
NORTHERN IRELAND ASSEMBLY

Tuesday 26 May 2009

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

Members observed two minutes' silence.

MATTERS OF THE DAY

Mr Kevin McDaid

Mr Speaker: Mr Gerry Adams and Mr Francie Broly have sought leave to make a statement on a matter that fulfils the criteria that are set out in Standing Order 24. I shall call Mr Gerry Kelly to speak for up to three minutes on the subject. I shall then call a representative from each of the other parties, as agreed with the Whips. Those Members will also have up to three minutes to speak on the matter.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. I send condolences from Sinn Féin to Mrs McDaid. I hope that, on this occasion, I speak for the whole Chamber in sending those condolences. Anyone who heard Mrs McDaid speak on the radio this morning about the terrible death of her husband, Kevin McDaid, could not be anything but moved.

It was a terrible and brutal killing. Mrs McDaid went to the aid of her husband and was also beaten. Her friend, who is pregnant, went to assist, and she too was beaten. We could have been looking at three deaths. We are told that up to 50 loyalists went into the estate. This is a time for the Chamber to have a unified voice and to let anyone and everyone who cares to listen know that sectarian attacks are unacceptable and will not be tolerated.

Unfortunately, the attack brings back memories of the terrible death that young Michael McIlveen endured. Mr McDaid was in a mixed marriage and was well known in the area as a cross-community worker, and this was not the first time that had been beaten. He had also been attacked within the past two years. Our first thoughts are for Mrs McDaid and her children. According to this morning's newspapers, Mr McDaid initially went out to make sure that his son was safe, and he lost his own life over it.

Another young man, who has been named locally as Damian Fleming, is in a critical condition and is fighting for his life in hospital.

The Assembly sends its condolences to everyone who has been affected by those events; in the past, it has spoken with a unified voice on such incidents. I call for that unified voice to be heard now so that people who get involved in sectarian attacks understand that they have no excuse. Regardless of where sectarianism comes from, the Assembly condemns it utterly. Go raibh mile maith agat.

Mr Campbell: I join the Member in offering my sympathies and condolences and those of the DUP to the McDaid family. The murder of Kevin Brendan McDaid, who was a father of four children, must be and is condemned by every Assembly Member.

As with every murder, irrespective of when and by whom it is committed, it is necessary that information be passed to the police so that it can be translated into evidence and the perpetrators brought before a court of law. That is the only way that such incidents will stop and that the perpetrators will realise that there is no escape from justice.

I am the MP and MLA for the area in which Mr McDaid lived. The Heights is a mixed area of Coleraine, and, by and large, families there get on well together; indeed, Mr McDaid was involved in cross-community work. In recent years, however, the Heights has been blighted by a small number of individuals who engage in antisocial behaviour, drug dealing, car theft and other petty crimes; all of which pale into insignificance compared with Mr McDaid's murder.

At this time, the police need support, just as the family does. I call for that support to be unanimous throughout the House and the wider community.

Mr McClarty: Like the two previous Members, I extend my deepest sympathies and those of the Ulster Unionist Party to Evelyn, Kevin's widow, and to their entire family circle. Mr McDaid's death was tragic, violent, and it should never have occurred. Like other Members, I appeal to anyone who saw anything suspicious to pass that information — even the smallest snippet — to the PSNI so that those who are responsible for that evil deed are brought to justice.

I was born and bred in the Heights area of Coleraine; a fact of which I am proud. I was educated in the area. I went and still go to church in the area. I was married there. The residents of the Killowen/Heights area of Coleraine are a people apart; they are wonderful individuals who care for one another. Unfortunately, as Mr Campbell said, a small number of individuals has spoiled the peace that the community has enjoyed for many years.

Certain people try to portray what is happening in the Heights as widespread sectarianism; nothing could be further from the truth. The vast majority of people in the area simply want to live in peace and harmony with their neighbours, and individuals and groups are working towards that end.

Now, more than ever, I call on the community to come together to isolate the men of violence who have perpetrated this heinous crime and to rid the streets of Coleraine and every other street in Northern Ireland of all forms of sectarianism.

Mr Dallat: I am glad of the opportunity to join other Members to express the SDLP's condolences to Evelyn McDaid and her family and friends on the tragic death of Kevin.

Although the tragedy directly affects the McDaid family, it is a far greater tragedy than that. The McDaid family's loss is Coleraine's loss. Indeed, it is a serious loss to the countless people across Northern Ireland who yearn for a new dawn and a new beginning and who have responded accordingly, directly to the family and through the media. Let us hope, indeed pray, that Kevin McDaid's death is not in vain. Let us hope that out of this darkness a new beacon will be lit that lifts the cloud of despair that hangs over Coleraine today. That would bring some comfort to the McDaid family and to Kevin's widow, who, this morning, courageously called for no retaliation. I hope that her wishes are respected. It would certainly please Kevin, who spent his life working for peace and reconciliation. The people of Coleraine — Catholic and Protestant — want to be free to build that new future. They want to be free from mob law, from lynch mobs and from the lawless organisations of the past that failed everyone and, sadly, still exist.

I was at the scene yesterday, and I heard graphic accounts of the events that led to the tragedy. I heard about the sheer hate, the foul language, the cudgels and hammers and, of course, the physical violence. That is not the Coleraine that I or anyone else wants. Yesterday afternoon, I met the PSNI, and I hope that its resources, which I saw at the police station, will be successful and will put away those who know only violence and despair and who, in the past as in the future, have brought nothing to Coleraine for ordinary, decent people to build on. They were the building blocks of failure. However, I assure the House that many people in Coleraine want to be the building blocks of a new future — one in which Kevin McDaid and others will not die.

Mr Ford: On behalf of the United Community group, I express my sympathy to Mrs Evelyn McDaid, her family circle and her neighbours who suffered in that dreadful attack.

The murder was a dreadful crime, and it is right that every corner of the House and every part of wider

society has condemned it in the same way that we have, sadly, condemned the recent murders of others, particularly the two soldiers and the policeman who died in March. Tragically, in this case, the murderers did not descend from Mars; they came from somewhere else in the Coleraine area. Therefore, people must have information that could help to ensure that the perpetrators are put behind bars, and we should all appeal to those with any information to bring it to the police. The aspiration of the majority of local people is that we move forward together in peace and harmony.

In this place, our progress may sometimes falter. However, we have at least set an example through seeking to work together. Many others in the community work to promote cross-community activity and to build good relations in different parts of Northern Ireland. Kevin McDaid was one of them. We owe it to his memory to ensure that that good work is done and is supported by the whole society.

Ms Purvis: I offer my party's condolences to Mrs McDaid, her boys, her family and her friends. Furthermore, I send my thoughts to Mr Fleming and his family and hope that he makes a full recovery.

This is an awful murder, and I encourage anyone with information to help the police to bring those responsible to justice. Those involved only serve the aims of extremists on both sides. That fact was made clear several weeks ago through the murders of two sappers and a policeman. Sectarianism is a deadly virus that affects our whole community, not only in deprived areas, but in every class. The murder of Kevin McDaid is an example of sectarianism at its ugliest and most brutal. It is at its most sinister when it is unseen and unheard and when it is institutionalised, as it is in our society.

It is our responsibility to tackle that deadly virus together, and I look forward to the publication of the strategy for cohesion, sharing and integration as the Executive's first step to dealing with that deadly virus. "Separate but equal" will not result in the shared and better future that we all crave.

10.45 am

MINISTERIAL STATEMENT

Short-Term Aid Scheme for Business

Mr Speaker: I have received notice from the Minister of Enterprise, Trade and Investment that she wishes to make a statement on the short-term aid scheme for business in Northern Ireland.

The Minister of Enterprise, Trade and Investment (Mrs Foster): I wish to make a statement on the introduction of a £15 million short-term aid scheme for business in Northern Ireland. My Executive colleagues and I have been acutely aware over the past months of the difficulties that companies right across Northern Ireland face in the wake of the global economic crisis. We have witnessed a significant increase in redundancy notices and company closures, which have fed into the unemployment numbers and have posed real difficulties for companies and individuals.

After my statement, the Minister for Employment and Learning will make a statement on actions that his Department is taking in response to the difficulties that companies are experiencing. For my part, I tasked my officials some months ago with devising proposals to help fundamentally viable companies that are facing short-term difficulties to weather the economic storm.

In mid-December 2008, by way of response to the global credit crunch, the European Commission issued a temporary community framework for state-aid measures to support access to finance in the current financial and economic crisis, because it believed:

“the current global crisis requires exceptional policy responses.”

One measure — small amounts of compatible aid — offers member states the opportunity to assist companies with relatively modest amounts of support without detrimentally affecting competition in the European Union. The amount is set at up to €500,000 before tax deduction or other charges.

That element of the temporary framework operates within de minimis aid regulations, and the Commission recognises the potential need for a greater quantum of support at this time than would be available under normal de minimis aid rules, which normally allow up to €200,000 to be administered. The Commission takes the view that to assist one company at the revised de minimis level of support under the temporary framework in acknowledged extraordinary circumstances will not distort its competition with others.

In January 2009, the UK Government notified a £1 billion umbrella scheme to the Commission for providing business support of up to €500,000 per company during the period to 31 December 2010. That specifically notified measure is designed to address potential damage to the UK economy through the possible loss of fundamentally viable companies as a result of the global financial crisis. The UK measure, however, is not a scheme in its own right. It is up to the devolved Administrations and England’s regional development agencies (RDAs) to develop their own proposals to meet their region’s specific needs within the terms of the UK’s notified measure. In its proposals, the Economic Development Forum (EDF) subgroup outlined a desire for Northern Ireland to take advantage of the temporary framework’s provisions.

My officials have been working on developing a scheme for Northern Ireland, and I can now inform Members that a £15 million grant scheme to support eligible companies that are experiencing difficulties in the current economic climate will be introduced from Monday 1 June 2009. The scheme’s objective is to provide eligible businesses with financial assistance that will enable them to plan and, where necessary, restructure for the future, while retaining key staff so that they are ready to take advantage of an economic upturn.

The scheme, which is to be known as the short-term aid scheme, will offer support over and above what Government have already established and what the banks have so far announced. The scheme, which Invest Northern Ireland will operate, will run until 31 December 2010. Assistance will be based on maintaining the employment of key skilled workers in a supported business who would otherwise have to be released. Maximum support per business will be €500,000, which is approximately £445,000 at current exchange rates, less the value of other de minimis aid offered to the business between 1 January 2008 and 31 December 2010.

Costs incurred that are beyond 31 December 2010 are not eligible for support. Those rules comply with Commission regulations.

The short-term aid scheme will be available to large companies, SMEs and microbusinesses in the manufacturing and tradeable services sectors that are fundamentally viable and were not in difficulty at 1 July 2008 but are experiencing short-term difficulties because of the global downturn. The business concerned should also have or have the potential to have total sales of more than £100,000 per annum by 31 December 2010, more than 25% of which should be from outside Northern Ireland. Alternatively, it should have total external sales of more than £250,000 per annum.

Companies will be expected to demonstrate on their application form their need for support, the costs that are involved, and the steps that they are taking or have

taken to address their difficulties. They should also identify the key skilled posts that they wish to retain and the proposed activities that will be undertaken. Those activities could, for example, be related to individual training, developing leads and undertaking market research into new niche markets, and secondments from larger companies to improve the capabilities of local SMEs while retaining the individual secondees on the books of the larger company.

Where training activities are proposed, there will be close co-operation between my officials in Invest Northern Ireland and officials in the Department for Employment and Learning to ensure that a comprehensive, practical response is provided to the company in question. An Invest Northern Ireland selection panel will assess cases that are presented for support, and applicants will be notified of the panel's decision. A flat rate of grant assistance will be offered that is based on company size, according to the European Commission's definition of a company. That will be 80% for SMEs that have fewer than 50 employees, 70% for SMEs with between 50 and 250 employees, and 60% for non-SMEs. Salaries and some associated costs for the key skilled posts that are identified will be supported.

I mentioned support that the Government have introduced already. In order to bring a degree of clarity to the range of financial support that is available to Northern Ireland SMEs and to help them through the difficulties arising from the current economic downturn, my Department has prepared an easy-to-read compendium. It is available in tabular form on the Department's website. It is not an exhaustive list of all forms of support; instead, it provides a snapshot of the main European, United Kingdom and Northern Ireland schemes that were introduced recently as a direct response to the economic downturn. Those include the European Investment Bank funding, the UK-wide enterprise finance guarantee scheme and Invest Northern Ireland's accelerated support fund.

To date, the table has been used as part of wider briefing material for Minister's meetings with the main Northern Ireland banks to discuss lending practices. The recent Institute of Directors bank lending survey showed that businesses do not appear to be sufficiently aware of the various local funding schemes that are available. I am, therefore, keen to widen knowledge of the various forms of support that our SMEs can access.

Having distributed the table in Government, I have arranged for it to be circulated to the Economic Development Forum and the cross-sector advisory forum to ensure that the information reaches business representative organisations and their members. I understand that the table is being highlighted already by the Institute of Directors on its NCrunchtalk website.

The table shows that, in addition to the short-term aid scheme that is being introduced today, Northern Ireland businesses can avail themselves of a number of other schemes. Some of those are available via Invest Northern Ireland, but others can be accessed through local banks. I have encouraged local banks to make maximum use of the available schemes when discussing lending opportunities with customers.

In addition to showing the various loan schemes that are available, the table provides information to businesses about the business payment support service of Her Majesty's Revenue and Customs. That service provides help by spreading tax payments over a longer period. There is also a trade credit insurance top-up scheme, which is provided by BERR and is designed to help businesses whose credit insurance cover has been reduced by their insurance provider.

It is clear that many businesses are experiencing a short-term reduction in demand for their products and services. That is resulting in companies' finances being squeezed, and it is causing what would otherwise be viable businesses to experience financial difficulties. To help those businesses prepare for the economic upturn when it comes, it is important that the Government provide effective and efficient support. A key element of that support will be to ensure that businesses retain their skills base and enhance that where possible. The scheme that I have announced today will do just that. It will provide crucial and invaluable support to businesses that may otherwise have to make key employees redundant, resulting in the loss of valuable skills and knowledge that would therefore not be readily available when economic recovery occurs. The scheme will save on future recruitment costs when markets improve and will provide the potential for businesses to generate profits arising from the activities of the maintained posts. I commend the statement to the Assembly.

The Deputy Chairperson of the Committee for Enterprise, Trade and Investment (Ms J McCann): Go raibh maith agat, a Cheann Comhairle. As Deputy Chairperson of the Committee for Enterprise, Trade and Investment, I thank the Minister for her statement.

The Committee has been proactive in looking at the impact of the economic downturn and its effects on businesses here. The Minister's statement is extremely welcome. The support being offered will act as a lifeline to many companies that are dealing with the effects of the credit crunch on a daily basis.

The Minister mentioned criteria for assessing which companies are eligible for short-term aid. Given that the scheme will be introduced next week, will she give details of the specific criteria that will be used by Invest NI to assess the need for support to ensure that all applicants are considered equally? Also, will the Minister provide details of any appeals procedure for

companies that the Invest NI selection panel assess as being ineligible for aid?

The Minister of Enterprise, Trade and Investment: I am glad to note that the Committee welcomes the scheme. I am sure that it will be welcomed by many of the businesses throughout Northern Ireland that have indicated that they are dealing with short-term pressures. Those companies feel that they are viable in the long term. They are experiencing short-term difficulties, which are precisely what the scheme has been designed to address.

The short-term aid scheme will run from 1 June 2009 until 31 December 2010. It is open to all companies in the manufacturing and tradeable services sector in Northern Ireland that are in difficulty. The scheme is available to companies that are fundamentally viable and that were not in difficulty prior to 1 July 2008 — that is, their difficulties have been caused by the global economic downturn. They must also meet or have the potential to meet the criteria, which are that they must have total sales of £100,000 a year and have sales outside Northern Ireland that are greater than 25% of their turnover, or, if they are larger firms, the amount of sales should be greater than £250,000 a year. Those are the details of the scheme.

The application forms are clear and simple to complete, which Members will welcome. We do not want to spend a lot of time on bureaucracy during the scheme. Help for companies that are clients of Invest NI and require assistance to complete the forms will be provided by client executives in Invest NI. Companies that are not Invest NI clients and require help to complete the forms will be assisted by business development executives in Invest NI.

Completed forms will be sent to a panel of Invest NI. The panel will consider the application forms and the criteria, as well as the regional economic impact that the loss of those key skills would have in respect of that particular company. The Deputy Chairperson will be pleased to know that that will be taken into account when the applications are assessed. We are also looking at the wider economic impact that those companies have and at the maintenance of key skills for the Northern Ireland economy.

I am happy to write to the Deputy Chairperson with details of how companies can appeal. I hope that there will not be too many appeals, because we hope to help as many companies as possible. There is £50 million available to us, and although the scheme is scheduled to run for a short time we believe that we will have no difficulty in spending the money.

Mr Wells: I am sure that the House will join me in welcoming this innovation. I am delighted to see that Northern Ireland is trailblazing once again as far as the rest of the UK is concerned. That is very welcome.

I wish to raise two issues with the Minister. We all hope that, by the end of December 2010, the recession will be a thing of the past and that companies will have come out of their current difficult positions. Should that not happen, can the innovative scheme be extended so that it can continue to support jobs?

11.00 am

I also want to raise the slightly thorny issue of displacement. One company might receive funding under the scheme while another company might not, which will mean that the latter will lose jobs and the former will keep people in employment. Will the assessment panel examine applications carefully to ensure that we are not robbing Peter to pay Paul with regard to job retention?

The Minister of Enterprise, Trade and Investment: The purpose of the scheme is to maintain key skills that are not readily available elsewhere for the entire Northern Ireland economy. Therefore, we do not see displacement as an issue. We will consider the regional and wider economic impact of awarding money to each company that applies.

Please God, we will not need to extend the scheme beyond 31 December 2010, but, if we did, we would consult the Westminster Government. The scheme has been made possible because the UK Government have provided a £1 billion umbrella scheme and allowed us to develop our own scheme. The Member is absolutely right: as far as I am aware, there is no scheme akin to ours in any of the other devolved regions in the United Kingdom. Therefore, Northern Ireland is leading the way, and we are very pleased about that. We are determined to help our smaller companies, larger companies and micro companies as much as we can and ensure that devolution makes a difference to people in Northern Ireland.

Mr Cree: I thank the Minister for her welcome statement. The qualifying criteria for the short-term aid scheme suggest that it is geared solely towards INI client companies. Will the Minister assure Members that the scheme will be open to businesses that are not INI client companies?

The Minister of Enterprise, Trade and Investment: I specifically said that the scheme was not only for Invest Northern Ireland companies, which is why the criteria are set out as they are. We could easily have said that the scheme would apply only to Invest Northern Ireland client companies, but I was determined that it would not. Furthermore, that is why I said that those who need assistance to complete the application form can go either to their Invest NI client executive or to a business development executive within Invest Northern Ireland who is not attached to any company and will help smaller companies, in particular, to complete the application forms. The

application forms are very simple; there are guidance notes, but, if further help is required, Invest Northern Ireland will provide that.

Mr O'Loan: I welcome the Minister's statement and the scheme that she outlined, which is in line with SDLP proposals. I also welcome the Minister's answer, in which she referred to an easy and supported application process.

The Minister said that a flat rate will be offered, based on company size. Is that not an inflexible way to proceed, and should the scheme not provide support on the basis of the quality of a company's proposal?

The Minister also said that there is not sufficient awareness among businesses of the available schemes. Does she not agree that the real problem is that banks are not making money available to businesses?

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

The Minister of Enterprise, Trade and Investment: I partially welcome the Member's comments; I am reminded that it is election time and that every party is trying to claim responsibility for good policies. The scheme is a good news story for the entire Assembly, and it means that businesses will be assisted when they are most in need so that they can retain their skilled workers.

I accept the Member's comments about flat rates, but the idea behind that is to be as quick as possible in responding to the needs of businesses. We have set ourselves a target of turning application forms around within 20 working days. I want that to be delivered, because people in difficulty need our help as quickly as possible.

I am very much aware that many people are still having difficulties with their banks. We are engaged in ongoing dialogue with the banks, but, as a member of the Committee for Finance and Personnel, the Member will know that, unfortunately, we do not have any statutory powers over the banks. However, we will continue to push them to be open for business and to provide businesses with access to credit.

I am particularly concerned about the take-up rate for the enterprise finance guarantee scheme in Northern Ireland. I have seen the take-up figures for the rest of the United Kingdom and those for Northern Ireland, and, frankly, a huge disparity exists, for which there must be a reason. I recently wrote to the four main banks that operate the scheme here to ask them for a dialogue about take-up levels. If the scheme is operating in the rest of the UK, why is it not operating in Northern Ireland in any more than a very limited way? That is an issue on which I will continue to press, and I know that the House will want me to do that.

Mr Neeson: I, too, very much welcome the Minister's statement and the co-operation between the Minister

and Sir Reg Empey on the matter. It is a pity that Minister Foster did not make her statement a day earlier, because she would have thwarted her former friend Mr Allister on 'Talkback' yesterday when he said that the European Commission was not doing enough to help businesses.

Does the Minister agree that the success of the scheme very much depends on co-operation between her Department and the Department for Employment and Learning?

The Minister of Enterprise, Trade and Investment: It being a bank holiday yesterday, I was not listening to 'Talkback', but, as Members can imagine, I am sorry that I did not hear that interjection.

My Department and Sir Reg Empey's Department for Employment and Learning have been working very closely on what we can do to help businesses. The Member will know that, directly after this statement, Sir Reg will make a statement on the help that his Department will be offering.

