test purchasing. He was concerned too about proxy purchasing. Furthermore, there is something wrong with a society in which the price of drink is lower than the price of bottled water.

Raymond McCartney made some very positive comments and provided some ideas on how to address the problem. He referred to the civic alcohol forum in Londonderry, as well as the hotline, and the issue of taxis. I ask the Minister to take those issues on board, because they are positive ways in which we can do something.

Lord Morrow said that it was regrettable that the matter must be brought to the House, and he is right. He also said that the blame lies with the parents, which I think is correct. Parents have a responsibility. Members of Ards DPP went on patrol with the police, as my colleague Michelle McIlveen mentioned. It was obvious that some of the kids were actually getting drink from their parents. I find that disconcerting.

Basil McCrea mentioned that they had changed the opinion of 20 people. That was good news — we must get him on the promotion trail.

Thank goodness for Edwin Poots, who brought Alban Maginness back to the issue, and provided focus again. Jonathan Craig mentioned the issue of people starting young and ending up with drink problems in years to come. Michelle McIlveen referred to the need for a framework across all Departments. The Minister also mentioned that in her response.

I thank the Minister for her comments and her positive attitude. We hope that people will be educated about alcohol, that there will be cross-departmental approval for any measures put in place, that the existing laws will be enforced and that alcohol will be promoted more appropriately. I urge the Minister to support the “blue bag” legislation and the moves to raise the legal age for buying alcohol to 21 and to take on board the ideas from Scotland, Wales and the Republic of Ireland.

We have made a start; we have got a response. However, we look for more, because more is needed. I

thank every Member who spoke in the debate and the Minister for her contribution.

*Question put and agreed to.*

*Resolved:*

That this Assembly calls on the Minister for Social Development to introduce a series of measures on off-licence sales of alcohol to reduce its availability to minors.

*Motion made:*

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

## ADJOURNMENT

### Urban Renewal Status for Upper Long Streets in North Belfast

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes in which to speak. All other Members who wish to speak will have approximately 10 minutes.

**Ms Ní Chuilín:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt ar son na díospóireachta.

I thank the Business Committee for its support in selecting this Adjournment topic, which is very topical — pardon the pun.

As was mentioned yesterday at Question Time, during questions to the Minister for Social Development, the residents of the upper long streets have been campaigning since 2002 for full redevelopment of that area. Those residents have consistently raised the need for full redevelopment of their area.

During Question Time yesterday, the Minister raised the issue of what has become known as blighted areas. For Members who do not know, such areas can include locations affected by dereliction, some of which can be attributed to absentee landlords or to a general running-down in appearance, which results in the environmental neglect of a whole area.

It is to the residents' credit that they have persisted in maintaining their homes to the best of their ability in spite of everything and have consistently fought for full regeneration for that part of the New Lodge Road. Anyone walking through the area can only be struck by the number of homes that have been steeled up and remain derelict.

Many representations were made to direct rule Ministers and to the Housing Executive. Indeed, there is quite some interest in the regeneration of the upper long streets, and North Belfast in general, from human rights and equality activists. There is huge concern about what the Minister said yesterday. She told the House:

“The Housing Executive is now working on new proposals for a major refurbishment project that would update and refresh those homes in greatest need, with demolition only for those homes that are beyond repair.” — [*Official Report, Bound Volume 39, p296, col 1*].

That has caused a lot of alarm. Today's Adjournment debate, therefore, has come at a very good time.

The Minister also said:

“78% of residents think that their accommodation is suitable for their needs.” — [*Official Report, Bound Volume 39, p296, col 1*].

I contest that. There have been many appraisals, evaluations and reports on the issue. Today, many residents are asking how a previously refurbished home can be refurbished again. That is just one example of what we feel is going to be a cosmetic exercise. In the case of the upper long streets, we are not talking about cracks; we are talking about chasms. The houses are in a really bad state of repair, and many people believe that they are unfit and beyond further refurbishment.

Previous economic appraisals have advocated proposals for full redevelopment. Therefore, the question that needs to be answered today is whether the residents of the upper long streets who are living in poor conditions are now going to have to accept second-class services and facilities from the Department for Social Development. Do they not, and can they not, expect to enjoy the same facilities and the same state of repair of their homes as, for example, people in Downpatrick?