As I said in my statement, the Executive are only too aware of the difficulties that businesses are facing. Indeed, the global economic downturn is a standing agenda item for discussion every week that the Executive meet. That is right and proper, and we will continue to do that.

Mr Newton: I join other Members in welcoming the Minister's statement. I also welcome the fact that she has taken the initiative on the matter. Indeed, in the United Kingdom, we are taking the lead. I have no doubt that business organisations and those whom they represent will welcome the statement. Knowing that the Assembly does care and is prepared to act to support it will give the business sector some confidence.

I welcome the Minister's remarks about reducing red tape and making swift decisions. How long will those swift decisions take to make? I also welcome her saying in her statement that she intends:

"to bring a degree of clarity to the range of financial support that is available to Northern Ireland SMEs and to help them through the difficulties arising from the current economic downturn".

Although a considerable amount of help is available, the clarity that SMEs need in order to obtain that assistance is not there.

The Minister of Enterprise, Trade and Investment: I concur with the Member's last point. I do not think that there is clarity about what is available for businesses, small or large. That is why the Department has put together a compendium or matrix that sets out what is available, whether from the European Investment Bank, Invest Northern Ireland or local banks.

Availability is one thing — I refer the Member to my previous answer — but we also need to ensure that there is take-up. I hope that the compendium, which is

available on the Department's website, will be used fully. I am sure that, if they so wish, we will be able to furnish Members with hard copies of the compendium for their constituency offices so that they can have them to hand when businesses come in for advice and assistance, as they do in all constituencies. The Institute of Directors has said that there is no awareness of what help is available to businesses; therefore, it is incumbent on the Government to help fill that communication gap.

In relation to the turnaround of applications, we are committed to giving an answer to companies within 20 working days of receipt of applications. That is a good target, and I will be watching very carefully to see that it is complied with. The last thing that we want to do is add to the bureaucracy and stress faced by those companies.

Mr Hamilton: I join others in welcoming the scheme and, in particular, the fact that it is unique in the United Kingdom. Will the Minister assure the House that there is a requirement for confidentiality in respect of any applications? As she pointed out in her statement, all those businesses are generally good, solvent businesses that are merely experiencing some short-term problems. Does the Minister agree that, if the names of the companies that were applying for the scheme became known, it could do long-term damage to businesses that were merely trying to get through short-term choppy waters and that, therefore, confidentiality is key?

The Minister of Enterprise, Trade and Investment: I absolutely agree that confidentiality is key. As the Member said, the aim of the short-term aid scheme is to help companies that are viable in the long term but are having difficulties at the moment. However, if companies became aware that other companies are having difficulties, they may try to take competitive advantage of that. Invest Northern Ireland is well used to dealing with confidentiality issues, and it will continue to do so in respect of the short-term aid scheme.

Dr McDonnell: I thank the Minister for her statement, even though she does not accept that there may be a strong correlation between SDLP approaches and her announcement. Nevertheless, I thank her for facilitating that.

The Minister will be aware of the Prime Minister's reply to a question that I asked him last week. Does she agree with him and with me that banks, particularly those that have required Exchequer bail-out, should not be allowed to gratuitously squeeze otherwise viable businesses out of existence, nor should they be allowed to overcharge for their services? What further action can she take to pressurise local banks? She referred earlier to re-establishing trust and with that trust will come renewed cash flow. Anyone who I talk

to about those things feels that there is hardly any point in going near a bank any more because they will not give them money, and, if perchance people are given money, they will be charged twice as much interest as they should be.

The Minister of Enterprise, Trade and Investment: I recognise what the Member is talking about in relation to banks, and the First Minister, the deputy First Minister, the Finance Minister and I met each of the banks to press home those very issues. Some of us had a suspicion that the banks, particularly those that have been recapitalised by the Government, are trying to build themselves up again. There is a perception among people who have small businesses, particularly farmers, that they are being targeted because they are easy hits, and they feel very sore about that. I have said it before, and I will say it again: if there are specific instances of banks putting pressure on people, we need to challenge the banks on those.

When we meet the banks, we are told that they are open for business, that they very much want to do business with and lend to the people of Northern Ireland. However, we hear a very different story from our constituents. Therefore, we will continue to talk to the banks, but we do not have any statutory authority over them. As I said, I want to know why we are having difficulties with the enterprise finance guarantee scheme in Northern Ireland. I want to know what the problem is and whether the banks have a difficulty with that scheme. I hope to get to the bottom of that.

11.15 am

Mr Shannon: I thank the Minister for her comprehensive response and the announcement of a new initiative. That good news for the economy has been welcomed by everyone.

The Minister's statement referred to businesses that are "fundamentally viable" and "not in difficulty" as of 1 July 2008. The Minister will be aware, as will everyone in the Chamber, of businesses that have cut back on their hours and overtime. Some businesses have cut the number of weekly working days to four or even three and reduced their wage bills. I suggest that such businesses are responding to short-term difficulties that are due to the global downturn. Will the Minister assure the House that the assistance that she has announced, in the form of the short-term aid scheme, will be available to those small, medium and large companies, thereby ensuring that they will, as she said in her previous answer, be able to bounce back when the inevitable economic upturn occurs?

The Minister of Enterprise, Trade and Investment: I thank the Member for his question. The idea behind the scheme is to help companies that would be flying along now were it not for the global economic downturn and its accompanying pressures. I

pay tribute to large and small companies that are taking the initiative to sustain their businesses. Many employees have had to endure shorter working hours and a reduction in wages. However, they do so in the knowledge and with the hope and expectation that it will be only for the short term. Employees hope that, when the economic upturn happens, their jobs will still be there and the companies will grow again.

The scheme is designed to make the situation easier for employers and employees. It will facilitate the redeployment of skilled people to other areas. The Department has been wide-ranging and flexible about what those people will do during that period. As long as a particular company retains those skills, workers can be redeployed to do almost anything. The scheme was set up to be flexible and assist struggling companies, and I hope that it fulfils those objectives.

MINISTERIAL STATEMENT

Training

Mr Deputy Speaker: I have received notice from the Minister for Employment and Learning that he wishes to make a statement on training during the economic downturn.

The Minister for Employment and Learning (Sir Reg Empey): As all Members know, the Executive are committed to doing all that they can to protect local people and businesses from the worst effects of the economic downturn. In the course of only a few months, the economic context that underpins the delivery of all interventions in skills development in Northern Ireland has radically changed. The global recession has been keenly felt across Northern Ireland, resulting in significant job losses in many industries. In addition, an increasing number of companies, particularly in the manufacturing and engineering sector, have ceased production for a set period or moved to three- or four-day working arrangements. Their aim in doing so is to reduce product stockpiles and running costs during the current period of low demand in the marketplace.

Such dramatic economic challenges have brought the skills agenda sharply into focus. To ensure that Northern Ireland is able to make the most of the opportunities that will arise as a result of the eventual economic upturn, we must continue to build on and improve the skills of the workforce. However, during a recession, business training needs change, and apprentices can often be vulnerable. Therefore, I have asked my officials to develop proposals to focus on the needs of apprentices who have been placed on short-time working.

When Apprenticeships NI was launched in September 2008, the Department restated its commitment to 10,000 apprentices being in training at any one time by 2010. By February 2009, that target had been exceeded, with almost 10,300 people undertaking apprenticeships. That represents an increase of 77% over two years.

To protect its existing investment in apprentices, the Department has already put in place procedures to help to protect them from some of the effects of the recession. Contingency arrangements were introduced from 1 December 2008 to ensure that apprentices in the construction, engineering and automotive sectors can complete their training even if they are made redundant. However, more can be done, particularly for apprentices who have been placed on short-time working, which is why I am announcing the introduction of a new scheme to help apprentices on short-time working. Commencing on 8 June, the new Skillsafe scheme will make up to £6 million available for the training of apprentices who are on short-time working. Money for

the scheme will come from my Department's budget and from the European social fund. My Department will work with employers who have placed apprentices on short-time working and with the relevant training organisation to help to fill the apprentices' downtime with accredited training that will contribute to their apprenticeship.

The scheme will pay the apprentice a training allowance to offset the reduction in their pay caused by their being placed on short-time working. The scheme will also contribute to the additional training costs. The programme will begin with the manufacturing/engineering sector, but eligibility for the scheme will be kept under review with the aim of expanding it to other key sectors, subject to demand.

The Department believes the scheme to be an appropriate intervention for several reasons. A modest level of intervention now could save up to three years' investment in the training of apprentices and their work-based mentors. Offering a financial incentive for apprentices will encourage employers to consider retaining them rather than regarding them as an easy target for redundancy. The scheme will encourage the use of downtime for an investment in skills by apprentice and employer. Skillsafe supports the principle of the 'Now is the time' campaign and the Success through Skills strategy to invest in skills and upskilling to strengthen the future economy. It will complement the support provided by Invest NI, as outlined earlier by the Minister of Enterprise, Trade and Investment. The scheme will be available from 8 June and will end once we have recorded two consecutive quarters of neutral or positive growth.

Over the next two weeks, my Department will send information leaflets to all our apprenticeship training providers for distribution to all relevant employers; the leaflets will outline what is on offer and whom to contact. Details will also be available on my Department's website.

In addition, my Department's day-to-day operations involve working closely with employers and businesses. During the present difficult time, we are even more committed to doing what we can to help them to survive the downturn and to prepare for recovery. We have a dedicated team of advisers available to help businesses that want to look at their training requirements and the possible upskilling of non-apprentice staff. That team has a wealth of experience, and eligible companies can arrange for someone to visit their premises to offer advice and assistance. The team works with an organisation to identify and address its training requirements and to provide necessary support on a case-by-case basis.

Although I hope that the Northern Ireland economy will soon see signs of recovery, I have asked my officials to continue to develop other interventions in addition to those announced in the Assembly today. One of

those interventions will target small and medium-sized enterprises in the manufacturing and tradeable services sectors to encourage individuals to train, should they also become subject to short-time working.

Once the required due processes are completed and the required authorisations received, I will make a further statement to the Assembly. Members are aware that this new scheme is being devised in the context of current public expenditure constraints, and they will understand what that may mean.

The Chairperson of the Committee for Employment and Learning (Ms S Ramsey): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. It is useful, as it came on the back of the statement made by the Minister of Enterprise, Trade and Investment. It sends out a clear message that a joined-up approach is being used to tackle some of those issues.

The Minister mentioned the Skillsafe scheme and the issue of the £6 million. He ended his statement by saying that the scheme was devised in the context of current public expenditure constraints. Will that have an impact on the decision about which companies will be offered the scheme? How will the decision be made?

The Minister mentioned paying apprentices a training allowance to help offset reductions in their pay. Will that allowance cover their full losses or only a percentage of them? Are employers expected to meet the remaining training costs? The Minister's last point was about updating the Assembly on other programmes that are in the pipeline. Does he think that those programmes will come on board before the summer recess?

The Minister for Enterprise, Trade and Investment: The Member raised a number of issues. I mentioned public expenditure simply because this programme will operate within our existing budgets, with some help from the ESF. I also mentioned that it is my intention to evaluate whether we need to expand the programme to other sectors, subject to demand. If we do, there will clearly be financial implications.

In addition, I mentioned that I envisaged making a subsequent statement about wider issues, particularly those that concern SMEs. I cannot be precise, but I hope to be in a position to do that within the next few weeks, before the recess. At that stage, we could be talking about significant amounts of money. We will not shy away from spending money because we believe that spending it at this time and on these issues is good value for money. However, much will depend on uptake, and it is clear that we have only a finite amount of money. We will operate within our existing budgets, with a bit of help from ESF. I do not want that to put a dampener on anything; I merely point out that we must bear in mind that there are limits to which we

have to adhere. As far as the offset is concerned, I envisage that we will pay apprentices who are on short time at least minimum wage for the period of downtime, irrespective of their age.

The matters that concern training providers will depend on a number of issues. We will have to negotiate with them because they all have contracts. We may have to examine their capacity to deliver the training and negotiate individually with them, so I cannot be very precise. The objective will be to ensure that the training providers are adequately resourced, but the matter will be dealt with on a case-by-case basis. That covers most of the points that the Committee Chairperson raised.

The Deputy Chairperson of the Committee for Employment and Learning (Mr Newton): I welcome the Minister's statement. It followed the statement that was made by the Minister of Enterprise, Trade and Investment, and it gives some degree of confidence and comfort to the business sector as a whole and to young people who have faced the problems of redundancy over the past days and months.

This is a welcome scheme. The Minister indicated that it will go out of existence when we witness growth in the economy. How will the effects of the scheme be monitored and reviewed? In the event that it does not produce the results that we desire, how will it be reviewed to ensure that the necessary changes will be made to bring it up to speed and into line?

11.30 am

The Minister for Employment and Learning: I indicated that two consecutive quarters of nil or positive growth would be the cut-off point. The starting point for the scheme is that we wanted to get help in there quickly. We will have information on our website, we are printing leaflets, and our advisers will be aware of the scheme so that they can talk to companies about it.

We do not want to get ourselves too bogged down in bureaucracy. Where we make an investment, a degree of risk is involved, just as a degree of risk is involved in the statement that Minister Foster made, so we could make errors, or an investment may be put in place yet the company does not survive. However, we propose to use existing providers to deliver the training, and those providers are monitored and inspected in the normal course of events. Therefore, it is not our intention to put in place an elaborate structure to monitor that aspect of the scheme, because the Department has the capacity to do so under existing arrangements.

I do not intend to be overcautious. When companies come to us, we will have to make a judgement and an assessment, just as the Department of Enterprise, Trade and Investment will have to do. Where we believe that there is a genuine reduction in hours, with apprentices

being put on short-time working, and if we are satisfied that that is happening in the sector on which we are focusing, we will negotiate an offer of help with the individual training provider that is applicable to that particular company and pay an allowance to the apprentice. We will have to keep an eye on how the scheme is working. We must ensure that the scheme is being adhered to, but existing processes are in place to allow that to happen.

Mr McClarty: I thank the Minister for his statement and congratulate him on the initiative.

As all Members are aware, we are in the middle of an unprecedented economic downturn. However, after the downturn will eventually come an upturn, for which we must be prepared. It is, therefore, vital that we build on and improve our skills base. Following his recent visit to the United States, where he visited community colleges, has the Minister identified best practice for improving the training, and consequently the skills, of our young apprentices?

The Minister for Employment and Learning: We have had a relationship with the state of North Carolina, particularly with its community college system, for some time. We have been involved with its community college system for several years. I was pleased that the Committee for Employment and Learning had the opportunity to see for itself last month how that system works. North Carolina uses the community college system, which is the equivalent of our further education sector, as its principal training tool for economic-development purposes.

An interesting point to note is that the community college system works closely with the United States Department of Commerce, which is the equivalent of our Department of Enterprise, Trade and Investment. The lesson learned was that those two sectors work together closely to ensure that the state provides, via its community colleges, the right skills for the companies in that state. That is the link between the two. The creation around the Province of workforce development forums for each further education college to engage with local employers means that we are close to adopting that model in Northern Ireland.

That is the best way of conveying to colleges the type of training that local employers want, because it costs no more to train people for the right jobs than for the wrong ones. It is a good system from which we can learn. The Committee found it interesting, and I believe that the model has potential for Northern Ireland.

Mr O'Loan: I welcome the Minister's statement. I know that he is a reasonable person, and I am sure that he will agree that his proposal is very much in line with proposals that have been published by the SDLP.

Does the Minister agree that the building trades, including the electrical trade, are in need of the scheme?

Many of us are annoyed and disappointed that NIE has said that it will not recruit apprentice electricians in September of this year. Will the Minister update us on discussions that he has had with NIE? Its decision not to recruit apprentices aggrieves many of us, especially given the profits that it draws from every household and business in Northern Ireland.

The Minister for Employment and Learning: I want to correct the Member: the SDLP's proposals are in line with my Department's. We were working on the proposals some time before the Member produced his document; I do not know how he got our internal information.

I visited the NIE's training centre and was impressed with what I saw. NIE is a profitable company, and it has a first-class school at its headquarters. I know that my Department has been liaising closely with NIE in recent weeks. Therefore, it is hoped that any reduction in apprentices will be short term. Ultimately, however, it is up to individual companies to provide apprenticeships; we cannot invent them, but we have to encourage companies. I assume that NIE made a commercial decision based on the volume of people whom it has trained already. Furthermore, it is also possible that in the economic recession, fewer people are leaving NIE to move to other jobs.

On visiting NIE, I saw that its apprenticeships are not confined to young people; one apprentice whom I met was over 50 years of age. Perhaps there is hope for all of us.

Ms Lo: I welcome the Minister's statement. His intervention proposals are timely and will bring much needed help to the apprentices who, so often, are the first to be made redundant or to be put on short-time working during difficult economic times.

Plenty of questions have been asked about apprentices, but I am particularly interested in what the Minister said about intervention in SMEs, given the shortage of managerial skills in that sector. Will the Minister target the new intervention at managerial training for SMEs?

The Minister for Employment and Learning: As I said earlier, I intend to make another statement when certain due processes are completed.

The proposal that I announced today is consistent with programmes that are running in the Department for Employment and Learning; it is an extension of them. Therefore, the Department was able to make a unilateral decision — without reference to the Department of Finance and Personnel, for instance — because it was consistent with existing programmes.

If we propose interventions that are different from those that we make at present, there is a process in Government through which we have to pass. Furthermore, any interventions that are different from

those that we make at present are more far-reaching. In working out the detail of those interventions, therefore, we must be careful to ensure, as far as possible, that any flaws are kept to a minimum, because people will always find a loophole or there will always be an error.

Therefore, a lot of preparatory work needs to be done, and we must work on that with the Department of Finance and Personnel. The possibility of the Minister of Enterprise, Trade and Investment and I having to bid for additional funding during monitoring rounds must be borne in mind. Once we begin such interventions, it does not take long for large sums of money to start adding up.

On the specific issue of managerial skills, the Member will be aware that my Department has offered companies management and leadership courses that are free at the point of delivery. In fact, demand for those courses has been such that we have had to halt the applications temporarily, because we have had difficulty processing them. However, we will return to that. Interest from companies has been significant already, and that intervention will stand those companies in good stead.

We must remember — perhaps this is a good thing — that many business managers have never had to manage during a recession before. They know how to manage in good times and in periods of growth, but many of them have never had to manage in a downturn. When one thinks about it, people who began their careers in their early 20s would be in their late 30s now and would never have experienced an economic downturn. That explains why there is such interest in, and demand for, management courses.

All the evidence at our disposal suggests that improving management and leadership capability has a direct influence on the ability to improve the competitiveness of the economy. I assure the Member that my Department is very focused on that area.

Mr Easton: I, too, welcome the Minister's announcement; it is good news for businesses and for apprentices in particular. How much of the £6 million funding will come from the European social fund and how much from his Department? Will funding from the Minister's Department be new money, or will it be money that has been taken from other areas?

The Minister for Employment and Learning: The money will come from existing departmental budget lines; it is not new money in that sense. I have shifted money around in my budget. The European social fund normally contributes about 40% of the funding. That is the standard rate, and I expect it to be the same in this case. Given that the Budget settlement for the last financial year was the tightest of the three years, we have a wee bit more room for manoeuvre in this new financial year, now that inflation and pressure on pay

rates and so on are much lower. Therefore, we have merely reconfigured existing budget lines slightly to allow for the initiative, and that, together with the European social fund contribution at 40%, is how we propose to fund the scheme.

As I said in my statement, we will look at other sectors as demand arises. Therefore, the proposals apply to one particular sector at what could be the maximum take-up rate. If we were to extend the scheme to other sectors, which we may do in light of circumstances, there would be further pressure on those moneys. Given the present recession, it is important that the Department spends money when it will have the most effect. There is little point in waiting until it is too late. There is little point in allowing apprentices, who may have spent two or three years of their lives trying to get qualifications, to be thrown out with nothing. Therefore, the moneys used will be public money well spent.

My Department has co-operated greatly with the Department of Enterprise, Trade and Investment on the initiative. I have had several meetings with representatives of that Department, and our officials are in constant contact. We are trying to take a joined-up approach. We are working closely with Invest NI, which will be able to provide guidance from time to time on the possibility of expanding the scheme to other sectors. We will be very interested to hear Invest NI's contributions at that time.

That is how I propose to fund the scheme at this stage. However, any second proposal that I come back with could be much more expensive.

11.45 am

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. The Minister has, in the past, referred to other sectors, particularly the construction industry and the motor vehicle industry, and he referred in his statement to other interventions. Is he considering strengthening the ties between further education colleges and employer engagement, given the important role that further education colleges play in helping small and medium-sized enterprises? Is the Minister assessing the critical sector analysis to see how it can help people into training?

The Minister for Employment and Learning: The Member has reminded me that I omitted to respond to Mr O'Loan when he referred to the construction sector — obviously, his claiming credit for his party threw me at that point. If the sun is still shining, that may also be his party's responsibility. *[Laughter.]*

In reply to both Members, we all know that the construction sector is in severe difficulty. I have made a lot of visits to jobcentres, the most recent of which was to Magherafelt the week before last. Members know that there is a high concentration of people

working in the construction sector in that area. It is a very depressed situation and, in some cases, jobcentres do not have a single job available in the construction sector. As the Member knows, we are reviewing the Construction Industry Training Board, and we are in the middle of a lot of work on this issue.

Mr Butler also asked about SMEs and critical sector analysis. We are guided by all those issues. I anticipate there being interventions to non-apprentices; in other words, interventions at the level of employees who may be faced with short-time working. Such interventions are particularly important given that Northern Ireland's economy mainly involves small businesses. We want to ensure that those interventions will be made not only by Invest NI companies, but by small companies that may not have any connection with Invest NI. The Department of Enterprise, Trade and Investment will be taking the same approach.

The construction industry is in a difficult situation, given the fact that there are so few opportunities available. If someone has achieved a construction skill recently, there is normally a period of time before that person is eligible to join a further scheme. However, jobcentre advisers now have greater flexibility, so, for example, if a person has recently been trained in construction, but there are no jobs in that area, that person may be directed to a different area where there is a greater chance of a job being available.

We are trying to be as flexible as possible. The Member is correct: the critical sector analysis will, of course, form part of what we are doing. However, we must remember that we are an economy of very small businesses. We all know that, despite all the talk, if we do not have a meaningful manufacturing or tradeable services sector left at the end of this, we will all be in serious difficulty.

Mr Deputy Speaker: I call Dr Alasdair McDonnell, who will confirm whether the sun is still shining.

Dr McDonnell: I can confirm that the sun is still shining. Will the Minister expand on his views that the dark clouds are due to parties other than his or mine?

Has the Minister any intention of developing plans or working with the Department of Finance and Personnel to ensure that, within the award of Government building contracts, there is a requirement to employ an agreed percentage of apprentices? I am thinking of something similar to the London proposal to employ 1,000 apprentices on Government building contracts, which is a good idea. Are there any plans at this end to pick up on that?

The Minister for Employment and Learning: The Member is a wee bit ahead of his time, perhaps three hours ahead. He might be asking me that question later today.

The answer is yes. The Minister of Finance and Personnel is heading a group that is looking at the matter, and I am pleased to say that there is progress. In the right circumstances, contracts may contain a condition whereby contractors will be required to employ one apprentice for every £2 million worth of turnover.

People have clearly got the message, and the answer to the Member's question is in the affirmative.

Lord Morrow: I agree that this is a good news story. The SDLP tries to claim all the good news stories going, as though this programme were taken out of the SDLP manifesto. However, I suspect that there is not a word of truth in that.

This is an excellent statement and it has excellent content. However, the Minister has touched on one of the issues that I wanted to raise. The paper deals mostly with those who are in training. However, does the Minister accept that, in the past, apprentices have lost their jobs and were unable to complete their apprenticeships? What can he tell people who are in that position? Will this programme address that issue? Is there any way that the Department can ensure that apprentices who have completed two thirds of their apprenticeships and find themselves out of work will not be disadvantaged?

The Minister for Employment and Learning: On 8 December last year, I announced assistance for apprentices who were faced with losing their jobs in three separate sectors. At that stage, I announced measures, and they have helped. However, they do not cover all sectors; I am prepared to keep that under review.

Today's proposals focus on apprentices who are moving into short-time working. There are provisions for apprentices who are being made redundant, depending on their age. Those aged 16 to 18 can go into colleges — into what might be called a simulated work environment — where they can complete their training. Those who are over 18 can go into mainstream programmes run by the Department, where, I hope, apprenticeships may be completed. However, there are exceptions, and a number of apprentices have been made redundant. I urge them to talk to advisers in the Careers Service. We have expanded the Careers Service. There are 23 new careers staff in the Province who can give appropriate guidance. We are trying to make the system as flexible as possible.

However, there will be those who have fallen through the net. I urge them to talk to the careers advisers who can be found in jobcentres or to look at our departmental website where they will find guidance. That is my advice. The Department will try to be as flexible as possible with those young people.

Mr B McCrea: There is much to praise in the Minister's statement. I will touch on the issue of the sun: those who were here yesterday know that the sun

does not always shine, that the rain comes and dark clouds gather. When that happens, people take shelter in this place. I commend the Minister for offering shelter to those who are suffering as result of the economic travails and downturn.

I ask the Minister to expand on an issue: what is his thinking behind the setting of the allowance to apprentices at the minimum wage rate? The Minister is aware that I have previously raised the issue with him. Is he concerned that some apprentices might have been paid below the minimum wage rate in the past and that that might be to the detriment of future provision?

The Minister for Employment and Learning: Some Members have raised that issue on a number of occasions. I have said that we propose to pay all apprentices, irrespective of their age, the full minimum wage rate of £5.73 an hour. That means that even if an apprentice is under 22 years of age, he or she will still receive that rate. I do not propose to apply the rate according to age; rather, a flat rate will apply to all.

The Low Pay Commission is undertaking a review of the minimum wage, and I have commented on that in letters and statements to several Members. We are well aware of the concerns. The minimum wage is a national issue because Whitehall is responsible for determining and enforcing it. I assure the Member that when the review is complete, I will bring it to the House, because I know that many Members have an interest in the issue and have felt that apprentices were exploited in the past.

MINISTERIAL STATEMENT

North/South Ministerial Council

Aquaculture and Marine Sectoral Format

Mr Deputy Speaker: I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement on the North/South Ministerial Council (NSMC) meeting in aquaculture and marine sectoral format.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. I wish to make statement, in compliance with section 52 of the NI Act 1998, on the recent meeting of the North/South Ministerial Council in aquaculture and marine sectoral format. The meeting was held in Carlingford on Thursday 30 April 2009. The Executive were represented by Jeffrey Donaldson and me, and the Irish Government were represented by Eamon Ryan TD, Minister for Communications, Energy and Natural Resources, and by Conor Lenihan TD, Minister of State. This statement has been agreed with Jeffrey Donaldson.

The Council welcomed a progress report on the work of the Loughs Agency on the conservation and protection of the fisheries of Lough Foyle and Carlingford Lough, which was presented by the chairperson, Mr Tarlach O Crosain, the vice-chairperson, Ms Jacqui McConville, and the chief executive, Mr Derick Anderson.

The Council noted the following points: the impact of the extreme weather conditions that were encountered in 2008 on commercial and recreational fisheries; the agency's continued success in the detection of illegal fishing activity; the collaboration with industry partners in the conservation of marine species in Lough Foyle; the development of partnerships with agencies from both jurisdictions to respond to a major incident in Carlingford Lough; and the successful delivery of the amended Foyle and Carlingford primary legislation in improving the significant voluntary conservation and protection support that angling clubs and associations provide.

Ministers welcomed progress on the agency's application for funding under EU INTERREG IV, for which a letter of offer is now imminent, and on the development projects that the agency's sustainable development programme supports. They also noted the progress made towards the licensing of aquaculture and the introduction of the oyster regulations with the engagement of stakeholders.

Ministers welcomed a presentation from Dr Walter Crozier from the Agri-Food and Biosciences Institute, and Niall Ó Maoiléidigh from the Marine Institute, on a joint programme of research that the Loughs Agency

commissioned and that Queen's University and the Marine Institute conducted into the genetic population structure of Lough Foyle salmon and the stock composition of the commercial fishery.

I found the presentation fascinating, and it was particularly interesting to hear that the research demonstrated conclusively the positive result of fisheries' management decisions. We were told that the cessation of a significant proportion of commercial salmon netting, for which a hardship scheme was put in place for the fishermen affected, was marked by a drop to zero of the number of non-Foyle salmon caught in the fishery that remains.

Ministers also noted that the science partnerships that were established during that period have played a leading role in the development of a major Europe-wide research project on the use of genetic techniques to identify origins of salmon caught at sea (SALSEA). That was especially significant, and I welcomed the local involvement in the European context in my response to the presentation.

12.00 noon

The council approved the Foyle Area and Carlingford Area (Licensing of Fishing Engines) (Amendment) Regulations 2009, and it also noted plans to bring forward commencement orders. Those orders are required for a staged and managed introduction of the new powers that are available to the Loughs Agency to develop and license aquaculture and to protect the fisheries in the Foyle and Carlingford areas. It also noted that further regulations will require NSMC approval in 2009. It was interesting to hear that although some stakeholders object to any form of regulation, others appreciate the fact that the boundaries and rules are now clear.

The council also discussed the 2009 draft business plan, progress towards the establishment of an unsocial hours allowance, and the salmon hardship scheme. It agreed that its next meeting in the aquaculture and marine sectoral format will take place in July 2009. Go raibh míle maith agat.

The Chairperson of the Committee for Agriculture and Rural Development (Dr W McCrea): I thank the Minister for her statement. The fisheries policy seems to be to introduce hardship schemes for those in the industry rather than to have a proactive and co-ordinated plan for the development of the sector. The House has heard about the salmon hardship scheme, and the Committee for Agriculture and Rural Development will hear later today about the hardship scheme for the beleaguered Northern Ireland fleet.

Will the Minister tell the House how she will ensure that the industry itself does not collapse? Will she further indicate what the Department and the Loughs Agency are doing to ensure that the commercial and

recreational fisheries in Northern Ireland are attractive to those wishing to enter into the industry for the first time and to those outside Northern Ireland who wish to participate in recreational fishing, thereby supporting tourism potential?

The Minister of Agriculture and Rural

Development: The questions and answers today are based primarily on what was discussed at the NSMC meeting, and that particular issue was not discussed. However, I assure the Committee Chairperson that the Department is doing all that it can to continue sustainable fishing in the Foyle and Carlingford areas and at sea. Indeed, I have just returned from the EU Fisheries Council in Brussels where that issue was discussed.

The Department wants to see sustainability in the fishing industry, and any illegal fishing and overfishing will have an impact on that. Therefore, a managed approach is required, and the Loughs Agency is doing excellent work in that area. Such an approach will ensure the sustainability of fishing in those areas as a means for the local population to make a living and as a tourist attraction. The Department works closely with the Department of Culture, Arts and Leisure (DCAL) on issues that concern both Departments.

Mr Elliott: I thank the Minister for her statement. I would like to concentrate on successes in the detection of illegal fishing. Will she elaborate on the details of illegal fishing and how the detection process is operating? Will she also tell us the levels of detection that there have been?

The Minister of Agriculture and Rural

Development: At the meeting, representatives of the Loughs Agency reported the increased need for enforcement, and they referred to their knowledge of five poaching crews. They also provided a list of recent seizures, including two extremely high-value cars. Indeed, that type of car is not normally seen in the car park here. By the looks of things, those who are fishing illegally are not short of a bob or two. The agency also receives reports from angling clubs about their river watchers, and that information includes details on some 500 licence checks. Therefore, the Department is keeping a very close eye on the matter to ensure that the actions of those fishing illegally or poaching fish do not militate against our efforts.

Mr P J Bradley: I thank the Minister for her statement, in which she referred to:

“The development of partnerships with Agencies from both jurisdictions to respond to a major incident in Carlingford Lough.”

What type of incident did the Ministers have in mind when those preparations were being made? Does that reflect on any previous experience of a particular type of incident? Is such work something new, or was it planned?

The Minister of Agriculture and Rural

Development: The exercise was carried out to ensure that we are prepared for any event. In January, the agency hosted a desk exercise on a simulated marine pollution incident in Carlingford Lough that was enthusiastically received by everybody who was involved in it, including the UK Maritime and Coastguard Agency, the Irish Coast Guard, Warrenpoint and Greenore harbour authorities, Louth County Council, the NIEA (Northern Ireland Environment Agency) and Carlingford Lough shellfish fishermen and their representatives. The exercise highlighted the need for a joined-up cross-border approach in the event of a maritime incident. A series of follow-up actions is planned, including a real-time oil-booming exercise and a review of both jurisdictions’ oil-spill response procedures for Carlingford Lough. Such preparatory planning ensures that we will be able to cope with any incident that might arise.

Mr Ford: I, too, thank the Minister for her statement. She referred to a drop to zero in the number of non-Foyle salmon caught in the one remaining salmon fishery at sea. First, what plans are there to remove that last remaining netting arrangement, and secondly, what data exists on the number of salmon that are now entering the Foyle system compared to the period before the nets were removed? It seems that the principal economic benefit will be derived from allowing the maximum number of salmon into rivers for anglers, preferably those from outside Northern Ireland who pay large sums of money to support our local tourist industry.

The Minister of Agriculture and Rural

Development: The figures for 2006 show that non-Foyle fish were caught from the Eskra and Bush rivers, which had not been meeting their conservation targets. Cessation was supposed to help them to comply with the habitats directive. Ongoing fish tagging means that the Rivers Agency will be able to identify where fish come from and where, and if, they return to spawn. We need to work closely with others in order to see where the fish go, whether they come back and, if so, how many come back, so that, based on that information, we can decide which rivers offer sustainable angling and which require further work. Gathering all that data will help us to make the best decision that we can.

Mr Shannon: I thank the Minister for her response. She said that she was in Brussels yesterday, and I know that she was there because news reports have already carried the story. Did the Minister discuss, or does she intend to discuss, the regionalisation of the fishing industry? In other words, might we be able to work within the United Kingdom and Ireland in an attempt to retain and promote fishing?

The Minister also mentioned salmon fishing, a subject on which other Members touched. Speaking

not as fisherman but as one who is aware of what fishermen like, the ultimate prize for a fisherman is to catch a salmon. Similarly, for a shooting man, the ultimate prize is to shoot a goose or a red stag. For a fisherman, to get a salmon is to reach the top of the tree. Will the Minister confirm whether the tourism potential of salmon fishing was discussed and how we might take full advantage of it?

The Deputy Speaker: I knew that Mr Shannon would mention shooting at some stage.

The Minister of Agriculture and Rural

Development: I shall indulge him a wee bit — not that I have favourites — and veer off the topic of my statement.

Yesterday, in the discussions in Brussels, we welcomed the fact that there will be less micromanagement by the Commission of the quota and more regional control. Nevertheless, there is much work to do; we still have to engage with industry stakeholders to determine how we might bring forward changes. Although good work has been done, much more must be done in preparation for the North/South Ministerial Council meeting in December.

At the end of the meeting yesterday, I met Joe Borg. I also met my Southern counterpart to discuss how, as an island nation, we can ensure that our fishermen are able to fish sustainably into the future. That meeting was useful.

The Member is right that the goal of a lot of anglers is to catch salmon and other types of fish. We want them to have a fishing experience that they will talk about when they return to their own countries. However, regardless of how much work is done by the Tourist Board, Fáilte Ireland or whoever else, word-of-mouth recommendations are hugely important.

We want all tourists to have worthwhile and valuable experiences. The very good work being done by the Loughs Agency is ensuring that more people who come here to fish for enjoyment are given a good experience and the possibility of catching quality fish. We are always working towards enhancing the fishing experiences of the people who visit.

The Deputy Speaker: Every time the story is told, the salmon gets bigger and bigger.

The Minister of Agriculture and Rural

Development: Yes; and they talk about the one that got away. *[Laughter.]*

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I also thank the Minister for her statement. Will she elaborate on the Loughs Agency's proposal for an unsocial hours allowance to be given to river watchers?

The Minister of Agriculture and Rural

Development: The Loughs Agency wishes to pay an allowance to its field staff to take account of the unsocial hours that they work, and it is preparing a business case in that regard. Such allowances require the approval of the Finance Ministers, North and South, and the NSMC, but we want to make it happen. We must recognise the good work that is being carried out by the Loughs Agency's staff and reward them for that work accordingly.

EXECUTIVE COMMITTEE BUSINESS

Social Security (Lone Parents and Miscellaneous Amendments) Regulations (Northern Ireland) 2008

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

That the Social Security (Lone Parents and Miscellaneous Amendments) Regulations (Northern Ireland) 2008 be approved.

The regulations were laid before the Assembly on 1 December 2008. Unemployed single parents are five times more likely to be poor than those who are in jobs. More than one third of children who live in lone-parent households in Northern Ireland are living in poverty and more than a half of the children who live in workless, lone-parent households are living in poverty.

For lone parents, having even a part-time job reduces the likelihood of their child living in poverty to 17%. The figures I quote are taken from the recent Committee for the Office of the First Minister and deputy First Minister's report on child poverty. In addition to the financial benefit, paid work provides far-reaching social, health and personal benefits for the lone parent and the children in a household.

The intention behind the regulations is to provide opportunities for paid work to more lone parents and to support them in creating a better standard of living for themselves and their families. The purpose of the regulations is to implement new arrangements for lone parents with older children who claim income support solely on the grounds of being a lone parent. Instead of continuing to receive income support until their youngest child turns 16, parents who are able to undertake paid work may claim jobseeker's allowance when their youngest child reaches 12; by 2010, they will be able to do so when their youngest child reaches the age of seven. With support and assistance, those parents will be required to look for paid work that is appropriate to their individual situation.

To ensure a smooth transition, the changes are being phased in, starting with lone parents of children who are over the age of 12. Lone parents who have a disability or health-related condition that limits their capability to work may be able to claim employment and support allowance. The regulations do not apply to lone parents who are entitled to income support on other grounds, such as those who are in receipt of carer's allowance or those who foster. Lone parents who have a child for whom the middle or highest rate care component or disability living allowance is payable will remain eligible for income support.

To ensure further that that change does not compromise children's welfare, the regulations designate lone parents

as a vulnerable group so that the jobseeker's allowance hardship regime may apply in certain circumstances.

12.15 pm

The regulations also include transitional protection for lone parents who receive income support and are full-time students; lone parents who are undertaking a work-related qualification; lone parents who are undertaking work placements in the Department for Employment and Learning's Steps to Work programme; and lone parents who are on an approved New Deal for lone parents scheme. Lone parents in those categories will remain entitled to income support until their youngest child reaches the age that is in force at the time at which they commence their studies.

To provide opportunities to prepare and support lone parents for the change, the regulations include the introduction of mandatory, quarterly work-focused interviews in the last year in which they are eligible for income support. The changes that are set out in the regulations form part of a package of ongoing welfare reform and are intended to contribute to the strategy to eradicate child poverty.

I appreciate that some claimants face greater barriers in obtaining work than others, especially parents who may face extra challenges because of their children's needs. To recognise that, extra support has been provided to lone parents to assist them to find and keep a job, and to progress once they have settled into employment.

The Department for Employment and Learning provides support to help lone parents to find work through its Steps to Work programme, which offers access to a personal adviser and a range of services. Lone parents have the opportunity to gain a work-related qualification; meaningful and relevant experience of the workplace through quality job placements; assistance with essential skills; and help with developing the skills that are needed to search for work and to sustain employment.

A return-to-work credit of £40 a week is now available to all lone parents in Northern Ireland on their return to work. That can also help to overcome barriers to employment. Lone parents can also access help when they are settling into their job. For example, financial help can be provided through the adviser discretion fund. A payment of up to £300 for the purchase of goods or services may be available to overcome any unexpected financial barriers that might otherwise prevent a lone parent from remaining in paid work.

Tax credits are also available. In December 2008, around 13,700 Northern Ireland families were benefiting from the childcare element of working tax credit. Those families received, on average, childcare support of around £80 a week.

The regulations strike the right balance between providing financial and other assistance to support families and our wider responsibilities to lift individuals, families and children out of poverty. I recognise that lone parents, who do not have the support of a full-time partner, may require extra help to balance their family needs with looking for work. For that reason, the regulations contain additional flexibilities to help and support lone parents who are actively seeking work while often facing challenging personal circumstances.

Most importantly, employers must consider whether it was unreasonable for a lone parent to stay in a job or to take up a job because appropriate, affordable childcare was not available. I fully appreciate the current problems with childcare provision in Northern Ireland. To compensate for that, I have built in an extra flexibility, which is not available in Britain, for lone parents here. Where it is clear from the outset that no suitable childcare is available in an area, the requirement to attend the office fortnightly will be waived, and, instead, the lone parent will be asked to attend only every 13 weeks. I reassure the House that no lone parents in Northern Ireland will be sanctioned if suitable and affordable childcare is not available in their area.

We face challenging times during the current global economic climate. However, it is important that the mistakes of previous slowdowns are not repeated and that people are not allowed to slip into long-term inactivity. That is bad for individuals and their families because it traps them in dependence and poverty.

Northern Ireland's labour market remains dynamic. Many people continue to move between employment, unemployment and inactivity. Job opportunities continue to become available, notwithstanding the economic downturn. The Department for Employment and Learning strives to help people to return to employment as quickly as possible. It provides fast and easy access to thousands of jobs, information, advice and access to necessary skills development. Active labour-market policies such as these regulations will ensure that lone parents do not become further detached from the labour market and are well placed to benefit from current jobs and other opportunities as the economy picks up.

The regulations provide for the right help and support to be available to lone-parent claimants who can work but, often, face challenges to doing so. At the same time, it supports claimants and potential claimants for whom work is not an option in a way that best suits their circumstances. As well as operational safeguards, guidance and training for staff, the additional flexibility to jobseeker's allowance that is contained in the regulations offers protection to the most vulnerable people.

It is not wrong to encourage and support lone parents to find work. Indeed, it is wrong to neglect to do so. I hope that Members will agree that those changes to the regulations are worthwhile and necessary to ensure that, when the children of lone parents are older, those lone parents who are able to work are assisted to seek work with appropriate support.

Ms Purvis: I thank the Minister for taking the time to explain the thinking and intentions behind the regulations and how they are supposed to be applied in practice. I appreciate that they are intended to support reforms in the country's welfare system and to have a positive impact on child poverty by, ideally, increasing lone parents' employment rate. I also understand that the regulations are moving forward now to ensure parity of implementation throughout the UK. However, I have a number of concerns about whether any of those objectives will be achieved.

First, what has happened to the principle of joined-up government? Where is the childcare strategy that is an inherent part of making those changes work? On Monday 20 April 2009, the Assembly debated and passed a motion that called on the Executive to produce a national childcare strategy to address the dearth of accessible, affordable and flexible childcare in the Province. Throughout the debate, each party acknowledged that there is already a shortage of appropriate childcare services to deal with the existing need and that that is particularly the case for older children, who are the ones who will be directly affected by changes in the regulations.