The houses that we are talking about today are approximately 130 years old and were refurbished in the 1970s and 1980s. Those works were undertaken then with the expectation that the houses would not last for more than 20 years: we are well beyond that point now.

The Minister has yet to meet the democratically elected residents' committee. The committee holds regular meetings with the Housing Executive and other statutory bodies, and, in conjunction with the community empowerment project in the area, has audited all the residents of the upper long streets on the matter on at least one occasion. Many houses in the area remain derelict, and in light of the Minister's comments yesterday, there is now real concern about future plans and for the residents' proposals.

I appeal to the Minister and to all the North Belfast MLAs to listen to the concerns that have been expressed. I thank Fred Cobain and Alban Maginness for being here. I ask that we set aside our political differences, because we need to step up to the mark and stand beside the residents in this case. Today, we are talking about the upper long streets, but tomorrow, Fred could be talking about Tigers Bay, Victoria, Parkside and the Glen. I suspect that we will be here again shortly.

The Minister said that she did not want anyone to be without a home in an area of high social need, and neither do I. However, we cannot stand by and condemn the residents to houses that, according to the Minister, only deserve another refurbishment. That is not acceptable.

6.00 pm

We have heard concerns, comments and speculation about the architectural integrity of those old houses and about the need for them to be preserved. On the one hand, those concerns are valid. On the other hand



— and with the greatest respect to the Environment Agency — the real concern is that those homes are not fit for habitation and cannot withstand, or endure, another refurbishment. Architectural concerns should never have primacy over the people who live in those houses and their quality of life.

The Minister knows full well — she is well acquainted with this issue — that the waiting list for houses in North Belfast is one of the worst in the North. We have the unfortunate situation whereby, in some instances, three generations of the one family are now living under one roof. That is not Sinn Féin rhetoric; that is a reality, and it is one that is resulting in a poor quality of life for many people.

The proposals to redevelop the upper long streets are and will continue to be an equality issue. Those residents deserve better than this. They deserve to have the issue resolved. The speculation over what the latest proposals will contain needs to end. I view this situation as an issue of social justice. I appeal to the Minister to meet the elected residents' committee for the upper long streets to discuss how the issue will be taken forward. I urge the other Members for North Belfast to support that residents committee and the other residents' committees that will no doubt face the same uncertainty about regeneration in their own areas. Go raibh míle maith agat.

**Mr Cobain:** I thank the Member for raising this issue in the Assembly today. Although we are discussing the long streets, we could be discussing Tigers Bay, Parkside or anywhere in North Belfast. The issue for us is that all those areas need redevelopment, and they need it quickly. I want to raise three issues — and I emphasise to the Minister that I am speaking only on behalf of the people whom I represent in North Belfast.

First, the issue of refurbishment — which I have heard mentioned on three or four occasions over the past number of months — is, as far as I am concerned, a non-runner. People in these areas suffered through refurbishments in the 1970s and 1980s. Those houses are as bad today as they were in the 1970s and 1980s. We are not going to support any more refurbishments, because those houses need to be redeveloped.

The people who live in those homes need houses for the twenty-first century. Whether it be the long streets or anywhere else in North Belfast, that is what is needed. We will not accept anything less than twenty-first-century homes for the people who live in those areas. The Minister needs to take on board the fact that we will not support refurbishment.

I have listened to the arguments made for refurbishment. It is argued that if homes are refurbished, there will still be the same number of homes as there were, and that because of the waiting lists, it is important to retain the number of homes. That is not the issue. The

issue is that some of those homes are not fit for habitation, and irrespective of how much money is spent on them they still will not be fit for the twenty-first century.

In some cases, two houses have been knocked into one; carbuncles have built onto the back of houses; rooms are the wrong shape; or houses are full of damp. Irrespective of how much money is spent on them, those homes are still 100 or 150 years old. It could end up that more money is spent on refurbishment than on renewal. I make it clear to the Minister that there is no possibility of our accepting the refurbishment of homes.

Carál spoke about the environmental architects. Some of those people should go and live in these areas and see what the tenants have to put up with. I agree that we need to retain environmental heritage, but some people get carried away with that idea. Those people should come and live in those houses every day of the week to see the circumstances under which the tenants live.

My second point is that the people who live in those areas have been betrayed by the Executive. The Minister corrected me yesterday when I said that we need between 2,000 and 2,500 new homes every year — she quite rightly said that we need 3,000. We are committed to building 1,500 new social and affordable homes. I emphasise that those houses must be social and affordable — not just social. Affordable homes are for people who can afford a mortgage; the social homes will also have to come out of the 1,500 new homes, and they are for the people whom I am concerned about — the people who are relying on the state to provide a home.

We will get 1,500 new homes, which is half the number that we need. We are in an economic downturn, which will increase the housing pressures through repossessions. The 1,500 new homes are half of what we need now, but, two years from now, they might be a third of what we need. Pressures are growing in respect of people who are dependent on the Executive to provide proper homes for them and their families. Those people do not have anywhere to go — they cannot get mortgages because they do not have the sufficient resources. Due to the tightening of resources in the mortgage market, it is less likely that those people will be able to get mortgages in future, so we need to provide additional homes for them. The building of 1,500 new homes when 3,000 are required will ensure that the housing pressures grow. The Executive have let down and betrayed the people who depend on us for proper homes.

The Minister said that we are going to get 1,750 new homes, but the cost will be borne by people who need new kitchens, new windows and new disability adaptations to their homes. There are people with disabilities who have to wash in hand basins because

they cannot get into their baths, and we do not have the sufficient resources to give them dignity. Those people need urgent help even to maintain basic hygiene, and we do not have the money. That is how low we have sunk in the provision of proper resources for working-class people and families on benefits.

I have listened to the debates on housing here, and I have heard Democratic Unionist Party Members telling other Members to provide an alternative. The Minister of Finance and Personnel came to the House three or four weeks ago and re-prioritised the Budget through the strategic stocktake. He took money away from Departments and allocated it to others without the approval of the House. Mr Durkan raised the issue of properly debating Budgets in the House, but that was pooh-poohed by the two largest parties. That is what is happening: people are prioritising how we spend our money without the approval of the House, and the poor in this city and across Northern Ireland, who depend on us, are not getting what they deserve — they never did, and they are not getting it now.

I support what the Member for North Belfast Ms Ní Chuilín said. I support the provision of sufficient housing for those who need it. I support redevelopment and not refurbishment. I support the provision of proper facilities and help for people with disabilities so that they can have basic dignity. I support the right of people who live in those homes to have a proper kitchen — some kitchens are 30 or 35 years old, and the doors are damaged and cannot be reattached to their frames. Those are the sorts of conditions in which people are living in the twenty-first century.

I support anything that we can do to ensure that a proper focus is placed on this issue. I will speak for myself, and other Members can speak for themselves, but I am not going to sit by any longer and allow people who are socially and economically deprived — the poor in our society — to be marginalised even more. Those days are over for me.

I hope that all the Members who come to the House and talk the grand talk will walk the walk when it comes to supporting issues of social justice and that they are not just cannon fodder for the Executive.

I am happy to support Ms Ní Chuilín, a Member for North Belfast, and I hope that the Members she referred to who support areas where people are deprived — and there are many such areas — will also be on their feet to ensure that proper resources are spent on these people.

**Mr A Maginness:** I am surprised that so few Members from North Belfast are here today, given that this is an issue of extraordinary importance. It is a timely Adjournment debate on an issue that has vexed the people who have lived in the upper long streets for many years. It is frustrating for people to live in certain

conditions and in an area where there is a clear housing need that is not being addressed properly.

I support Mr Cobain's commitment to social justice being a way to alleviate the housing problem in North Belfast, particularly in the upper long streets area. There are 2,400 people on the waiting list, and 1,401 people are in housing stress in North Belfast. We have, particularly in the Catholic community in North Belfast, a shortage of building land that could — or would — accommodate those people who need to be rehoused. In North Belfast, 80% of people on the housing list are from the Catholic community.

A substantial amount of land is available in the shape of Girdwood Barracks. That land could be used for housing development. I hope that that project will come on stream soon so that the housing problem can be alleviated through newbuild, particularly — but not exclusively — for those in the Catholic community. It is important that those who are in need are accommodated fully.