The regulations will create more demand for childcare services. Unlike in England and Wales, where local authorities have a statutory duty to meet childcare needs in their areas, Northern Ireland has no such safety net, no strategy to get there and no Minister who is willing to take the lead in making that happen. Lone parents make up a striking percentage of the number of families who live in, or are at risk of, poverty or are struggling with debt. Efforts to help to move those families towards greater financial health are certainly to be welcomed. However, those regulations appear to ignore the fact that the primary barrier to paid employment for unemployed women is affordable childcare. Without addressing that issue, the regulations run the risk of simply pushing more single-parent families into greater financial stress. If the Minister's argument for bringing forward the regulations is one of parity, why does she not consider full parity that includes provisions for childcare services to be addressed?

Secondly, where are the jobs? We are in the midst of a recession in which there are daily announcements of redundancies and layoffs. Parents with young children already face tough challenges to finding appropriate

employment because the type and number of hours that they can work are restricted.

That is particularly true for lone parents, who often do not have the necessary support networks at home to enable them to work flexible or highly demanding hours. As a result, they tend to find low-paid or low-value work. Therefore, we are pushing those women — I refer to women because more than 95% of lone parents on income support are women — into low-paid work and adding additional and expensive childcare costs to their monthly expenses, and that is assuming that they can find such childcare. That is the real dilemma. Will the legislation move more children out of poverty and away from the risk of poverty, or will it put more families at risk of falling into greater financial stress or, even, poverty?

I appreciate that the Minister has added a few elements of extra flexibility to the implementation of the regulations to protect from sanctions those parents who cannot find childcare. However, it seems to be a highly subjective system. On what information will front line staff base their assessment of whether an area has childcare provision? Will they base it on their own experience? What will happen if they have never been exposed to the availability of services in the area? Although I am certain that the Minister has examined those issues, I ask her to consider whether it is appropriate to delay the introduction of the regulations until those critical matters have been addressed fully.

Ms Lo: I share many of the concerns expressed by Ms Purvis. Given the economic downturn, it is unrealistic to expect lone parents to seek jobs. The lack of a childcare strategy is another major concern. I urge the Minister to talk to the Executive so that they can, as quickly as possible, formulate a childcare strategy that will enable women to access affordable and flexible childcare provision, without which there is no point in telling women to seek work. As the Minister said, it is not wrong to help women to go out and seek work, but we must be realistic.

At the moment, the Department is still playing ping-pong games and shirking its responsibilities in relation to the provision of childcare facilities for school-age children. It is important that the Executive agree who is responsible for that and formulate a strategy to provide women with access to proper childcare provision before they are asked to seek work.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. As so often happens, we are told that legislation is progressive, innovative and beneficial. However, in reality, it is punitive to those upon whom it impacts and whom it is designed to help. That is certainly the case with the Social Security (Lone Parents and Miscellaneous Amendments) Regulations.

Lone parents will have to claim jobseeker's allowance instead of income support. As other Members have asked: where are the jobs at the moment? The legislation currently affects lone parents whose youngest child is aged 12. From October 2009, lone parents with a youngest child aged 10 will be affected, and, from October 2010, the legislation will affect those with a youngest child aged seven.

Interestingly, I dealt with a case last week in which a lone parent, who is also a foster parent, will lose income support because she will be expected to claim either employment and support allowance or jobseeker's allowance. That will impact on her income, and, therefore, she will not be in a position to foster. She takes into foster care the most difficult children on the books of social services. The legislation will not only affect her, but the children to whom she devotes much time and effort.

12.30 pm

There are regional anomalies in the North, particularly with respect to lone parents. As has been mentioned, there is a dearth of childcare provision and no childcare strategy: that must be rectified. Also, for a person to access the childcare element of working tax credit, their child must be cared for by a registered childminder. It is not immediately clear how the regulations will help lone parents and relieve child poverty.

Ms J McCann: Does the Member agree that the regulations will have a disproportionate and potentially negative effect on women in particular, as 87% of lone-parent families are headed by mothers? Does he also agree that in the absence of a childcare strategy and quality affordable childcare more pressure will be placed on vulnerable families both financially and socially?

Mr Brady: I thank the Member for her intervention. I agree that the legislation will be of no benefit to the vast majority of lone parents and will in fact have an adverse effect on them. The legislation highlights the need for us to address those issues in which parity makes the situation worse for people here in comparison with those in Britain. Legislation introduced in England and Wales in 2006 makes it incumbent on local authorities to provide proper childcare. If a gap is identified, it is up to the local authority to fill that gap. That legislation does not apply here.

Issues relating to child poverty will be impacted by the regulations. Lone parents will be forced into a situation in which they have to take jobs that are not necessarily suitable for them, and they will not be able to access the childcare element of working tax credit, thus putting them in an invidious position.

Mr Armstrong: I thank the Minister for bringing the Social Security (Lone Parents and Miscellaneous Amendments) Regulations (Northern Ireland) 2008 to

the Assembly. I welcome the general thrust of the regulations, which is geared towards removing lone parents and children from benefit dependency and poverty. It is crucial that lone parents are given every opportunity to reach their full potential, support their families and get into work.

However, an important issue has been brought to my attention, and it raises wider questions about the way in which parity regulations are approved. In the absence of accessible, affordable and comprehensive childcare provision in Northern Ireland, the positive impact of the regulations may be limited when compared with other areas of the United Kingdom that have comprehensive childcare strategies. What discussions has the Minister had with her Executive colleagues about the creation of a revised childcare strategy, and what impact will the absence of such a strategy have on the implementation of the regulations?

The Minister for Social Development: I thank all the Members who have contributed to the debate: Dawn Purvis, Anna Lo, Mickey Brady and Billy Armstrong. All of the contributions pinpoint the lack of and need for an approach involving a childcare strategy.

When I discussed the regulations in the Executive as far back as December 2008, I highlighted the fact that there was clear absence of a childcare strategy; that I did not have ministerial responsibility for that; and that there were in fact others sitting around that Executive table who did have that ministerial responsibility. It is my understanding that on 18 June there will be a meeting of the ministerial-led group dealing with children and young people. I hope that at that stage we will be able to develop a revised childcare strategy to take on board the various issues that have been raised by Members today, particularly the implications of the economic downturn, of differing employment opportunities and probably the lack, in some rural communities —

Mr F McCann: Will the Minister give way?

The Minister for Social Development: I am responding, but I will give way on this one occasion.

Mr F McCann: I know that the Minister answered questions that were asked by the Committee at one of its meetings. The Minister has stated that a meeting is due to take place, but would it not be better at this stage to suspend any decision until there is a proper childcare strategy?

The Minister for Social Development: I view that simply as an attempt by the Member's party to stall progress. I made the point at the Executive meeting in December that the Sinn Féin Minister with responsibility for the issue had not brought the revised childcare strategy forward.

I will deal with the various issues that have been raised. Dawn Purvis spoke about the lack of childcare provision and asked what would happen if it was not available. Because of Northern Ireland's particular circumstances and the parity issue, I was able to introduce flexible arrangements that mean people, either because of their personal circumstances or the inaccessibility of some rural communities, do not have to go until after the prescribed limit, as is the case in Britain, but only after 13 weeks.

I will provide some detail on the role of personal advisers. Advisers are required to consider the availability and suitability of childcare when they consider whether a parent's childcare responsibilities made it unreasonable for him or her to stay in employment, take up paid employment or to carry out a jobseeker's direction. I take the point that most of the time it is women who find themselves in those situations. I stress that advisers must also consider any necessary childcare expenses where they represent an unreasonable amount of that person's earnings. A lone parent who is also claiming jobseeker's allowance will not be penalised if he or she has just cause for leaving a job or not taking up a job because of their childcare requirements.

I freely acknowledge that there are problems with childcare provision in Northern Ireland. That is why I built in those extra flexibilities, which can be used by advisers in the Department for Employment and Learning and the Social Security Agency. For example, where it is clear from the outset that there is no suitable childcare available in the area, the requirement to attend fortnightly at the jobs and benefits office or social security office will be waived. The job search activity can be confirmed by post until such times as childcare is available. In those circumstances, the customer will only be asked to attend the office every 13 weeks.

I agree with the Members who spoke in the debate: there is a definite need for a proper childcare strategy. I do not have lead ministerial responsibility for such a strategy. As I said at the outset, that responsibility lies with another Minister.

Ms Purvis: I acknowledged that the Minister had introduced certain flexibilities. On what information will advisers make their judgements? Is this not a subjective system in which advisers are left to their own ends to make decisions regarding local availability and affordability of childcare?

The Minister for Social Development: I reassure Ms Purvis that I will insist that personal advisers use the most objective criteria and are sensitive and sympathetic to the people concerned. If Ms Purvis knows of cases that highlight a policy issue or point to a level of insensitivity, she should provide me with the

details so that the matter can be pursued. Notwithstanding that, I want to ensure that the highest level of sensitivity and objectivity is exercised so that due care, attention and sympathy are extended to potential claimants. The majority of those claimants will be women who will have certain requirements that must be recognised.

Dawn Purvis also asked whether these moves trap lone parents in low-paid jobs and simply move them from benefits to in-work poverty. One of the most effective tools available to personal advisers is the better-off calculator, which performs two main functions: it provides advice to customers about the range of benefits that they may be entitled to, and it estimates how much better off the customer could be in work. From today I will ensure that those personal advisers carry out their work in a most objective way.

Dawn Purvis also spoke about the employment position of lone parents. The lone parent employment rate has increased by 4.9% from the same quarter in 2007. Since 1997, it increased significantly by 15.9%, meaning that there were an extra 11,000 lone parents in work. The gap in the overall employment rate increased by more than 12%.

Anna Lo raised similar issues about the childcare strategy. I return to my original point: I do not have ministerial responsibility for that strategy. I raised that point in direct correspondence with my Executive colleagues when I brought the regulations to them for approval.

Mickey Brady raised the issue of foster carers being excluded under the new legislation. The entitlement of a fostering lone parent is not affected by the changes, as he or she is not claiming income support solely on the grounds of being a lone parent. That group has been exempted from the changes, as those lone parents would have greater difficulty in being available for paid work with the extra responsibilities of looking after at-risk children who cannot live with their parents.

Mr Brady: Will the Minister give way?

The Minister for Social Development: I have given way sufficiently. I will address other issues raised by Mr Brady, which may help him.

Mr Brady asked whether we are putting more pressure on parents by wanting them to work and take more responsibility for their children by ensuring that they eat healthily and get more exercise. Growing up in a workless household or in poverty can have a significant negative effect on a child's physical and social development. There is no doubt about that. Research is available to prove that point, but we do not need research to see that; we have ample evidence from our own communities.

I believe that the regulations constitute a balance between providing financial and other support to lone-parent families and our wider responsibilities to lift individuals and children out of poverty. Parental employment can bring benefits to the adults involved through increased self-esteem, extended social networks, a greater sense of control and reduced mental health problems, all resulting in knock-on benefits for children.

Maternal employment in particular can be an important protection against future hardship, notwithstanding the fact that we are in an economic downturn and that finding employment may be difficult, particularly for those in rural areas. That is why childcare strategy must be revised.

Billy Armstrong is absolutely right: there is a need for a childcare strategy. I highlighted that many months ago when I brought regulations to the Executive in December 2008. It is important that that be put in place. I hope that the meeting on 18 June will ensure that that happens.

The regulations ensure that the right help and support will be available for lone parents who want to work but who face demanding challenges in doing so. At the same time, we will ensure that customers who have a limited capacity to work are supported in a way that best suits their circumstances. I believe that, for those who can work, work is the most sustainable route out of poverty for them and their children. Equally, I understand that there may be difficulties and challenges facing people in obtaining employment and in trying to sustain themselves in their own community.

We all know that work is good for people's health and well-being and that it raises self-esteem and prospects for all families. Paid work promotes choice and independence and on a wider scale supports our society and increases community cohesion. No lone parent — I emphasise that point — in Northern Ireland will be sanctioned if suitable and affordable childcare is not available in their area. That is notwithstanding the fact that there should be a proper childcare strategy in place. We know where the responsibility for that lies.

12.45 pm

I thank all Members who contributed to the debate for the interest that they have shown in the regulations. If Members hear of particular difficulties in the outworking of the regulations, through either constituency representations or contact that they have with people who are subject to the regulations, they should relay them to me so that they can be examined in the context of the policy and form part of a suitable submission to the Secretary of State for Work and Pensions. That is important, because, as I said, the regulations are a piece of parity legislation on which I

was able to exert a degree of influence. The parity nature of the legislation means that final responsibility for it lies at Whitehall and Westminster. I commend the motion to the House.

Question put.

The Assembly divided.

Mr Deputy Speaker: Order. Due to an error in the appointment of Tellers, we have to stop the vote and rerun it. The Tellers for the Ayes are Mr Burns and Mrs Hanna, and the Tellers for the Noes are Mr Brady and Mr Fra McCann.

The Assembly divided: Ayes 48; Noes 17.

AYES

Mr Armstrong, Mr Attwood, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Buchanan, Mr Burns, Mr Campbell, Mr Cobain, Rev Dr Robert Coulter, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Dr Farry, Mr Ford, Mrs Foster, Mr Gallagher, Mr Gardiner, Mr Hamilton, Mrs Hanna, Mr Hilditch, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr I McCrea, Dr W McCrea, Dr McDonnell, Mr McFarland, Mr McNarry, Lord Morrow, Mr Newton, Mr O'Loan, Mr P Ramsey, Ms Ritchie, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Burns and Mrs Hanna.

NOES

Ms Anderson, Mr Boylan, Mr Brady, Mr Butler, Mr W Clarke, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mrs McGill, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Ms Purvis, Ms S Ramsey.

Tellers for the Noes: Mr Brady and Mr F McCann.

Question accordingly agreed to.

Resolved:

That the Social Security (Lone Parents and Miscellaneous Amendments) Regulations (Northern Ireland) 2008 be approved.

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

The sitting was suspended at 1.03 pm.

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

2.00 pm

PRIVATE MEMBERS' BUSINESS

Educational Underachievement

Mr Deputy Speaker: In accordance with the Business Committee's agreement to allocate additional time when two or more amendments have been selected, up to one hour and 45 minutes will be allowed for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. Two amendments have been selected and published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr B McCrea: I beg to move

That this Assembly urges the Minister of Education to put in place more efficient, targeted measures to deal with educational underachievement rather than relying on the mechanism of free school meal entitlement.

One sometimes wonders where to begin on an issue as complicated as education. Many factors affect the future well-being of our young people and country, but few are more basic than numeracy and literacy skills, which our young people need in order to move forward. All sides accept that those who come from more socially deprived areas, particularly areas of multiple deprivation, face a number of additional challenges. We must try to find a way to support them.

However, my party and I are concerned that we have not yet found a proper way of identifying those people. How do we target resources correctly? The motion was tabled after a discussion in the Education Committee. The 'Every School a Good School' policy document states that a substantial body of research confirms the correlation between social disadvantage and educational performance. It goes on to say that free school meal entitlement is regarded as the best indicator yet of social disadvantage in our schools.

However, the conundrum is then posed by the statement that many schools with exactly the same level of free school meal entitlement or exactly the same level of social deprivation achieve hugely different performance outcomes. That must suggest that although entitlement to free school meals is important, it is not the sole or best indicator in that regard. Other areas must be considered to establish how intervention should be targeted.

The 'Every School a Good School' policy document goes on to explain why free schools meals are used as a measurement in transfer 2010, which the Minister has presented for consultation as though it is a panacea for our problems. However, even the report that brings the matter forward clearly identifies that free school meal entitlement appears to advantage certain sections of the community and disadvantage others. Its own analysis sets out that there is a difference between the cohorts, which clearly indicates that there is a problem with analysis in that area. Nobody is suggesting that we should not try to target intervention at those who need it most. We are saying that the selection of a clearly unequal criterion that is not working compounds and reinforces inequality rather than addresses it.

I note that two amendments to the motion have been tabled. That is to be welcomed. Nevertheless, given the discussions that were held beforehand, I am a little confused about the arguments that are being put forward. I fully accept and understand the amendment tabled by the DUP. It contains points that were discussed in detail in the Education Committee. I agree that the amendment refers not to a matter of opinion but to one of fact, consideration of which has previously led me to issue a challenge to the Minister of Education — and I did that very dangerous thing for all politicians: I said, on air, that I was not sure what to do next.

That is a statement from which I will not resile because there is a problem in our education system and there appears to be no way of tackling it. I am quite happy for somebody to correct me on this because I am not exactly sure of the details, but I am led to believe that the important topic of animal welfare has been discussed 10 times by the Executive. I do not understand why that is the case, but education has not yet managed to make it onto the Executive's agenda. Is there anything that is more important for our people than sorting out the education debate?

Many parents come to me and ask whether anything will be sorted out. Although I would welcome being contradicted about this, I fear that the answer is that we have decided that education is too difficult for us to sort out. It seems that we have decided to leave that issue alone and deal with something that is a little more commensurate with our abilities. The people of Northern Ireland will not understand that.

I believe that Sinn Féin may be prepared to support the DUP amendment, which is only an addition to our motion. I do not understand that; it is fundamentally incorrect to rely on free school meal entitlement because it clearly differentiates and discriminates against certain folk. In this case, it is the political people —

Mr O'Dowd: Will the Member give way?

Mr B McCrea: I will if the Member is short.

Mr O'Dowd: I am not short. *[Laughter.]*

On a number of occasions during his speech, the Member indicated that free school meal entitlement is an unequal measure. Will he explain how he has come to that conclusion, given that school meal entitlement is calculated on the basis of household incomes?

Mr B McCrea: Despite the fact that the Member is not short, I am glad that he intervened. There are three or four matters that lead me to that conclusion, which is what this debate is all about.

Education maintenance allowance (EMA) is awarded using similar criteria to those used for free school meal entitlement. I have a list that indicates that one school had a 3.47% take-up of free school meals and a 32.8% take-up of education maintenance allowance. Another school had a 3.23% take-up of free school meals and a 29% take-up of education maintenance allowance. If the criteria are based on the same principle of encouraging people to come forward, why is there a disparity?

That disparity continues right through the different sectors. Those particular figures happen to be taken from the controlled grammar school sector but I have other figures in front of me also. If the Minister is so keen to encourage people from lower-income backgrounds to come forward, why does she discriminate against good schools, such as controlled grammar schools? The free school meal entitlements for controlled grammar schools are below 5% yet, when it comes to sixth form, those schools bring people forward in the very way that we want.

I also refer Mr O'Dowd to the conclusions of, and questions from, the equality impact assessment of the transfer 2010 guidance. The free school meal criterion is shown to advantage Catholic children as, although only 50% of children who are in P6 are Catholic, of those who receive free school meals, 62% are Catholic. Is the Member saying that children in the Protestant sectors are better off than children from the Catholic tradition? I do not think that that is the case. All the educational underachievement figures that are contained in the PricewaterhouseCoopers report indicate that the fundamental problem is in Protestant working-class schools. That report categorically states that the criterion of free school meal entitlement goes the wrong way, and that is why it is not the answer.

The third thing that I will say to destroy the Member's assertion is that there is a marked difference in the performances of schools that have pupils from similar backgrounds, that are based in areas with similar levels of social deprivation and in which there are similar levels of free school meal uptake. Therefore, free school meal entitlement is not a reliable indicator. The fact that we try to build the entire way forward for our educational debate by using that criterion is

shameful. It will perpetuate social inequality; it will not deal with the problem.

Whenever we discuss how we can have a reasoned debate, I have to say — and I was trying to develop this point — that I do not know how to get the Minister of Education to listen to reason. Nobody is saying that we should not try to tackle certain issues in our society or that there are not areas where we could do better. We are saying that where the system is working, surely we should maintain it. Where there are lessons to be learned, surely we should learn them. Where there are facts, evidence and reports that contradict statements that are being made, surely we should listen to those rather than get on an ideological tub and start thumping and saying “it is my way or no way”. That is not the way forward for this type of society.

We want to address genuine and serious issues, but there also are many success stories to discuss.

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

Mr B McCrea: Other Members will talk about the great successes that there have been in the model schools in Belfast. The Ulster Unionist Party is committed wholeheartedly to supporting those who need help, but we will not support a clearly discriminatory policy. We call on the Minister to think again.

Mrs O'Neill: I beg to move amendment No 1: Leave out all after “Assembly” and insert

“recognises the relationship between educational underachievement and social deprivation and that the use of free school meal entitlement is a robust indicator of children from low income households; further recognises that educational underachievement is caused by a range of social and economic factors; and urges all the Executive Departments to tackle these factors in a joined up way.”

Go raibh maith agat, a LeasCheann Comhairle. I should say at the outset that Sinn Féin will accept the DUP's amendment, provided that our own is passed. However, I make it clear that in no way will we accept the UUP's conservative motion. I thought that the motion was about educational underachievement; however, it is obvious that the Member who moved it lost his way and could not articulate that point.

We have debated educational underachievement no less than twice in the past number of months. The evidence is clear, and we have all referred to it time and again. The facts are before us. There is a correlation, which is recognised across the world, between social disadvantage and educational outcomes. In the North, 27% of pupils who are entitled to free school meals achieve five good GCSE grades A to C, whereas 60% of those who are not entitled to free school meals achieve those grades. That is more than double the figure for pupils who are entitled to free school meals.

Since coming into office, the Minister has recognised the need to urgently address educational

inequalities. She has taken forward a number of high-level policies that will tackle underachievement and inequality, including the revised school improvement policy, the early years strategy, the literacy and numeracy strategy, and the special educational needs review.

Mr McCrea claims that using the free school meal entitlement as an indicator is a blunt and unreliable device, but evidence to the contrary exists. The Committee for Education was given a briefing from departmental officials last week. A lot of information supports the fact that the free school meal entitlement has long been recognised as a good proxy of many aspects of social deprivation and that it is a robust indicator of deprivation in its own right. It is a good measure of disadvantage; the evidence shows that clearly. Mr McCrea mentioned transfer 2010; however, the Equality Commission's response to that considered the free schools meals entitlement to be an appropriate proxy for poverty and social deprivation. That is very clear for us all to see.

There are a number of reasons why the entitlement is used as a measure. First, it is highly correlated with the multiple deprivation measure. Secondly, it relates to individuals, meaning that it is a more robust method than assuming that everyone in an area is the same. Thirdly, it is current. Fourthly, it is readily available for us to use as part of the census return. Even with the evidence base for using free school meal entitlement as an indicator, it is not the only measure that the Department uses. The Minister can, perhaps, tell us more about that in her response.

Mr McCrea referred to some variation between schools. That is to be expected even when allowances are made for socio-economic status. However, even between schools that have similar levels of disadvantage, the difference in the number of pupils reaching the expected level in literacy and numeracy at Key Stage 2 in primary schools that have above-average free school meal entitlement can be as much as 60 percentage points. At Key Stage 3, the difference can be as much as 40 percentage points. At GCSE level, in schools where 50% and more of pupils are entitled to free school meals, the variation in the proportion of pupils achieving grades A to C is around 20 to 30 percentage points. Those are facts that the Minister of Education has chosen not to ignore. As I said, policies and systems are in place that will work to achieve equality in the education system.

That work aims to ensure the success of every child, regardless of his or her background, gender, sexual orientation or race and regardless of whether he or she has a disability or comes from the Travelling community. All schools should be safe havens to which children can go to learn and to be encouraged and supported to achieve their potential.

2.15 pm

The education system across the North performs well at the highest levels, but it does not compare well in an international context. Too many young people are not achieving the educational outcomes that should be the norm on completion of 12 years of compulsory education, and we need to be more effective in raising standards overall and, particularly, in reducing the levels of underachievement. As I said already, the Minister has set in train a number of measures that will do that from within the Department of Education, and she has also signed up to a number of public service agreement targets, in conjunction with Departments such as DEL, Health and DSD. We need to support and enhance that work, and we must ensure that all our children — not only the chosen few — reach their potential. Go raibh maith agat.

Mr Storey: I beg to move the following amendment: At end insert

“; and notes the issue of underachievement of boys, and specifically boys from deprived Protestant areas, as identified by reports commissioned by NISRA into the literacy and numeracy of pupils; and calls on the Minister of Education to outline what action her Department is taking to address this specific problem.”

I support the Ulster Unionist Party's motion, if amended by the DUP amendment. The amendment expands on the Ulster Unionist Party's motion. Some time ago, the Committee for Education received evidence that Protestant boys, in particular, were suffering as a result of underachievement. The NISRA research publication, 'Literacy and Numeracy of Pupils in Northern Ireland', indicated that there were a number of factors around the issue of underachievement.

In the course of the debate, no one in the House will try to somehow mask the fact that there is a problem. However, they can try to avoid the problem — to duck and dive. I will respond to some of Mrs O'Neill's comments in a moment to prove that if one continues to say the same thing, there is always the risk that people will begin to believe one's propaganda.

I remind Members that we are dealing with underachievement, and we are seeking mechanisms and methods to deal with that problem. Why are some pupils underachieving? The NISRA report says that there is:

“A lack of parental involvement in their children's education”.

We have to send out a challenge to parents. I speak as a parent who, sometimes, struggles with his 16-year-old daughter's homework, because it has advanced so much from the days when I was at school. We have to ensure that we continue to engage with our children and that we know what is taking place in schools.

The report states that there is:

“A perceived lack of value placed on education in certain areas, particularly deprived Protestant areas”.

I am glad that, for once, a document has been produced that is unashamed in its use of the word “Protestant”. There is a culture emerging in Northern Ireland in which one has to almost whisper the word. I am not ashamed to use the word; I am proud of my Protestant heritage and Protestant culture. Here we have Government statistics and analysis that says that there is a problem in deprived Protestant areas.

The Minister comes to the House and lectures us. In her monotone, she tells us how she is concerned about the children. Then she tells me and my colleagues on this side of the House that we are failing the Protestant community. Now we have evidence: Government statistics showing that there is a problem in the Protestant community. What has the Minister done about that? As usual, there is no eye contact, no response, no answers, no solutions — only rhetoric.

The NISRA report also mentions:

“a shortage of positive role models”,

and gives a list of factors that affect underachievement, such as:

“A decline in the readiness for schooling of pupils entering primary school”.

Then it says:

“One of the issues identified by the NIAO and PAC reports was the underperformance of boys, and, specifically, boys from deprived Protestant areas, compared to girls in Northern Ireland.”

The question that must be asked is: what is the Minister doing? Among the raft of paperwork that comes to the Committee for Education — I do not know how many trees were cut down to produce all the documents — I have not seen one report from her Department, excluding independent analyses from NISRA or the Public Accounts Committee, that has stated that such a problem exists in the Protestant community.

Yes, the terms “Irish medium” and “Travelling community” are used. Let me repeat, just in case it creates an issue, that I have no problem with making provision for the Travelling community. I have no problem with making provision where it can clearly be seen that demand for Irish-medium education exists. Remember that we spend £20 million a year on that sector, which, according to the Education and Training Inspectorate's 'Chief Inspector's Report 2006-2008', is beginning to slow down. That sector is not as progressive as we were told it was. However, in case I am accused of fundamentalism, of which I was accused a few weeks ago, or sectarianism or racism, let me state that that is not what we are about and put that accusation to bed.

None of the documents that come from the Minister's Department states that there is a problem in the working-class Protestant community. Therefore, Minister, in the House today, can you unequivocally —

Mr Deputy Speaker: I remind the Minister — sorry, the Member, although he may be a Minister in future — to speak through the Chair, please.

Mr Storey: Through you, Mr Deputy Speaker, I ask the Minister, when she responds to the debate, to tell us clearly, without fudge or prevarication, what she has done. Let us not hear about 'Every School a Good School' or about numeracy and literacy policy, because neither of those policies refers to boys' underachievement, particularly Protestant working-class boys.

The proposer of amendment No 1, Mrs O'Neill, said that our school system does not perform well internationally and that, in that context, we are really very poor. I remind the Member of the briefing note 'Comparisons of Educational Attainment' that the Assembly's Research and Library Service compiled on behalf of the Committee for Education, of which she is a member. The note is not DUP propaganda, nor was it written by a hybrid of strands of unionism ganging up on the Minister, but is independent analysis that states:

"With significant differences between jurisdictions with respect to the types of qualifications obtainable, any comparative assessment of educational attainment performance presents challenges."

That quotation clearly states that problems present when comparing figures.

Members should note what the briefing note goes on to say about what the programme for international student assessment (PISA) said about Northern Ireland. We are always being told how PISA is a great system. We ignored the trends in international mathematics and science study (TIMSS), because it would have cost us £400,000, although that would have provided a more accurate measure of deprivation and its associated problems. However, according to the briefing paper, PISA's report shows:

"Northern Ireland's performance is broadly in line with rest of the UK and outperforms OECD average in science"

and in other areas. Therefore, to try to present to the House the argument that we are not performing internationally is not to be accurate with the figures.

We can bandy figures back and forth across the Chamber and debate statistics, but, in today's debate, we are throwing down a challenge to the Minister. I will repeat that challenge: can she provide evidence that she has taken on board the arguments and the statistical data that state clearly and unequivocally that there is a problem in that Protestant boys are underachieving? What is she doing about that?

Remember that she is the Minister for all the children. She tells us that she is concerned about all our children. Today, she has an opportunity to prove to the House that she has done something specific.

I shall now deal with the issue of free school meals.

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

Mr Storey: I have one minute left of my allotted 10 minutes. If someone were to intervene, I would be able to squeeze another minute out of my speech.

What is the Minister doing to encourage the Protestant community to take up free school meals? It is clear that in that community, a stigma is still attached to claiming free school meals. Mr Basil McCrea mentioned the EMA, and there is no stigma attached to claiming that. One reason is probably because it is not seen as such an issue, whereas in our community, there is still a problem with getting our people to apply for free school meals.

We will work with our community to deliver on that, but what is the Minister doing to encourage people to take up free school meals? She has done absolutely nothing. However, even if she were to do something, it would still not be a fair and accurate way of making sure that an objective monitor can be put in place to discover the underlying reason for underachievement in our schools.

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

Mr Storey: I support amendment No 2.

Mr Deputy Speaker: As Question Time will commence at 2.30 pm, I suggest that Members take their ease until that time. The debate will continue after Question Time, when the next Member to be called to speak will be Mr Dominic Bradley.

The debate stood suspended.

(Mr Speaker in the Chair)

2.30 pm

Oral Answers to Questions

EDUCATION

Childcare

1. **Mrs Long** asked the Minister of Education what action has been taken, to date, by her Department to clarify departmental responsibility for school-age childcare. (AQO 2771/09)

The Minister of Education (Ms Ruane): Tá roinnt Ranna freagrach as cúram leanaí i dTuaisceart na hÉireann. Childcare is a responsibility shared between a number of Departments in the North of Ireland.

Access to good, affordable childcare is an important element in achieving a range of Government objectives, including helping parents to move into work, training or education or to increase their working hours if they wish. It also plays an important role in extending choice for women, and high-quality provision can have a positive impact on children's educational and health outcomes. The needs of children and parents and the range of services are dependent on the age of children and the appropriateness and quality of care, and go beyond school-aged childcare alone.

In recognition of the cross-cutting nature of childcare, my Department has contributed to a working group led by officials in the Office of the First Minister and deputy First Minister (OFMDFM) as part of the subgroup on poverty, which is one of the six key priority themes identified by the ministerial subcommittee on children and young people. That working group has prepared a paper scoping out the issues and needs for childcare and is examining future options for the provision of childcare. The paper will be discussed by the relevant Departments on 18 June, following the meeting of the Executive.

Mrs Long: I do not think that anyone would disagree with the importance that is put on childcare generally. However, the issue of school-age childcare is particular in that there has been a dispute rumbling between the Departments of Health and Education as to who is responsible. I am seeking an assurance that the Department of Education is proactively seeking a solution. As the Minister said, it is critical to lifting families out of poverty.

The Minister of Education: I absolutely agree that high-quality childcare is important. It is a shared policy between three Departments: the Department of Health, Social Services and Public Safety (DHSSPS), the Department for Employment and Learning (DEL) and the Department of Education. OFMDFM is leading a working group on the matter, and there will be a meeting on 18 June.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I welcome what the Minister has said. Does she expect to see a new childcare strategy for the North on the back of that working group?

The Minister of Education: Beidh ionadaithe ón Roinn Sláinte, Seirbhísí Sóisialta agus Sábháilteachta Poiblí, ón Roinn Fostaíochta agus Foghlama, ón Roinn Fiontair, Trádála agus Infheistíochta, ón Roinn Talmhaíochta agus Forbartha Tuaithe, ón Roinn Forbartha Sóisialta, ó Oifig Thuaisceart na hÉireann, mar aon le hionadaithe ón Roinn Oideachais ag freastal ar chruinniú ar 18 Meitheamh leis an bpáipéar ar chúram leanaí a phlé.

DHSSPS, DEL, the Department of Enterprise, Trade and Investment (DETI), the Department of Agriculture and Rural Development (DARD), the Department for Social Development (DSD) and the NIO, along with the Department of Education, have been invited to attend a meeting on 18 June to discuss the paper on childcare emerging from work under the auspices of the subgroup on child poverty. That meeting will assist Departments in shaping their next steps.

Mr B McCrea: When the Minister is considering all of those issues for childcare and a review of the overlapping issues, will she give us an indication of when she expects to report on the workforce review in schools, which she gave a commitment to do in 2007 to the classroom assistants, who play a valuable role in the care of our children?

The Minister of Education: Today, the focus is on the childcare strategy. There will be a meeting on 18 June at which we will bring forward proposals.

Community Relations: Funding

2. **Mrs M Bradley** asked the Minister of Education what interim arrangements are being proposed by her Department to sustain funding beyond 2009 for the community groups funded by her Department's community relations core funding scheme. (AQO 2772/09)

The Minister of Education: Chreid mé le fada go raibh an beartas um chaidreamh pobail ró-chúng, agus tá mé iontach sásta go bhfuiltear anois ag dul i ngleic leis an ngné seo tríd an athbhreithniú.

I have long held the view that the community relations policy has been too narrowly defined, and I welcome the fact that that dimension has been explored through the review. Work on the revised community relations policy is well advanced and will be brought forward in due course. I will consider any funding issues within the context of the revised policy. The scope of the review of policy includes enshrining equality and good relations as core principles, and addressing section 75, which places a statutory duty on public bodies in carrying out their various functions to have due regard to promoting equality.

The scope of the review also includes taking into account the views of persons from each of the nine groups listed in section 75 and focusing on the wider concepts of diversity and issues affecting the two main traditions. Under section 75, public authorities are also required to:

“have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.”

Mrs M Bradley: Is the Minister aware that staff are now being put on notice and that schools are being informed that their respective education and library boards have no money for the schools' community relations programme? Will she tell the House why there has been a deafening silence from her Department?

The Minister of Education: The current method of funding community relations programmes was to end on 31 March 2009. However, as community relations continue to be addressed by schools and youth groups throughout the summer months, funding was extended until August 2009. All organisations currently in receipt of community relations funding, including the 26 core-funded groups, have been advised of the extension and that the outcome of the review may impact on the level of funding available. It is essential that our community relations policy reflects our section 75 duties and the diversity of groups across the range of section 75 groups. I hope that the Member is not suggesting that we leave out any group included in section 75.

Mr Shannon: My concern, and that of many other Members, is for the continuity of funding for community relations groups. Lack of continuity has an adverse effect on staff and on the impact of the programmes that they carry out. Will the Minister confirm that, as her ministerial responsibility and her promise to people involved in those groups implies, she will ensure continuity of funding so that the good programme of work that they do will continue?

The Minister of Education: I have already answered that question. The Department informed all organisations of the review well in advance, and it informed them of the review's implications. It has

given an extension to the community relations programme. That was meant to end in April but, because of summer activities, we have extended it to August 2009.

Teacher Redundancies

3. **Mrs D Kelly** asked the Minister of Education how many teachers are being made compulsorily redundant this year. (AQO 2773/09)

The Minister of Education: Discussions are ongoing between employing authorities with a view to securing volunteers for redundancy and the redeployment of teachers in redundant posts where appropriate. It is therefore not yet possible to identify the number of compulsory redundancies, if any, that there will be in 2009.

I am informed, however, that employing authorities do not anticipate any increase in the number of teacher redundancies in 2009, and I am pleased to report that the number of teacher redundancies in schools has fallen significantly over the last two years as a result of ongoing reform of the arrangements for compensating teachers for redundancy and premature retirement.

An eight-week consultation on the draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations 2009, and on equality screening of the draft regulations, closed on 15 May 2009. The Department is currently analysing all the responses to that consultation. When the analysis is complete, a summary of responses and a revised equality screening will be published on the Department's website. At that point, I will consider the outcome and review any equality duties in relation to the matter.

Mrs D Kelly: Naturally, I am disappointed, though not surprised, that the Minister did not answer the question.

Is it not the case that the budget that schools and employing authorities have at their disposal, as well as school numbers, will, in some part, determine the number of compulsory redundancies? Does the Minister concede that her proposals on teacher redundancies will have a disproportionate and detrimental impact on young female teachers, many of whom are in their first teaching post? Does she further concede that the proposals should have been equality screened and impact assessed before they were put out for public consultation?

The Minister of Education: I answered the Member's question, and I will now answer her numerous supplementary questions. The proposal has been the subject of a consultation exercise, and the responses are being studied. I hope that the Member is not suggesting that I pre-empt that work. An extra £6

million to give to the employing authorities has been found, and I hope that the Member is pleased about that. The proposal has been equality screened; however, I will review the proposal, if the responses to the consultation suggest that there is a need to do so.

Mr Easton: Does the Minister agree that it is an absolute disgrace that only in the past two to three months has the South Eastern Education and Library Board made contact with teachers at Donaghadee High School about redundancies and teacher placements elsewhere? Does she also agree that it is totally unacceptable that those teachers found out about that only two or three months before the school's closure?

The Minister of Education: Rather than comment on a particular school, I will respond to the Member in writing.

Mr K Robinson: Given the annual cull of teachers, many of whom are based in schools that are located in areas of high disadvantage and that already have too many composite classes, will the Minister indicate her estimation of the impact of that ongoing cull of highly skilled teachers?

The Minister of Education: It is interesting to hear the Members opposite say that they support the secondary school sector, and I welcome the fact that they support it. However, I ask that they reflect on the reason why a disproportionate number of secondary schoolteachers are suffering redundancies. In case some Members do not understand why that is happening, let me explain the situation again: the amount of money that a school gets is based on the number of children taught there; and the number of teachers that a school can employ is based on the number of children at that school. In our classrooms, there are 50,000 empty desks. Which schools are bearing the brunt of those 50,000 empty desks? It is the secondary schools. Yet, Members of the two parties opposite fail to support secondary schools and fail to support change in the system. Thankfully, — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

The Minister of Education: Thankfully, my party stands by the pledges that it made. We stand by our pledge to reform the education system in order to make it fair. Here we have crocodile tears — *[Interruption.]* Members are reacting because they know what is happening. They know that the current system disadvantages our secondary schools, which have the greatest number of children receiving free school meals, the greatest number of children with special needs and the greatest number of empty desks. That is the case because grammar schools accepted pupils who got a grade A in their 11-plus first, then the pupils who got a grade B, then those who got a grade C, and then those who got a grade D. Thankfully, the 11-plus is gone. No more — *[Interruption.]*

Mr Speaker: Order.

The Minister of Education: No more will children be discriminated against in that way.

Lagan College

4. **Ms Lo** asked the Minister of Education to outline why there is a delay in reaching a decision on rebuilding premises at Lagan College. (AQO 2774/09)

The Minister of Education: Ó rinneadh Aire díom, chuir mé in iúl an imní atá orm faoi úsáid comhpháirtíochtaí príobháideacha poiblí i scoileanna. Since coming to office, I have opposed the use of public-private partnerships in schools. I have not approved any new school PPP projects since taking up office.

The Lagan College/Tor Bank Special School project was one of a number of legacy PPP projects already in procurement when I was appointed. Remaining issues must be resolved before a preferred bidder can be appointed for the building project to extend and refurbish Lagan College. As a preferred bidder has not yet been appointed, the specific issues remain commercial in confidence. My Department is liaising closely with representatives of the project board to ensure that all issues are addressed as a matter of urgency.

Ms Lo: I thank the Minister for her response. Will she confirm that the project is definitely going ahead, given that a promise was made to the school seven years ago?

2.45 pm

The Minister of Education: Tor Bank School and Lagan College require, and will receive, new school buildings. However, there are issues that need to be resolved.

Mrs Hanna: Will the Minister tell the House how many capital projects have fallen behind their target start dates? Does she have plans to ensure prompt delivery of those projects?

The Minister of Education: My Department currently has more money than it has ever had to spend on capital projects. We must ensure that that money is spent wisely and carefully and that we rebuild our schools estate.

I will write to the Member to answer her detailed question. I am delighted that so many new school builds are in place. Members may be pleased to note that, last year, for the first time in a long time, there was no underspend in the Department's capital spend. That happened because I placed a huge emphasis on ensuring that that budget was spent.

Special Educational Needs Review

5. **Mr A Maskey** asked the Minister of Education to confirm if the SEN (special educational needs) review has been submitted again to the Executive Committee for approval to go out for public consultation.

(AQO 2775/09)

8. **Ms Anderson** asked the Minister of Education what risk exists to the £25 million, secured through the Programme for Government and Budget for implementation of the policy proposals of the SEN review, if implementation of the review is further delayed.

(AQO 2778/09)

15. **Mr P Ramsey** asked the Minister of Education when the results of the special needs review will be published; and when additional funding will be released for this area of education.

(AQO 2785/09)

The Minister of Education: With your permission, Mr Speaker, I will take questions 5, 8 and 15 together.

Le breis agus 60,000 — 18·6% — páiste agus duine óg a bhfuil riachtanais speisialta oideachais acu agus le 13,210 — 4·1% — a bhfuil ráiteas acu, ní féidir neamhaird a dhéanamh a thábhachtaí atá riachtanais speisialta oideachais don chóras oideachais go ginearálta.

Everyone accepts that more must be done to ensure that the 60,000 children with special educational needs — some 18·6% of our children — are given the opportunity to achieve during their time at school. Unfortunately, although many Members talk about the need to provide more effective support for those children, their will to deliver does not seem to be as strong as their rhetoric.

Despite the fact that a document on the review of special educational needs and inclusion was first referred to the Executive in July 2008, I have been unable to progress the proposals arising from that review as planned. That is due to the lack of an Executive agreement to issue those proposals for public consultation. On 8 May 2009, I resubmitted the policy proposals to the Executive for the third time and again recommended that the Executive agree to issue the proposals for public consultation as soon as possible. Once again, my request appears to have fallen on deaf ears. Almost 11 months on from the original referral, and despite the Assembly's supporting last week's motion to issue that document, I regret to report that, unbelievably, the consultation document did not make it onto the Executive agenda on Thursday 21 May. Parents of children with special needs have questions, which they need to ask the party opposite.

This year, I made £750,000 available to bring forward a range of initiatives that support many aspects of the policy proposals that do not require legislative change. The shift in timescales caused by the delay means that

I may not be able to commence implementation of the full package of proposals in 2010 and 2011, but I plan to use £24 million for capacity-building programmes to enhance the current provision.

I thank all the other Assembly parties for supporting last week's motion; only one party voted against it. Those programmes will help to ensure that our educational system can provide an effective continuum of support for the continuum of need in our schools.