As regards the upper long streets, I and others have supported the campaign for redevelopment that residents in that area have been engaged in. There have been long arguments with the Housing Executive over that particular problem. Redevelopment in the upper long streets must be the objective of the Department for Social Development. The area has been effectively blighted for a long time, and people deserve proper and decent homes. That should be our objective, and I am confident that the Minister for Social Development shares that view.

I hope that Members, particularly those who represent North Belfast, will support the Minister for Social Development in getting the proper funding that is necessary to deal with the housing problem, not just in North Belfast, but across Northern Ireland. People in various other constituencies also have an immense problem. It is therefore quite clear that there is a serious and critical problem with funding for housing.

There will be a shortfall of £100 million for social housing in this financial year.

**Ms Ní Chuilín:** Will the Member give way?

**Mr A Maginness:** I will give way in just a moment.

How will we deal with that situation? I hope that the Minister of Finance and Personnel will tell us that the problems that the Minister for Social Development has presented to the House on the housing shortfall will be remedied. It is particularly important that he represents North Belfast.

6.15 pm

**Ms Ní Chuilín:** I thank the Member for giving way. First, I apologise on behalf of my colleague Gerry Kelly for his absence; he is in Europe. The Member is aware

that Fra McCann, Mickey Brady and I supported his proposal to the Committee for Social Development arguing for more money for the Minister's housing budget.

It is disappointing that there are no Members here from the unionist community other than Fred Cobain, and I thank him for his contribution. However, we will argue for, and support, the call for more money for housing. There is absolutely no difficulty with that, but we must also accept that a lot of money from the Department for Social Development was surrendered, and that is the circle that must be squared.

**Mr A Maginness:** There have been interminable arguments about the surrender of money, and so forth. Without going over well-trammelled or well-trapped territory, all I would say to the Member is that whether or not money has been surrendered is immaterial.

**Ms Ní Chuilín:** Will the Member give way?

**Mr A Maginness:** No, the Member has made her point and has made it on previous occasions.

There is a shortfall, which affects people not only in the long streets but in other parts of North Belfast, other parts of the city and across Northern Ireland. As public representatives, we must put pressure on the Department of Finance and Personnel to come up with the necessary funding. It is not only a matter of social justice — as Mr Cobain quite properly said — but a matter that will be of great assistance to the community and local economy in spending ourselves out of the recession.

Mr Deputy Speaker knows, and I know, how badly affected the construction industry has been, and this is one way for Government to intervene directly in the economy. Private developers will not build houses because there is no profit in it for them and many of them are almost bankrupt. In any event, they cannot get the necessary cash from the banks in order to start building

However, the Government have an opportunity to plough money into the construction industry, and the best way to do that is through social housing. Mr Cobain is right in stating that we need 3,000 houses a year. Given the resources that the Minister has, she is attempting to build 1,500 or 1,700 houses a year, which is, quite clearly, inadequate. Nonetheless, given the funding that she hoped to have, it is the only way to respond to housing problems.

**Mr Cobain:** The point that Members must continue to make is that, before the economic downturn, the Executive set a target of 1,500 houses. Those people who rely on the state — those who are deprived or “poor”, as we call them — were never going to get a fair deal out of that. Even before the economic downturn, 1,500 houses were all that the Executive were prepared to build. Alban — and all of us — accept that that

number was totally inadequate for the job that must be done in providing social housing.

**Mr A Maginness:** I must conclude fairly soon. When devolution was restored, we all said that we wanted to make a difference, and I am quite certain that my colleagues in the Chamber want to make a difference. I am also sure that the Minister wants to make a difference by improving housing in this society. However, in order to do that we need the proper funding, which not only solves the problem of social justice and of people in the long streets but helps to solve our economic problems. I believe that the motion is timely and that redevelopment is the best way forward.

I am confident that the Minister shares that perspective. I hope that there will be fresh proposals on the long streets soon and that the Housing Executive will firmly commit to their earliest possible implementation.

**The Minister for Social Development (Ms Ritchie):** I thank the Members who contributed to the debate: Carál Ní Chuilín, Fred Cobain and Alban Maginness. I welcome the opportunity to take part in the debate and to respond to each of the contributions, not least because it gives me the opportunity to clarify and correct some of the points that were raised this afternoon. I will try to address all the questions and points that Members raised. However, I assure them that I will study the Hansard report, and, if I have left any unanswered, I will write directly to the Member concerned.