The policy proposals that emerged from the review relate to the most vulnerable individuals in our society. The public consultation is much anticipated by all those who are involved in the extensive pre-consultation stage, particularly those parents who have experienced difficulties with the current framework and who remain frustrated that they are being prevented from giving their opinion on the proposals. It is my firm hope that my Executive colleagues will now agree, at the earliest opportunity, to issue the policy proposals for consultation. Any further delay will result in difficulties remaining unresolved.

Every day that passes means that some of our children continue to fall through the identification net, and they do not receive the help that they need when they need it. Most importantly, every day that passes means that this Assembly continues to fail children with special educational needs.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer, even though the substance of it was disappointing. Will she clarify to the House why her proposals following the special educational needs review have not been tabled for discussion by the Executive?

The Minister of Education: As I said, I have brought the matter to the Executive on a number of occasions. One party is blocking the proposals from getting on the agenda. Last week, we heard the reasons why. There is a lack of progressive thinking. My colleague John O'Dowd clearly outlined some of the reasons why one party is blocking the proposals, and that party must now question its position: we cannot continue to fail children with special needs. Therefore, I expect the proposals to be on the Executive's agenda for discussion.

Ms Anderson: With respect to Question 8, how does the Minister intend to spend the £25 million? Go raibh míle maith agat.

The Minister of Education: We are already spending £188 million in relation to children with special needs. In addition, we have an extra £25 million. We are making sure that, as well as providing for special needs children, we are providing for the further category of children with additional educational needs, so that we remove barriers to learning at an early stage. The proposals are progressive and radical,

and intensive work has been carried out by experts in the field.

Mr P Ramsey: I thank the Minister for her response. Given that every parent's greatest fear is to be told that their child has special needs, will the review of special needs services ensure that the statementing process is streamlined and made less worrying for parents?

The Minister of Education: Until I publish the matter for consultation, it is not possible to answer the Member's question in detail, although his point is well made. The statementing process takes far too long and it stops early intervention and intervention at the point of need. The proposals will ensure that we intervene earlier and that we take a whole-school approach with respect to special needs children.

Mr Kennedy: Twenty-two minutes have passed. I will see whether I can get an answer to a question. Will the Minister explain how efficiency savings of £2.5 million in the provision of special education in 2010-11 will be affected given that she has proposed increased spending of £25 million?

The Minister of Education: We are already spending £188 million; we need to ask ourselves whether we are spending it in the best way. Much of our psychologists' time is spent on the statementing process, yet many children are left without the support that they need. The extra £25 million for special needs children is an important resource that must be freed up as soon as possible.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Tá ceist agam faoi na daltaí úra a tháinig isteach go dtí an tír seo agus na riachtanais speisialta oideachais atá acu.

Does the Minister agree that newcomer pupils also have special needs and that the policy on newcomer pupils that she published recently fails to outline how services, such as educational psychology, speech and language therapy, and education welfare, will be adapted to cater for their needs? Moreover, will she assure the House that that glaring omission will be rectified without further delay? Go raibh míle maith agat, a Cheann Comhairle.

The Minister of Education: As the Member knows, I launched the newcomer policy, which is part of the 'Every School a Good School' policy, at Botanic Primary School. Members will know that a growing number of newcomer pupils have come to the island of Ireland. In the North, we have newcomer pupils from many different countries. Our Department has very progressive policies on newcomer pupils, and we sent a toolkit for diversity to every primary school throughout the Thirty-two Counties.

At the North/South Ministerial Council last week, head teachers from right across the island gave a presentation on the strategies that are being used to ensure that we make the most appropriate interventions for newcomer pupils. English as an additional language is one of the areas in which we need to assess our provision. Our Department has some of the most progressive proposals on this island. I was very proud of many of the principals who presented to Batt O'Keefe, Reg Empey and me at the North/South Ministerial Council meeting.

The Member asked about the provision of services such as educational psychology for newcomer pupils. The 'Every School a Good School' and the 'Review of Special Educational Needs and Inclusion' documents are both part of the same whole-school approach to those matters, and we await the proposals from the review of special needs.

Mr Storey: The Minister has yet again rehearsed the importance of children with special needs. However, in the wake of the collapse of the Republic of Ireland Government's funding of the Middletown Centre for Autism, when will she tell the House about her plans? Rather than merely issuing press releases, when will she tell the elected representatives in the Chamber how the money will be spent to directly deliver for children who suffer from autism and their parents, rather than being put into a scheme that faces financial crisis?

The Minister of Education: I respectfully suggest that the Member reads his programme to find out when I will make a statement about the North/South Ministerial Council and the Middletown all-Ireland centre of excellence. The Middletown Centre for Autism is very good; we had our meeting there last week. It is regrettable that the Government in the South of Ireland have said that they cannot currently afford to continue supporting the centre in the way that we had previously agreed.

However, the North/South Ministerial Council meeting was very useful, and we have agreed to review the decision that was made by the Minister in the South of Ireland. I very much look forward to continued discussions on the matter. The Middletown centre is world-class, and it provides some of the best training on the island. Indeed, I met teachers from various communities who told me that North Carolina is the only other place in which such training is available. Thankfully, there are now opportunities on the island of Ireland that we did not have before, and that will continue.

Area-based Planning

6. **Mr Burns** asked the Minister of Education what progress has been made with Area-based Planning.
(AQO 2776/09)

The Minister of Education: Tá dul chun cinn maith déanta ar an ngné seo. Eisíodh mo dhréacht-pháipéar beartais ar phleanáil bhunaithe sa cheantar don údarás um oideachas agus scileanna le haghaidh comhairliúcháin phoiblí anuraidh. Ina dhiaidh sin, cuireadh an beartas faoi bhráid Choiste Oideachais an Tionóil le haghaidh a bhreithnithe.

Good progress has been made. My draft policy on area-based planning for the education and skills authority was issued for public consultation last year, and it is now being considered by the Committee for Education. I understand that very good progress has also been made with the post-primary exercise that I announced last year. The central group will report to me on that exercise shortly.

Mr Burns: Will the Minister explain what will happen to the children in my constituency of South Antrim who have no choice but to commute outside the constituency, to schools in Belfast, Ballymena and Magherafelt? Those children will be at a severe disadvantage when the proposed area-plan postcode lottery is introduced.

Some Members: Hear, hear.

The Minister of Education: I agree with the Member that far too many children are leaving their home towns and villages and spending hours travelling to schools that are not local to them. Public money must not be spent in a way that is disadvantageous for young people. The transfer 2010 guidelines that I brought forward are about family, geography and community. They are about building up local communities and cohesion and keeping keeping brothers and sisters together. Too many children are passing one other, in buses, and are not members of their local schools. One reason why I introduced transfer 2010 was to avoid such situations; another was so that children could be a major part of the local community.

3.00 pm

I agree with the Member: we must create a system that has an area-based-planning approach and builds up local schools, rather than the willy-nilly approach that has been taken in the past. Far too many young people — thousands of them — are travelling into Belfast, and that is decimating local schools.

EMPLOYMENT AND LEARNING

Mr Speaker: Questions 1 and 2 have been withdrawn.

Holylands Stakeholders Forum

3. **Ms Lo** asked the Minister for Employment and Learning for his assessment of the recent meeting of the Holylands stakeholders forum; and what actions his Department will take to address antisocial behaviour in the Holylands.
(AQO 2793/09)

The Minister for Employment and Learning (Sir Reg Empey): I was encouraged by the discussions that took place at the forum on 7 May 2009. On the basis of those discussions, a draft report will be produced and circulated to all the delegates for their consideration. Tackling antisocial behaviour requires a multi-agency approach. When the report is finalised, I shall write to the relevant agencies and organisations, including my Executive colleagues, with a view to agreeing the way forward.

Ms Lo: I thank the Minister for his reply. I accept that that is a complex problem, involving not only the universities but the Government. Will the Minister consider forming an interdepartmental task force to ensure that all relevant agencies work together on the action plans to address the issue comprehensively?

The Minister for Employment and Learning: The Member will be aware that a number of groups exist. My purpose in convening a meeting of stakeholders was not to create any more tiers of administration or bureaucracy; it was to bring people together and to give a political lead in a situation that had deteriorated rapidly. I will await the outcome of the report, but as the Member knows, Belfast City Council and other groups meet already. It is clear that a number of Departments, as well as the Northern Ireland Office and other groups, will be involved in the solution. We must not forget that the most important group in influencing events comprises the students.

I cannot confirm that another body will be created; we shall see what the report says. I intend, subject to the details of the report, to reconvene the stakeholders in the autumn, by which time I hope that we will have a comprehensive proposal to put forward. We shall ask other Departments, agencies, the students, the residents and others to follow a particular course of action. Our actions on the matter are a work in progress.

Mr Spratt: I welcome the Minister's initiative. I was unable to go to the meeting, but I was invited. Does the Minister agree that not all of the problem comes from the universities and colleges and that much of it comes from antisocial behaviour, which has

been created and allowed to build up over the years? Does he agree that the Police Service of Northern Ireland must play a major role to ensure that anti-social behaviour orders (ASBOs) and other measures are used in the area? The people of the area have been plagued by the problem for years. Will the Minister encourage the Police Service to do its bit in coming to terms with the problem of antisocial behaviour in the Holylands area?

The Minister for Employment and Learning: The Member is correct in saying that the problem does not come exclusively from students at the universities and the colleges. In fact, because of the number of houses in multiple occupation in the area, some of the people in question have nothing to do with the universities.

The PSNI was invited to the meeting and was present, as were representatives from the NIO. Their involvement will be critical because of certain specific issues, and the Member will be aware of some of those. For instance, under current legislation, police cannot even go into a front garden of a house where misbehaviour is taking place. Such stupidity limits the action that the police can take. Consequently, the area becomes a place of misery for its residents.

ASBOs have not proved to be terribly successful, and I am not convinced that they necessarily are the answer. The Member is correct to say that the problem's causes are widespread and complicated, and there is no single cure. That will take time and a multi-agency approach. Certain issues are at play that are unrelated to the universities. The Member has to look only at the addresses of some of the people who have been charged to detect that a broad spectrum of people has been involved. People who do not reside in the area come into it simply to participate in trouble. The Member is well aware of those issues.

Mrs Hanna: Is the Minister aware of any plans by the universities or, indeed, by the private sector to develop alternative student accommodation?

The Minister for Employment and Learning: Yes, I am. Belfast City Council has received a planning application for 260 units of accommodation at the Elms Village, and that raises problems. Recently, I met representatives of the area's residents' association, who expressed concern at the prospect. Equally, residents of the Holylands say that the density of students in that area is too great, and they want the universities to provide more student accommodation. Therefore, a fundamental conflict exists, which the process must resolve. I hope that after the report is brought to me during the summer, my Department can come back in the autumn with clear proposals that can be followed to ensure that the disgraceful scenes that occurred in March 2009 are not repeated in 2010.

Rev Dr Robert Coulter: I thank the Minister for his answer. Will he confirm whether the need to provide adequate suitable student accommodation is likely to be one factor that will be considered when assessing the University of Ulster's proposals for the Cathedral Quarter?

The Minister for Employment and Learning: The Member's assumption is correct. The Department has received a proposal from the University of Ulster to move some of its courses to its Belfast campus. The university intends to expand that campus significantly, which could increase pressure on the Holylands. That issue must be taken into account. My Department has not had any detailed discussion with the University of Ulster on that issue, but I can assure the Member that it is at the top of my list.

Student Accommodation

4. **Mr Neeson** asked the Minister for Employment and Learning what plans he has to ensure that Queen's University and the University of Ulster will provide more student accommodation in line with universities in other parts of the UK. (AQO 2794/09)

The Minister for Employment and Learning: Mr Neeson's question relates to previous questions. Provision of accommodation is primarily an issue for the universities. I have been advised by the University of Ulster that current provision at its Jordanstown campus is not fully occupied, so it has no plans to expand that accommodation. To date, Queen's University has invested some £45 million in creating the Elms Village. Recently, a planning application for 260 bed spaces for postgraduate and international students at the Elms Village has been submitted.

Mr Neeson: I thank the Minister for his reply. Obviously, my question relates to previous questions. Is the accommodation that has been proposed at the Elms Village intended only for international and postgraduate students? Accommodation for first-year students is needed. Does the Minister acknowledge that universities across the water provide, on average, 25% of student accommodation whereas Queen's University provides only 15%?

The Minister for Employment and Learning: There is no doubt that that is the case. Indeed, I challenge those figures and say that the percentage of accommodation that is offered by Queen's University might even be less than that. Levels of student accommodation are primarily in the university's remit. It is commonplace for other universities to insist that first-year students live in halls of residence.

That is not the case in Belfast, because the universities argue that there are some empty places in their accommodation. The reason for that can be

related to the rental issue, which is a matter that the stakeholder forum can consider. Some people believe that houses in multiple occupation should pay more rates because of the extra cleaning that the council has to do in the areas in which they are situated. Such a move would balance the rents.

We need to address many issues, and I assure the Member that all those are in the mix. The facilitator who presided at the stakeholder forum and his team are drafting the report of that event. As the Member knows, the event comprised six workshops. Everybody who attended has considered all those issues, and I look forward to reporting the outcome to the House at a later stage.

Mr Ross: Student accommodation is a significant problem, as are parking facilities for students, particularly at the University of Ulster campus in Jordanstown. Given the location of that campus, many students have to travel there in their own cars. Will the Minister assure the House that he will provide adequate parking facilities at that campus? Furthermore, what discussions has he had with Translink to build public transport links to that university and to encourage students to use public transport to reach the campus?

The Minister for Employment and Learning: Parking is a difficulty at both campuses. I draw the Member's attention to the fact that through its green zone policy, Queen's University has, in many cases, prevented students from parking in the curtilage of its grounds. As the Members for South Belfast will know, residents in places such as Beechlands have been forced, in some cases, to park their vehicles on the streets because Queen's will not allow the owners of those vehicles on to their own properties.

If the University of Ulster were to move a significant number of its courses to the Belfast campus, parking would be part of the planning arrangements. Given the nature of such a massive development, I would be surprised if a public inquiry were not conducted, because I am sure that there would be demand for one. The Member asked about Translink; I will take that matter on board and will write to him in due course after I have had an opportunity to consult the Department.

Mr K Robinson: Has the Minister assessed the potential impact that the campus transfer may have on the housing needs of the resident population in north Belfast, which experiences housing pressures already? What steps will be required prior to any move in order to avoid another Holylands situation developing in the north of the city?

The Minister for Employment and Learning: I am conscious of that matter. Although they were not affected directly by the recent violence, I asked residents from the Lisburn Road area and the Malone

area to participate in the stakeholder forum because of the potential spread of the problem. As was raised in the stakeholder forum, there might be a proposal to move a significant body of students to, or to increase the number of students in, the Belfast campus. It is perfectly obvious that there is little or no accommodation in that area. That shortage will result in immediate further pressure being put on the Holylands or on the areas that are immediately adjacent to north Belfast. I expect that any comprehensive proposal that may be brought forward in due course will deal with that matter. I hope that we have learned lessons from the Holylands problem; allowing a repetition of that situation would be a dereliction of duty.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. I want to follow up Mr Robinson's question. If the Minister creates a stakeholder group to consider the proposed move to York Road, it is incumbent on him to talk to people in the surrounding area rather than to allow the consultation from another area to influence the proposals for that area.

3.15 pm

The Minister for Employment and Learning: Of course, each proposal will stand on its own merits. I am merely saying that we should learn from the mistakes in one area and apply the lessons to another area.

The proposals that I am aware of for a partial move from Jordanstown to the York Street site would require a substantial programme of capital build. There would be a need for accommodation; apart from university-based and course-based accommodation, there is also an issue concerning parking and residential accommodation. All that will have to be dealt with in a proper appraisal. The proposals cannot be acted on unless significant public funds are made available. I can assure the Member that all those matters will have to be taken into account. I am merely saying that, having seen what went wrong in the Holylands, we should not make the same mistakes in another area.

Employment: South Down

5. **Mr McCallister** asked the Minister for Employment and Learning to outline the changes in the numbers of (i) jobseeker's allowance claimants; and (ii) vacancies in the South Down constituency, over the last 12 months. (AQO 2795/09)

The Minister for Employment and Learning: The number of jobseeker's allowance claimants in the South Down area has increased from 369 in April 2008 to 874 in March 2009. That is an overall increase of 137%. In April 2008, the Department was notified of 71 vacancies. The same number of vacancies was notified to the Department in March 2009.

Mr McCallister: I am grateful for the Minister's reply. My constituency of South Down has been hard hit by the downturn; the figures that he has just provided certainly confirm that. What specific actions are his Department taking to help those in South Down who find themselves on the jobless list?

The Minister for Employment and Learning: I have been to visit a number of jobcentres in that area. I have been to Kilkeel, Banbridge, which is adjacent to the Member's constituency, and Newry, which is on the periphery of his constituency. There is no doubt that there has been a considerable increase in the number of people seeking work, and, as can be seen from the figures, even though the number of applicants for jobseeker's allowance has increased by 137%, the number of vacancies has remained static. That tells its own story.

A wide range of assistance is available to redundant workers who sign the unemployment register, but I suspect that the Member has in mind the large number of people in that area, particularly in the construction sector, who may be self-employed and are in grave distress and difficulty but who are not showing up in those figures. I know that that is one of the Member's concerns.

Personal advisers in the jobcentres provide information and advice on employment opportunities, job searching, training, further education options and early entry into the Department's Steps to Work programme, which is the mainstream programme for dealing with unemployment.

I can also tell the Member that in the South Down area, the Department is working as a partner in the recently formed employment task force for the Mourne area, which has been set up as a direct response to the economic downturn. The group aims to deliver a practical working document that will map out the short-term and long-term solutions for addressing issues around the current economic recession.

The task force was established in March of this year and includes all relevant stakeholders from the public, private and voluntary sectors, such as Kilkeel Chamber of Commerce, DARD, the Planning Service, Southern Regional College, Invest NI, the South Down Fishing Task Force, local councillors and a number of representatives from the business sector. Participation in that forum could be a key factor in finding a way forward in the coming days.

Mr PJ Bradley: I thank the Minister for the detail in his reply. What additional funding has been made available to retrain those from South Down who lost jobs during the past 12 months?

The Minister for Employment and Learning: We have been trying, as in all areas. The Member must understand that the Department provides services for

every part of Northern Ireland. Although the profile of the problems differs from area to area, there are parallels between, for example, the Magherafelt area and the Member's constituency. Construction was one of the key drivers in both those areas, and that has been dramatically hit.

Indeed, on a recent visit to a jobcentre in the Member's constituency, I discovered that not a single construction job was available there. Nevertheless, many people have been encouraged to participate in courses to obtain a skill and to attend college to get a qualification.

We are struggling, particularly in construction, but funds are available through my Department's main adult return-to-work provision, Steps to Work, which was rolled out across Northern Ireland in September 2008. Its design is sufficiently flexible to meet current and emerging needs, as demonstrated, for example, in recent adjustments to accommodate apprentices who have been made redundant from key sectors such as the construction industry. Additional adjustments to that programme include enhanced provision for short training courses of up to 10 days to try to give people a skill; increased expenditure up to £2,000 for training per individual, which was previously set at £300; and short training courses to assist participants to equip themselves for available job vacancies. We are trying to do all that, but there is no disguising the fact that the number of well-paid jobs on the jobcentres' books is dramatically reduced, and the Member must be aware of that.

Mr B McCrea: The problems mentioned by my colleagues are not confined to their constituencies. The Minister has outlined the assistance that is available to redundant workers; I wonder what he has in mind for the psychological damage that is done to many people. It is not just about skills, but about self-esteem and self-worth. How will his Department help redundant workers in those situations?

The Minister for Employment and Learning: The Member touches on a sensitive issue. The nature of the client base that is coming to jobcentres has changed dramatically, as the arithmetic that I outlined shows. Many of those people have never been in a jobcentre in their lives; many are professionals who are in considerable distress. Indeed, our staff have been given special guidance, because, sad to say, they have even encountered a person who was threatening suicide. That is very sad, but one can understand the pressures that some people are facing.

Many people are tearful and in distress when they visit the jobcentre. Our staff have to deal with that, and we are trying to support them as they take clients through the available options. For someone who has been in a position of giving advice in a professional

capacity, to be faced suddenly with having to claim jobseeker's allowance at a maximum of £62 a week can be a huge trauma for many people. The advisers have been trained to the best of their ability to cope with those situations, but we cannot expect the workers at the coalface to have myriad skills. At least, however, they have been trained to recognise when a person is in difficulty and to offer referral options.

Mr Speaker: Question 6 has been withdrawn.

Retraining Programmes

7. **Mr Lunn** asked the Minister for Employment and Learning what additional retraining programmes will be made available to cope with the large number of workers recently made redundant. (AQO 2797/09)

The Minister for Employment and Learning: The Department's main adult employment programme, Steps to Work, offers immediate access to those who have recently become unemployed following redundancy. Steps to Work is an employment programme that offers a flexible, menu-based approach to targeting individuals' barriers to employment. It also provides, in a flexible way, the opportunity to gain a work-related qualification; meaningful and relevant experience in the workplace through high-quality job placements; assistance in improving essential skills; and help with developing the skills that are needed to search for a job. Furthermore, the Department has put contingency arrangements in place for apprentices who have been made redundant from the construction, engineering and automotive sectors to enable them to continue their training.

Mr Lunn: I thank the Minister for his answer. I realise that he covered some of that ground in his answer to the previous question. How does the Minister feel that our efforts compare with those being made in England, Scotland and Wales? Has he reassessed the support that is available to apprentices?

The Minister for Employment and Learning: The Member will know that I announced this morning my intention to launch the Skillsafe scheme. The scheme is designed to help apprentices to increase their training if they are put on short-time working. That will involve a personal allowance to apprentices, as well as paying for their training by a provider.

We are in an advanced position in nearly all comparable cases with England, Scotland and Wales. Many of the programmes that existed in England two years ago were pulled and done away with. We did not do that. England now finds itself having to rebuild many of those programmes.

As the Member is aware, employment is a devolved matter in Northern Ireland. That is not so in Scotland

or Wales. We have extra work to do here, but I am confident that when we consider the interface between further education and training and employment, we are in a much more advanced position, given that we provide training in up to 750 different locations, not including further education colleges. That does not happen on the same scale across the water.

I am confident that we are in a better position — one that is tailored to meet our own needs. That is the point: the nature of unemployment varies from region to region, and the solutions vary as well. I am, therefore, glad that we have that power devolved and that we can use it to benefit people.

Mr Attwood: I welcome the Minister's last comment but issue a warning: in England, training, including training for those who have been made redundant, is, unlike that provided in Northern Ireland, falling to huge corporations and companies that are much removed from local communities.

Will the Minister confirm what was or was not done to support the Visteon/Ford workers before they left the plant last week and what has or has not been done since they left? Will the Minister take the opportunity to agree that grave questions need to be answered about how Visteon and Ford managed the workers' pension fund? Does he support the need for there to be an inquiry? Does he agree with the representations that my colleague Alasdair McDonnell and others made to the Prime Minister for full and immediate pension entitlements to be delivered to the Visteon workers?

Mr Speaker: Order. The Member is stretching the parameters of the original question.

The Minister for Employment and Learning: I was about to say that the Member has excelled himself, because one of his colleagues asked that question of me earlier in Question Time.

I am happy to answer the question on Visteon, because I know that it is of interest to many people. I spoke with representatives of the Ford Motor Company when I met with the plant's workers and their representatives. I had a meeting earlier this month in London with Tony McNulty, the Minister for Employment and Welfare Reform at the Department for Work and Pensions, at which the matter was raised.

We have reported the issues surrounding pensions at the Visteon plant to the pensions regulator. Allegations have been made that pots of money may have been moved into a surviving Visteon company's pension fund. At our insistence, Tony McNulty said that he would facilitate the Department for Business, Enterprise and Regulatory Reform's (BERR) raising of that matter directly with the pensions regulator. Therefore, we have acted on the basis of information that was given to us.

We offered to bring a clinic into the factory, but the administrators told us that they did not control the factory, and that we, therefore, could not do so. We offered alternative arrangements, and many workers, having taken up that offer, went to various jobcentres in the surrounding area. The point was made that, because of Visteon's actions, a large bill was being dropped in the taxpayer's lap and that we felt sore about that. I made that clear to the Ford Motor Company.

I believe that we have tried to address the issue, and as far as the pensions fund is concerned, that is an ongoing matter. We have reported to the pensions regulator, and I will be happy to report back to the House when we receive clarity on the matter.

Mr Cree: To return to the question, redundancy is a very serious situation for anyone. Will the Minister explain what types of retraining are provided through the Steps to Work scheme?

3.30 pm

The Minister for Employment and Learning: Steps to Work is the Department's main programme for retraining and offers an array of training opportunities. Advisers are aware that when they meet a client they must first assess his or her needs. That could include helping a client with essential skills, because we find that if people do not have essential skills it is very difficult for them to advance.

Advisers then have to look at what the client has been doing hitherto. For instance, if people have been working in the construction sector there is not much point in training them for that sector at the moment; we have to offer training in an area in which a client is more likely to get a job in the short term, which could be in retailing or some other area. The adviser then has to look at whether the client has a skill that could be developed further.

This is a much more flexible system, and we can take new qualifications in new sectors into account. For example, in light of recent revelations I said that if moat cleaning were required we would consider an apprenticeship in that, because there may be some local demand for the skill. That might be an area for us to explore.

ENTERPRISE, TRADE AND INVESTMENT

Renewable Energy: Heating

1. **Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment what opportunities have been

identified to increase the percentage of community heating systems using indigenous, renewable fuel sources. (AQO 2811/09)

The Minister of Enterprise, Trade and Investment (Mrs Foster): I will be issuing a revised strategic energy framework for consultation shortly, and it will set out the Department's view on the future energy priorities for Northern Ireland. Among other things, the consultation will ask for views on how my Department should progress work on renewable heat. I expect that developing proposals on renewable heat will include work on community-scale solutions for generating heat cleanly, efficiently and cost effectively.

I also plan to issue a cross-departmental action plan on bioenergy soon. Following a review of the potential to exploit bioenergy in Northern Ireland, the priority for development should be on bioenergy for heating and electricity. The cross-departmental action plan will outline objectives that will support the development of bioenergy in Northern Ireland and capitalise on the area's natural resources, contribute to the region's security of energy supply, support jobs and businesses and help to reduce greenhouse gas emissions.

Mrs D Kelly: I thank the Minister for her answer. Will she say how and when such a scheme will be implemented? Will she also comment on grid connection charges, which are detrimental to many who want to put electricity back into the grid? I know that connection to the grid cost one company £700,000 and that such charges are stopping a lot of this work taking place. As I understand it, there are no grants available from the Department to assist with grid connection.

The Minister of Enterprise, Trade and Investment: I thank the Member for her supplementary question. As I said, we have already completed the scoping work on the strategic energy framework. I chair an interdepartmental working group on the general issue of sustainable energy, which is working very well together. It met on Thursday past.

The work on renewable heat is very much part of the strategic energy framework. We need to reduce the amount of fossil fuel that we use in this country, and an examination of district and community heating will form part of the response. As the Member knows, some very good entrepreneurs are examining the subject of district heating. The Carbon Trust has done some work on industrial sites, and work is being done in west Tyrone to look at providing heat for housing developments. Therefore, quite a lot is going on.

I am very clear that heat, in addition to other issues such as electricity, has to be included in the strategic energy framework. I hope that that framework will be published for consultation over the summer months so that the Member will see what we plan to do.

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. Community heating systems have been successful in Scandinavia, particularly in Denmark where more than half of all homes are heated through such schemes. What discussion has the Minister had with the Minister for Social Development about developing such an infrastructure here? What support has the Department of Enterprise, Trade and Investment given to companies here that want to develop community heating systems?

The Minister of Enterprise, Trade and Investment: Community heating systems are very much part of the Department for Social Development's plans. As the Member will appreciate, however, that is a long-term strategy and will require substantial financial resources. As I understand it, such systems will become a viable option for DSD only when it is building new homes.

Earlier, I referred to a developer in west Tyrone who is looking to build 20 homes, and part of that development will include a community heating system. A lot is going on in that respect. The Member might be aware that a community-style heating system is being developed for the eco-village that the Department for Social Development is planning for the former Grosvenor Barracks site in Enniskillen. I have not had any meetings with the Minister for Social Development about that matter, but a dialogue is ongoing and will continue, through my interdepartmental working group.

Mr Cree: Is the Minister aware of thermal treatment plants in other parts of the United Kingdom? There is, for example, one in the centre of Sheffield that produces heat for a major part of the city. Would she be prepared to promote that issue with her Executive colleagues to encourage the building of such a plant in Northern Ireland? That would solve two problems.

The Minister of Enterprise, Trade and Investment: I take it that the Member means to ask whether I will encourage other Government Departments to become involved in that sort of mechanism. One discussion at the interdepartmental group on Thursday was about the role of Government Departments in promoting renewable and sustainable energies. Departments such as the Department for Social Development and the Department of Health have quite large estates, and the Department of Health is doing good work on renewable energy sources at the new site in Enniskillen, for example. We want to encourage that. The strategic energy framework, which will be available for consultation in the summer, will look at all the available technology.

Investment: India

2. **Mr Ford** asked the Minister of Enterprise, Trade and Investment to outline her Department's plans to attract investment from India. (AQO 2812/09)

The Minister of Enterprise, Trade and Investment: Invest Northern Ireland has developed a range of initiatives to exploit opportunities in the Indian market. To date, eight projects by Indian companies have been secured, promoting over 3,000 jobs in Northern Ireland and committing to planned investment of over £85 million. Those include significant investments by leading Indian companies such as HCL Technologies, Tech Mahindra and Firstsource Solutions.

Although the economic downturn has led to a depressed market for new foreign direct investment, Invest Northern Ireland remains committed to securing investment from India. That agency now has a dedicated trade and investment office in Mumbai, which provides in-market support for all of its activities in the country and which continues to actively seek new investment opportunities for Northern Ireland.

Mr Ford: I thank the Minister for her response and welcome the fact that Invest NI is now examining the Indian potential. However, are we not, to some extent, still stuck in the previous mindset that everything concentrated on the north Atlantic relationships? Is it not the case that the Department should, perhaps, be following the example of the honorary Indian consul, Lord Rana, and devoting considerably more effort in India to the potential for developments?

The Minister of Enterprise, Trade and Investment: I am well aware of the potential in India. Indeed, it is a two-way process: we receive trade from them, and they receive from us. We have hosted two major trade missions to India each year, and 17 local companies participated in the last mission, which was in March. In addition, I hope to go to India in the not-too-distant future because it is a very important source of trade and investment for us. I assure the Member that India is and will continue to be very much in my sights.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. Although it is important for organisations such as Invest NI to attract foreign direct investment, it is equally important for job creation to attract investment from locally based businesses. What steps are being taken by the Minister's Department and Invest NI to attract investment from locally based businesses?

The Minister of Enterprise, Trade and Investment: A Member who spoke earlier rightly pointed out that India is not a new market, but we are looking at all the markets that are available to our

indigenous companies. That is why I have led some good trade missions from Northern Ireland to countries such as the Netherlands, and, as I said, I will be leading a trade mission to India in the not-too-distant future. We need to increase our exports if we are to meet our targets in the Programme for Government. When people go out there and realise the quality of goods from Northern Ireland, it gives us more to work with. I agree with the Member that Northern Ireland needs to build up its economy from its indigenous base. When she sees last year's figures for Invest Northern Ireland support, she will know that that is precisely what we have been doing over the past year.

Mr I McCrea: I thank the Minister for her answers so far. The Minister will be aware of CDE Ireland, which is in my constituency. It formed CDE Asia in 2006, and it won a major contract to develop the world's largest sand-washing facility in the Middle East. Does the Minister believe that companies like that, which see it as financially viable to set up companies in the Indian marketplace, will benefit the construction and engineering industries in Northern Ireland? I am sure that the Minister knows that it would be remiss of me not to take this opportunity to enquire whether she is aware of any possible business opportunities in India that would benefit Mid Ulster.

The Minister of Enterprise, Trade and Investment: I am aware of the company that the Member mentioned. He is finishing off the theme that was started by Mr Ford and continued by Ms McCann, which is that companies from Northern Ireland need to look to new markets. They need to get out there, and CDE Ireland is a perfect example of that. It formed a relationship with another company, which allows it to trade in India, and it is doing so very successfully. I congratulate CDE Ireland on that. The Northern Ireland manufacturing sales and export survey indicated sales of £17.1 million to India in 2007-08. That underlines the importance of the market to local businesses, and I hope that other businesses will avail themselves of the opportunity that CDE Ireland and others have taken up.

Mr Speaker: Question 3 has been withdrawn.

Tourism: North West 200

4. **Mr Storey** asked the Minister of Enterprise, Trade and Investment for her assessment of the contribution made by the North West 200 road race to tourism in North Antrim annually. (AQO 2814/09)

The Minister of Enterprise, Trade and Investment: The International North West 200 attracts more than 400,000 visitors to the north coast every year. The benefit that that brings to the local area is estimated to be in excess of £7 million, with a 100%

occupancy rate for surrounding accommodation providers.

Mr Storey: I thank the Minister for her answer. I know that the Minister, along with other Members of the House, will continue to remember families who suffer as a result of fatalities on and off the track. However, given the significance of the North West 200 to Northern Ireland's economy, will the Minister continue to encourage her colleagues in DCAL and in the Executive to support that important annual tourist attraction? This year, yet again, the numbers and visitors to the north coast exceeded expectations. Furthermore, other visitor attractions benefit as a result of such a prestigious event taking place in Northern Ireland.

The Minister of Enterprise, Trade and Investment: I join the Member in passing on my condolences to the families of those who were killed not only at the race but on their way home from the race. Every year, there seems to be a tragedy associated with the North West 200, but, as the course clerk rightly said, the riders know exactly what they are doing when they take that route and, sometimes, it results in tragic circumstances. Therefore, I wish to pass on my condolences.

My colleague who has taken up my former position as Minister of the Environment went to the North West 200 and took the opportunity to once again underline the road safety message to people who were attending the race, and he will continue to do that.

3.45 pm

The significance of the North West 200 for tourism should not be underestimated. It is the largest outdoor sporting event in Northern Ireland, and it attracts local visitors and, most importantly, many international visitors. As I have said all along, it is vital that we have a good product to show to our international visitors. The North West 200 is a flagship product, and people from all over the world know about it.

However, the Member is right that people come not only to attend the North West 200 but to take the opportunity to visit other tourist attractions. As one would expect, visitors spend time at the Giant's Causeway, and the newly signed Causeway coastal route provides another excellent attraction that enables them to explore that part of Northern Ireland. I hope that people will take advantage of the Stay a While campaign and remain here not only for the race weekend but beyond. I also hope that, one year, the weather will be good for visitors.

Mr McNarry: I am attracted by the Minister's response to the question, particularly to what she said about tourist values. Has the Minister any new ideas or plans for increasing the promotion of other forms of motorsport in and beyond north Antrim?

The Minister of Enterprise, Trade and

Investment: Yes, indeed. I have corresponded with my colleague Gregory Campbell, the Minister of Culture, Arts and Leisure, about the Ulster Grand Prix. He had written to ask me to ensure that the Northern Ireland Tourist Board played a full role in that tremendous road race. I assured him that I would do so because, in common with the North West 200, it will attract visitors not only from these islands but from across Europe and beyond. It is important, therefore, to regard Northern Ireland not only as a place to see road racing but as a destination in which wider tourism needs can also be met. I want to support my ministerial colleague in that respect.

Mr O'Loan: I echo the Minister's sympathetic remarks. I agree with her that the North West 200 is an important sporting event, and it makes a huge economic contribution. However, it must be recognised that it comes at a great cost. What consideration has been given to the safety of the racers and the many thousands among the motorcycling fraternity and race supporters who attend in great numbers? Those who are involved in and travel to the race are exposed to great risk, and the Assembly must give that its serious attention.

The Minister of Enterprise, Trade and

Investment: The Member is absolutely right, and close attention is paid to safety. However, those with the primary responsibility are the Minister of Culture, Arts and Leisure and the Minister of the Environment, who is in charge of road safety. They will continue to monitor the safety of the event and hold discussions with the organisers of the North West 200. They will continue to monitor the risk to the participants and to those who travel to and from the event by road.

The North West 200 is and will continue to be an important date for sport and tourism in Northern Ireland. I want visitors to use the new Causeway coastal route, perhaps to see the Armoy Armada or the Joey Dunlop memorial garden, and to see what else Northern Ireland has to offer. It is important to reflect that visitor accommodation achieved 100% occupancy during the North West 200. That does not take into account the tents that were pitched along Portstewart strand, although it was rather windy for them this year. It is important to recognise the significance of the North West 200 to the wider tourism scene.

Investment

5. **Ms Lo** asked the Minister of Enterprise, Trade and Investment to outline her Department's plans to attract investment in the current economic climate.
(AQO 2815/09)

The Minister of Enterprise, Trade and

Investment: Invest Northern Ireland's efforts remain

focused on securing new foreign direct and locally owned investment, while providing support to assist its existing clients to undertake new investment projects and pursue a wide range of value-added activities. The forward pipeline of clients' growth projects has reduced as a result of the current economic climate, particularly the opportunities for foreign direct investment. However, Invest Northern Ireland continues to focus its efforts on those markets and sectors that offer the best prospects of securing new foreign direct investment for Northern Ireland.

While short-term prospects remain challenging, Invest Northern Ireland has also put in place a range of tailored support to help its clients to survive in the current market. In September 2008, I launched the £5 million accelerated support fund, and I will continue to work to ensure that we offer the best possible support to help companies weather the economic storm. I have announced details today of a new short-term aid scheme that will provide eligible businesses with financial assistance to enable them to plan and, where necessary, restructure for the future while maintaining significant employment and retaining key staff so that they are ready to take advantage of an economic upturn.

My Department is also engaged in discussions to consider what more can be done to support businesses at this time. As Members know, the economic downturn is also a standing item on the agenda for Executive meetings.

Ms Lo: I thank the Minister for her comprehensive answer. I know that Invest NI goes to the Far East, including China, Hong Kong and Japan. Long-term liaisons are needed with such countries. Will she consider opening business development offices in places such as India, Japan and China?

The Minister of Enterprise, Trade and

Investment: Well, indeed, and that is one reason why, in my reply to the question about India, I mentioned the development of the Mumbai office, which we use a lot when we go to India. I am prepared to look at the opening of other offices, if there is a business need and they will be used by companies which go out there.

This year will probably see the greatest number of trade missions ever leaving Northern Ireland for many countries around the world. I very much support that, and I will continue to back the drive to find new export markets for our companies, which provide world-class services and products. When we go abroad, I am very proud of and I am happy to facilitate those companies.

Mr Spratt: I thank the Minister for her statement this morning on the short-term aid scheme. Will she remind the House how that will help business in Northern Ireland in the near future?

The Minister of Enterprise, Trade and

Investment: That £50 million scheme is essentially a

grant scheme that will run from 1 June 2009 until the end of 2010. It will help companies which are facing short-term difficulties but are fundamentally viable in the longer term.

The idea behind the scheme is to enable companies to keep their skilled employees and perhaps redeploy them internally to other jobs or, in some cases, to smaller companies while keeping them on the larger companies' books. Therefore, the short-term aid scheme is meant to be as flexible as possible, because flexibility is important in these difficult times. We are also keen to ensure that the scheme involves as little bureaucracy as possible and that companies receive an answer as quickly as possible.

Mr Elliott: I thank the Minister for her comments and indications of additional support. Indigenous businesses are crucial to Northern Ireland's economy. Is there any chance of additional support for those indigenous businesses? In particular, is there any support outside the norm for those companies at times in which they may face small difficulties, such as cash-flow problems?

The Minister of Enterprise, Trade and Investment: That is precisely what the short-term aid scheme is for. It is to allow companies which have cash-flow difficulties in the short term to make use of the money that will be made available from 1 June. That will allow them to plan for the future so that when the upturn arrives they have retained their skills and are ready to go.

The scheme is not limited to Invest Northern Ireland clients. It will be accessible to companies with a turnover of £100,000 which either are exporting 25% of their produce or, importantly, have the potential to export that proportion by 2010. Therefore, the threshold is quite low. I believe that the scheme will make a real difference to the Northern Ireland economy and that it is an example of devolution delivering for that economy. The Executive want to see the Northern Ireland economy developing and maintaining its competitive advantage.

Mrs Hanna: Last week, the C&F Group announced that it will create 250 new jobs to build wind-turbine technology in Athenry. What commitment is being given to the development of renewable technologies? Are there any potential partners, and is any financial backup available?

The Minister of Enterprise, Trade and Investment: There are three subcommittees of our sustainable energy working group, one of which is in relation to green jobs, the green economy and green technology. Although Scotland always says that it wants to be the leader in that area, there is no reason why we cannot also be up there, given Northern Ireland's off- and onshore natural resources. That is why we are concentrating on that area.

We are also carrying out strategic environmental assessments so that, when companies put their money where their mouth is, the assessments are in place and we do not add to the time that it takes for those people to get through the planning process. We are moving ahead. I get a little frustrated by commentators who say that we are doing nothing on the green economy. That is simply not true: I am determined to move ahead with the green economy.

Podcast Initiative

6. **Mr P Maskey** asked the Minister of Enterprise, Trade and Investment when the podcast initiative that has been worked on by the Belfast area partnership boards and the Belfast Visitor and Convention Bureau will be launched. (AQO 2816/09)

The Minister of Enterprise, Trade and Investment: I have no doubt that cultural tourism has a part to play in Northern Ireland. We have a rich cultural identity that provides the potential to encourage more visitors, particularly from overseas, to come here. When developing a cultural product for Northern Ireland, it is vital that the product is accurate, informative and balanced and that it takes into account the needs of visiting tourists and the residents of Northern Ireland.

Looking at the podcast script for west Belfast, I cannot say that the commentary for the area is either accurate or balanced. I have concern that the script is politically biased towards one community. Before the podcasts are published I want to see a revision to the west Belfast script. I will be more than happy to support the podcast publication as soon as an accurate, informative and balanced script is produced.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. I am very disappointed with the Minister's answer. That is probably the first time that she has heard that today; everybody else said that they were happy with her answers. I am very angry because that process has been ongoing for more than two years. Well over £100,000 of public money will have been wasted if the initiative is not finalised by the end of June 2009. People have worked very hard to bring forward the proposal. Experts from the area and all the area partnership boards in Belfast put together the scripts. When we were asked about the differences that the Minister may have, a group of experts and historians was brought in to check the data in the west Belfast script, and they agreed the script. When will it be ready, or is the Minister going to waste more than £100,000 of taxpayers' money?

The Minister of Enterprise, Trade and Investment: The Member should realise that this Minister did not set up the panel to which he referred, and this Minister will not be bound by anything that others do. I have to be satisfied that the scripts are

accurate and balanced, and, quite frankly, the scripts for west Belfast are neither. One script refers to how loyalists fired from the Shankill area over the street before the peace wall was erected. To any objective person, the script suggests that everything came from one side. That is not true. It is a fact — *[Interruption.]*

Mr Speaker: Order.