As the Members, as they represent North Belfast, know, the upper long streets is part of the upper New Lodge and approximately 1.25 miles from the city centre. The area contains 211 homes, of which half are in private ownership and one quarter of those privately rented. North Belfast is already recognised as an area of acute housing need, with more than 4,200 people waiting for a home, and, of those, 1,401 are in housing stress. Over the years, the lack of available land to develop for social housing has simply exacerbated the problem, and the number of people in housing stress illustrates how acute the need is in the area.

The Housing Executive has already invested significantly in the area through a programme of improvements to public stock and the promotion of grants for privately owned homes. If examined in the context of other parts of Northern Ireland, North Belfast has received a large share of the overall housing investment programme for some years. However, given the age and condition of many of the houses in the area, further redevelopment work was always going to be necessary.

In recent years, a range of options has been considered for the long streets, each with its own pros and cons. I share the frustration of those who say that

the process has taken too long to reach this point; I agree entirely that it has taken far too long. I have made Upper New Lodge a priority with regard to bringing forward proposals to start that redevelopment. I visited the area several times at the invitation of Mr Maginness. I met some of the residents, and I saw at first hand the condition and size of the houses. Although many homes have been very well maintained, over time many have not.

Although my Department first received specific proposals for the redevelopment work back in September 2006, those underwent various assessments until November of last year. Even allowing for the difficult issues under consideration, such a timetable is simply not satisfactory.

The new proposals included plans to demolish 178 homes, many of which are privately owned. Given that more than half of the homes in the area are privately owned, and very few of those are empty, I must take into account the area's apparent degree of confidence in the future. I do not want to destroy that community stability. Interestingly, however, a survey found that almost 80% of residents considered their accommodation suitable for their needs. That has made it even more difficult for me to accept such a large-scale demolition of houses. Although the houses are old and need substantial refurbishment, they remain perfectly habitable, and are, for the most part, meeting the needs of those who live in them.

However, I listened carefully to Members today. The demolition of those 178 homes was to be offset by the construction of 98 new units of accommodation, because put back is always much less than what was originally there.

That would mean a net loss of 80 homes in an area of great housing need, where a large number of people are on the waiting list or in housing stress. However, it would still have meant that many families would have little choice but to move away from the area. In that respect, people have told me that demolition would mean breaking up the community.

I listened to what Alban Maginness and Mr Cobain said about housing need in North Belfast. That need has been clearly identified by the Housing Executive — 3,000 houses are needed each year for all of Northern Ireland. We propose to build 50% of those houses, but resources remain an issue.

I was glad to hear Members say that there is a need for resources to be invested in the community, but the issue for me is the need to reprofile the housing budget and to put the social housing development programme as the Executive's number-one priority. That will act as a stimulus for the local economy, it will put people back into work, it will sustain existing jobs, and it will ensure that we have a valuable asset — the most

valuable asset that anyone wants is a roof over their heads. It will also ensure that valuable proposals for redevelopment, such as the long streets, can be carried out. However, I need the Executive's support and understanding. I have tried to persuade my Executive colleagues of that, and an independent person is carrying out a piece of work on that issue.

There is an acute housing shortage in North Belfast, and Members will want to reflect on that. However, do we want to provide better housing, and do we want to do that by providing substantially less housing? I will park those questions with Members.

There is no nearby or overspill housing that could be offered to those families; they would have no option but to move out of the area.

I want to touch on an issue that affects Members. We have already addressed the issue of resources, and I look forward to getting support for that, but I want to touch on an issue that deals specifically with North Belfast. Part of the solution to the housing shortage in lower North Belfast will come about if the representatives from the two main parties show political leadership. Sinn Féin and the DUP need to get out from behind their tribal wagons and show a way forward.

I understand the problems with the long streets — I have seen them at first hand. However, there is the issue of housing on the extensive Girdwood Barracks site, which is not far from there, and it will be looming large soon. All the political parties need to step up to the plate on the issue and get their people out of the sectarian trenches. That is how they can show that they care about the provision of housing in lower North Belfast.

I assure Members that I remain totally committed to delivering the work needed to redevelop the upper long streets, but I will not approve wholesale demolition simply because it may be the easiest option. I have asked the Housing Executive to bring forward plans that will allow for those homes to be properly restored and renovated, while using demolition as an option primarily for dwellings that cannot readily be brought back into use. I have asked for those plans to be resubmitted before the end of April, and I want to announce the way forward shortly afterwards. In fact, I have been told that those proposals will be with me next week.

Some of the many residents of the long streets are sitting in the Public Gallery, and others who cannot be with us today because of infirmity deserve some clarity about future plans. As I have shown in the Village in South Belfast and elsewhere, when I have an acceptable solution, I am prepared to move quickly on it.

I want to emphasise that I do not want to prejudge what the Housing Executive's revised proposals will look like.

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

**The Minister for Social Development:** I have only a few minutes left.

I anticipate several phases of work, with substantial demolition in the early phases. Therefore, I am not simply replacing demolition with refurbishment — I am pushing for the best all-round solution.

I repeat that I do not wish to prejudge what the Housing Executive will do, but I anticipate several phases of work with substantial demolition in the early phases.

*6.30 pm*

Again, I thank all the Members who participated in the debate. I thank Cárál for securing the adjournment debate and for raising a question on the issue yesterday during Question Time. I also thank Fred and Alban for their contributions. All Members who have contributed have done so in a positive manner.

I assure Members that I, the Department and the Housing Executive will continue to work closely and quickly with the local community. Residents will be updated on our future plans for the redevelopment of their community and the redevelopment of the communities that are represented by the other Members present. Residents deserve clarity on this issue, but there are many other issues that deal with the wider housing debate and the wider resource issue.

Cárál raised a point about surrender earlier, and I can clarify that that money was not surrendered. Instead, I requested a reallocation to deal with the pressure in the housing budget —

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

**The Minister for Social Development:** I re-emphasise the need for the wider Executive to accept that there must be an investment in the overall social-housing development programme.

*Adjourned at 6.31 pm*



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# Written Ministerial Statement

*The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.*

## HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Public Inquiry into the Clostridium Difficile Outbreak in Northern Health and Social Care Trust Hospitals in 2007-08

*Published on 31 March 2009*

**The Minister for Health, Social Services and Public Safety (Mr McGimpsey):** On 14 October 2008 I advised the Assembly that I would order a public inquiry into the outbreak of Clostridium difficile in Northern Trust hospitals that occurred between June 2007 and August 2008..

The inquiry will be conducted under the terms of the Inquiries Act 2005.

In accordance with section 6 of the Act I am now advising the Assembly of the membership of the inquiry panel, and of the terms of the reference for the inquiry.

The inquiry will be chaired by Dame Deirdre Hine, former Chief Medical Officer for Wales.

I have also appointed the following three persons to serve on the inquiry panel:

Dr Jocelyn Cornwell, an independent healthcare consultant; Mrs Eleanor Hayes, former Director of Nursing and Governance at Belfast City Hospital Trust and Green Park Hospitals Trust; and Professor Robert Stout, formerly Professor of Geriatric Medicine at Queen's University of Belfast, Dean of QUB Faculty of Medicine and Health Sciences, and Director of Research and Development for Northern Ireland Health and Social Care.

The Terms of Reference, which I have agreed with the Chairperson of the inquiry, are as follows.

1 The Minister for Health, Social Services and Public Safety has ordered that a public inquiry be conducted into the outbreak of Clostridium difficile infection that occurred in Northern Health and Social Care hospitals between 16 June 2007 and 31 August 2008.

- 2 The purpose of the inquiry is:
- (1) to establish how many deaths occurred in Northern Health and Social Care Trust hospitals during the outbreak, for which Clostridium difficile was the underlying cause of death, or was a condition contributing to death;
- and
- (2) to examine and report on the experiences of patients and others who were affected directly by the outbreak, and to make recommendations accordingly.
- 3 The inquiry will be conducted under the terms of the Inquiries Act 2005.
- 4 The inquiry panel should report to the Minister for Health, Social Services and Public Safety, within twelve months of beginning the inquiry, unless otherwise determined by the Minister.