The Minister of Enterprise, Trade and

Investment: It is a matter of record that that is simply not true. I will not be involved in anything that is not balanced. If the Member is seriously concerned about a waste of public funds, he should tell the people who are involved in the podcast initiative to give me something that I can sign off. If that is provided, I will be only too happy to sign off on it.

4.00 pm

Industry: Foyle

7. **Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment, taking into account the available knowledge base, for which industry sectors the Foyle constituency is marketable. (AQO 2817/09)

The Minister of Enterprise, Trade and

Investment: One of the key priority actions that was identified in Invest Northern Ireland's corporate plan for 2008-2011 was the need to shift Northern Ireland's sectoral focus towards high value added economic activity. Several sectors are identified specifically as having significant growth potential, including: creative industries; life sciences; advanced materials; biotechnology; and energy and environmental technology. We continue to market Northern Ireland as a cost-competitive location. We emphasise key selling points, such as our highly educated workforce, competitive operating costs, advanced telecoms infrastructure, and excellent university business linkages. That approach continues to deliver positive results, and I expect to make an announcement in the next few days about a significant new investment in the north-west.

The Foyle constituency is well served by telecommunications. BT has a major facility in Londonderry, which includes one of three high-performance switches that the company has located in Northern Ireland. BT also operates a major data-centre facility in Londonderry. Virgin Media, ntl:Telewest, Eircom Northern Ireland and others have facilities in the area and can provide services to businesses. In addition, the international telecommunications carrier Hibernia Atlantic is on schedule to provide Londonderry with direct international telecommunication services to North America before the end of the year. In respect of our indigenous business base, a number of home-grown companies in the north-west, such as Singularity, have shown how their niche strengths can be exploited to achieve significant global success.

PRIVATE MEMBERS' BUSINESS

Educational Underachievement

Debate resumed on amendments to motion:

That this Assembly urges the Minister of Education to put in place more efficient, targeted measures to deal with educational underachievement rather than relying on the mechanism of free school meal entitlement. — *[Mr B McCrea.]*

Which amendments were:

(1) Leave out all after "Assembly" and insert

"recognises the relationship between educational underachievement and social deprivation and that the use of free school meal entitlement is a robust indicator of children from low income households; further recognises that educational underachievement is caused by a range of social and economic factors; and urges all the Executive Departments to tackle these factors in a joined up way." — *[Mrs O'Neill.]*

(2) At end insert

“; and notes the issue of underachievement of boys, and specifically boys from deprived Protestant areas, as identified by reports commissioned by NISRA into the literacy and numeracy of pupils; and calls on the Minister of Education to outline what action her Department is taking to address this specific problem.” — *[Mr Storey.]*

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Tá áthas orm páirt a ghlacadh sa díospóireacht, agus beidh mé ag tacú le leasú uimhir a haon don rúin.

I support the motion as amended by amendment No 1. My reason is that the motion is insufficiently focused, and amendment No 2 is focused too narrowly on one particular group.

Free school meals is an indicator of social deprivation and not a measure to deal with educational underachievement, as the motion suggests. Free school meals points at the direction in which measures need to be targeted, but politicians need to take effective action to deal with educational underachievement. Free schools meals is the most consistently collected and powerful indicator of the social make-up of schools. The link between social deprivation and educational underachievement is well established in the literature on the matter, and free school meals is still the most reliable means of identifying social deprivation.

However, there are certain weaknesses in using free school meals as an indicator. One is the fact that not all those who are eligible for free school meal take up their entitlement. I raised that point last week with officials from the Department of Education during a meeting of the Committee for Education. They revealed that there is no exchange of information between the Department for Social Development (DSD) and the Department of Education on the issue. That is an obvious area for improvement. All those who are eligible for free school meals should receive

their full benefits, and their schools should receive the full funding to which they are entitled through the common funding formula. If the debate closes the gap between uptake and eligibility through closer co-operation between the Department of Education and the Department for Social Development, it will have been worthwhile.

We heard earlier that the education maintenance allowance does not reflect the discrepancy in uptake. Perhaps there are lessons to be learned from that.

The motion asks that more efficient and targeted measures to deal with educational underachievement be put in place. One of the weaknesses of the motion is that it falls short of specifying what such measures should be.

As I suggested already, free school meals can be viewed as a signpost to social deprivation. The information and general direction that free school meal data provide can be used alongside other indicators of educational outcomes, such as inspection reports, key stage end achievements, achievements in literacy and numeracy and public examination results. The consolidation of that information informs us in what areas, and, in some cases, in which schools, pupils are underachieving.

We must ask whether we have adopted the appropriate and correct approaches to raising standards. The 'Every School a Good School' policy focuses on a school-based approach to raising standards, although community involvement was increased following consultation.

As Members know, and as SDLP Members stated in the previous two debates on the issue, early intervention, a lower pupil:teacher ratio, increased funding for primary education and the literacy and numeracy strategy will help. However, even if all those measures were introduced tomorrow, they may not be enough.

We know from the review of the Northern Ireland literacy and numeracy strategy that other measures are needed alongside school-based measures.

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

Mr D Bradley: I have more to say, but, unfortunately, the clock has caught up with me.

Mr Lunn: The Alliance Party finds itself in the unusual position of supporting the motion and both amendments. However, we have the same difficulty with the motion as that expressed by Dominic Bradley and Michelle O'Neill — there seems to be confusion with regard to the need to tackle underachievement. It seems odd to relate that to the mechanism for free school meals. The motion is asking Members to ask the Minister to put in place more efficient measures to deal with underachievement. That is fair enough.

However, one could read the motion as an attempt to protect grammar schools from an influx of children from deprived areas or as a request for more targeted measures to improve the underachievement figures. The Alliance Party will interpret the latter as the main thrust of the motion.

Basil McCrea is not in the Chamber, but, when moving the motion, he did not mention, as he normally does, the fact that the seeds of underachievement are sown at the early stages of education and long before any decision is needed on free school meals. The Alliance Party agrees with that sentiment; the seeds are sown during nursery education and early-years provision. The Minister has tried gradually to rectify that situation, but it is a long journey.

The DUP amendment highlights the problem of boys generally and Protestant boys in particular, as mentioned in the Northern Ireland Statistics and Research Agency (NISRA) report, and it asks the Minister to set out her proposal to improve the lot of those underachieving boys. That is a fair question, but I presume that the Minister's policies are designed gradually to improve achievement levels across the board, and Protestant boys will benefit in the same way as Catholic boys and girls. It is difficult to see how the policy can be directed towards one religious group.

Mr Storey: When a group is identified in such a publication as the NISRA report, information should be provided on what actions will be taken to deal with that group. The Minister has been good at identifying areas in which she perceives there to be problems, and, in various communications from her Department, she has proceeded to deal with those perceived problems of underachievement. However, there is no mention of Protestant boys.

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

Mr Lunn: I am not certain that one can compare the promotion of a particular sector and the need to promote the needs of particular religious group. However, the Member has made the point.

When he spoke earlier, Mr Storey welcomed the fact that there was a Protestant emphasis. That is OK. However, speaking as a Protestant, I can never understand why the DUP and the Ulster Unionist Party are so keen to preserve the system that has produced the underachievement that they are so concerned about. That is a rhetorical question; please do not get up again.

Mr Ross: If the Member requires an answer, I have one here.

Mr Lunn: The Member can answer in his own time.

The Sinn Féin amendment is completely worthy of support. I am praising everyone today. It makes the

point that free school meal entitlement is a robust indicator of how many children come from low-income households. Mr Basil McCrea acknowledged that when he spoke originally. I do not understand the perceived reluctance of Protestant parents to apply for that benefit. In light of the events of the past few weeks, Protestants do not seem to have that big a problem applying for anything that is on offer. Why should that particular benefit be different?

Dominic Bradley made the point that there is no correlation between the two Departments, so we do not know for sure what the problem is. However, the perception exists. Perhaps there is some sort of solid, Presbyterian attitude that parents suffer stigma and disgrace if their children are exposed as qualifying for free school meals.

The Sinn Féin amendment correctly makes the point that a range of factors and a range of Departments are involved in the issue. Who would argue with that except those who do not want to agree with Sinn Féin on anything? It is obvious that the Department for Social Development, the Department of Health, Social Services and Public Safety and the Office of the First Minister and deputy First Minister, as well as the Department of Education, have major parts to play.

That said, by all means let us ask the Minister of Education to bring in more resources to target underachievement. Let us ask her to introduce a full range of criteria for transfer to post-primary education, including the entitlement to free school meals. Actually, she has already done that, but that has largely been ignored by the educational establishment.

We could ask the Minister to include, and to prioritise, if possible, the problems of young Protestants, particularly boys. We can agree that we all recognise the absolute need for joined-up government in the whole area of social deprivation and educational underachievement.

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

Mr Lunn: The Alliance Party supports the whole lot.

Mr Ross: We all know the importance of tackling educational underachievement, and, as has been mentioned, the Assembly has debated the issue many times. The first motion that I ever tabled in the Assembly was on numeracy and literacy skills.

Whether it is found among school-leavers or adults, we recognise that educational disadvantage begins, as Mr Lunn rightly said, in the earliest years of a child's life. It was, therefore, somewhat unusual that he blamed the system, saying that he does not understand why unionist parties want to preserve a system that creates disadvantage. Mr Lunn said that disadvantage

does not start at the age of 10, but when a child is born, so I am not sure what his view is.

From the moment that a child is born, he or she learns. The first three or four years of a child's life is when he or she learns most and can take in more information than at any other stage in life. That is why my party has put so much emphasis on the importance of early-years education.

In the past two years, much of the debate that has taken place inside and outside the Chamber has focused on academic selection. There is no longer any need to debate that issue, because it has been settled. Schools are free to use academic criteria if they wish to do so, and there is nothing that the Education Minister or anyone else can do about that without the consent of this side of the House. Therefore, that debate is over.

Educational underachievement is unrelated to academic selection, despite the best efforts of some Members on the other side of the House to link the two issues. That link is a red herring. In some cases, academic selection has allowed academically gifted children from working-class areas to go to the most popular grammar schools.

Mr D Bradley: I thank the Member for giving way. I ask him to reflect on the views of Professors Gallagher and Smith, who said that academic selection further compounds the problem of educational underachievement. They also said that selection tends to produce:

“a disproportionate number of schools which combine low ability and social disadvantage in their enrolments, thereby compounding the educational disadvantages of both factors.”

4.15 pm

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

Mr Ross: Of course, for every academic who says one thing, there will be another to argue the opposite. I do not believe that disadvantage in education begins at age 10. Therefore, I do not think that the system of academic selection will compound anything.

If the Minister had her way, the opportunity that presents itself to children from socially deprived areas to get to the most popular schools would be taken away from them. Given the assurance that the DUP got through the St Andrews Agreement, we are grateful that that is no longer an option for her.

We all know the statistic that approximately 20% of children leave school without the appropriate qualifications. Examining the statistics shows that underachievement is particularly acute in Protestant working-class areas, especially among boys. In the Belfast Education and Library Board area, those boys trail girls in educational attainment by some 29%.

Therefore, I welcome my colleague's amendment because it recognises that fact, and I hope that it will gain the support of the House.

In Protestant areas of social deprivation, only 17.3% of pupils achieve grades A to C in GCSE English. The problem of underachievement in those areas has little to do with academic selection; rather, it has to do with the start that those children get in life and the ambition that they and their parents have for educational achievement.

Of course, underachievement in working-class areas is not unique to Northern Ireland. That is why it is surprising that the Department of Education has not yet set any specific targets against cities that are similar to Belfast. Why has no benchmarking taken place against comparable cities in the United Kingdom such as Leicester, Glasgow, Newcastle or Liverpool? That would demonstrate how we are doing.

When the Minister of Education talks about tackling underachievement amongst Travellers and other groups, why does she not consider the statistic that I quoted and set specific targets that are aimed at improving the levels of underachievement, as mentioned by other Members, of young Protestants?

We need to raise the aspirations of young people in the areas in which underachievement is a problem. That can be achieved by investing in early-years education so that children get off to the best possible start in life. That would include running breakfast clubs, after-school clubs and other initiatives that not only involve children but their parents so that we can raise educational aspiration where it is most needed.

One such successful initiative in my constituency of East Antrim has been the Parents and Kids Together programme in the Sunnylands area of Carrickfergus, which included parents in the learning programme. Similar schemes would be beneficial across the country. Such schemes are important to give everyone an opportunity to gain greater life opportunities through education, irrespective of their age or where they come from.

The Minister's proposal on free school meal entitlement is a type of social engineering that simply will not work. As Mr Storey said, among Protestants, a stigma is attached to applying for free school meals. Mr Bradley also said that during his contribution.

As Mr Basil McCrea said in his opening remarks, the Committee for Education has discovered that that proposal will favour children from a Roman Catholic background over those from a Protestant background. It will not address the problem of underachievement, because, as we all recognise, underachievement starts much earlier than at age 10. Moreover, exam results provide a much fairer and accurate indicator of educational need than free school meal entitlement

ever will. Educational need is what we should be addressing. Furthermore, in tackling underachievement, the focus should be on early-years education.

I support the motion and the DUP amendment, but I cannot support the Sinn Féin amendment.

Mr Elliott: It is clear that the Minister has not demonstrated how free school meal entitlement will address underachievement; that is the difficulty that we have and why we tabled the motion. How will it change the statistics? How will it provide better achievement for school-leavers? It is unfortunate that rather than introducing a strategy that would tackle educational underachievement and the real problems, the Minister has fallen back almost exclusively on her ideological crusade against academic selection and is using the blunt tool of free school meal entitlement as part of that crusade.

In the past, the Northern Ireland Audit Office and the Westminster Public Accounts Committee highlighted the fact that our strategies are failing and that we need immediate action.

However, the Minister has failed to introduce a strategy that will effectively address the problem, which is primarily a pre-secondary and a pre-primary school problem. We have had countless debates and agreement in the Chamber on the need for early intervention, but nothing has been done. Instead, we have seen reduced funding for after-school clubs, inadequate funding for primary schools and the removal of the cross-cutting Executive children's fund.

The early years strategy has still to come before the Assembly; that is something that we have been waiting on for ages. I cannot figure out why it has taken so long for that strategy to come forward. It is in their early years that children need real help, and real progress can be made then. Teachers, parents and the public are calling for that strategy, and it can help children from their early years right through to primary school and then secondary school.

Half of the children in Northern Ireland who are eligible for free school meals are concentrated in a fifth of our schools. The emphasis should be focused on supporting those schools and their pupils and not on introducing some type of quota system.

It is clear that teachers get the blame a lot of the time, but it is not just about teachers. Certainly, teachers have a huge and very important role to play, but a wider approach is also needed. It is a matter of examining other social measures in our community, such as a child's home life, parenting and the availability of wider services and other facilities. It is not just about free school meals.

Mr O'Dowd: Is the Member not describing in detail the Sinn Féin amendment, which calls for a cross-

departmental Executive approach to tackle educational underachievement?

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

Mr Elliott: I am glad that the Member thinks so much about his amendment, because not many other Members do. The Member is right in that some cross-cutting and wider social issues are involved. However, the debate is also about the quota system that has been introduced by the Minister, which is neither acceptable nor appropriate to the issues involved in academic selection. The Minister seems hell-bent on trying to stop any type of academic selection or excellence within this community for some reason that I still fail to see. However, that will not help to address the underachievement that we are talking about today, and that is the difficulty. We need to concentrate on those schools that are underachieving and give them the help and support that they need.

Mr Storey: The Member underscores the importance of primary schools. The recent chief inspector's report on education stated clearly, with no reference to the issue of academic selection, that one child in five leaves primary school without having reached the necessary level of attainment in numeracy and literacy skills. Who does the Minister blame for that? There is the issue about trying to get everybody else involved: she is the Minister and she should take responsibility.

Mr Elliott: I agree with the Member. We keep arguing round the point, but it is unfortunate that there cannot be a realisation from the Minister and the Department that that will not resolve the issue of underachievement.

The Ulster Unionist Party is serious about social mobility and about giving people the opportunity to better themselves. It is not about ideological engineering within our education system or the manufactured system that it appears is being heaped on us by the Minister in a way that will do nothing to solve the problem of underachievement and will be to the overall detriment of the system. That will not address the root cause of the problems that we face. The Minister's strategy is not tailored to meet the needs of the pupils, nor is it based on the facts that clearly exist.

Mrs M Bradley: In little over a month, we find ourselves debating the issue of the educational underachievement of our children and young people for the second time. The situation is particularly worrying, and there is a plethora of research to convince us that social deprivation and low attainment are inextricably linked.

The correlation is there for all to see and, while I acknowledge that the motion calls for a much more targeted approach than using free school meal entitlement as an indicator, it is difficult to see how

one can ignore all the research. The current indicator is a good means of identification; however, it cannot be foolproof. We cannot get away from the fact that a budgetary injection is required to tackle the issue. In the Chamber, I regularly refer to Professor Heckman's studies and make no apology for doing so, as the solution lies in the early-years remit and extra-curricular help and activity.

I never leave a primary school without a sense of shock when I have listened to teachers and principals telling me that they cannot get the additional help for children in their classes who need it. Some of those children — though, it is important to add, not all — get no help at home, nor any encouragement to do better than their parents who failed or to live a better life than they themselves are used to. If that affirmation is not given at home then it must be given in the schools, where education is the primary activity. Many of our schools have, over the past few years, been trying to help in that area by educating the parents: basic night classes that give parents an insight into what their children are learning and teach them how they can help their children with homework and projects. It is never too late to learn. If we can all apply this ethos, we will at least be off the starting blocks.

"Equality" is a word that we are all familiar with, yet it is also the one thing that eludes much of our society. The First and deputy First Ministers often tell us how they would like to see the future of Northern Ireland as one of equality: a better and a shared future. In order to create that, we must begin with the youngest, so that today's problem will not be tomorrow's. It is also important to reiterate that, as many of us said on 21 April, this problem is not restricted to the education system but is shared between all Departments. I would like to think that all the Departments are willing to share responsibility for tackling the problem at its core.

I have no doubt that, in the current climate, there are many budgetary difficulties. However, I call on the Minister of Finance to do his utmost to provide the moneys required to each and every Department to stem the haemorrhage of young people leaving school without the basics of an education and moving on, living on benefits — or worse, living on the proceeds of crime. The glory days of drug dealers and the like can be brought to a close only when our young people expect better from themselves. It is up to us in the Assembly to help them do that when we can. A better future for all will only begin with better understanding. It is sad, to say the least, that 47% of pupils are leaving school unable to attain a grade C in English or mathematics at GCSE. I hope, for the sake of our young people's futures, that better days are ahead.

I support the motion and amendment No 1, and I hope that the Assembly is united, because when we talk of our young people, we are talking about our future.

The Minister of Education (Ms Ruane): Go raibh maith agat, a Cheann Comhairle.

I welcome the debate because I am pleased at the level of interest among Members in addressing the important subject of educational underachievement.

Since I became a Minister, I have made it a priority to tackle underachievement and inequality and promote the raising of standards in all schools. I welcome the fact that all parties accept that there is room for improvement in our education system. Members will recall that, when I first came in here, it was thrown at me that we have a world-class education system. Thankfully, people now realise that it is more complex than that.

Academic excellence for all children, not just a small number of them, is what we need. My focus is on closing the achievement gap between the highest- and lowest-performing pupils, and between the most and least disadvantaged. Let me be clear about my absolute commitment to tackling educational underachievement for every child. I want to ensure that every child can succeed regardless of background, gender, sexual orientation, religion, race, whether they have a disability, whether they come from the Travelling or Roma communities, or whether they are newcomer pupils. We will provide support for those who need it.

4.30 pm

The Department has very good reasons for using free school meals as a measure of social disadvantage. Entitlement to free school meals has long been recognised as a good proxy of many aspects of social deprivation and a robust indicator of deprivation in its own right.

Some Members said today that they believe that the uptake of the education maintenance allowance (EMA) would be a better indicator of disadvantage than free school meal entitlement. It has been noted that a larger number of pupils claims EMA, and that is to be expected. However, comparing EMA to free school meals is like comparing apples with oranges. For children to be entitled to EMA, the household income must be £32,400 or less.

The important point about free school meals is that they are available to children throughout their entire school career, and we heard a lot about early intervention from Mr Storey. However, EMA is only available to children when they reach statutory school age. That is simply too late to enable us to take the early interventions that Members have talked about and that we know can make the greatest difference.

Free school meal entitlement has proven to be a good measure of disadvantage. The evidence shows clearly that children from poorer backgrounds are at

much greater risk of educational underachievement than children from more affluent households. Free school meal entitlement data are collected as part of the annual school census. The census records the number of children whose parents apply to the education and library boards for free schools meals entitlement. Such entitlement is triggered automatically when parents are eligible to receive certain income-related benefits. Importantly, information on free school meals relates to the individual and is therefore much more robust than a spatial measure that assumes that everyone living in an area is alike.

Another key characteristic is that the measure of free school meals is current: it is updated on an annual basis and is collected, validated and made available to us as part of the census return. Those last two points are extremely important as we look to make timely and effective use of the data and resources already available to us. To do that, we want information that is relevant and up to date. Looking at underachievement and free school meal entitlement demonstrates that relevance. There can be no doubt of the link between free school meals and underachievement.

Let us look at the facts. Consider school-leavers who achieve at least five good GCSEs, including English or Irish and mathematics. On average, fewer than three out of 10 pupils who are entitled to free school meals achieve that level, compared with six out of 10 of those who are not entitled.

Members can try to sectarianise the debate, but there is no point in doing so: we must ensure that all children get what they need. Trevor Lunn made some very important points on that matter. To support my point I will quote a couple of statistics. In any given year, a higher percentage of boys from the Protestant community fails to achieve five good GCSEs — 558 boys representing 85%. However, more than 1,000 boys from the Catholic community do not achieve five good GCSEs. One can use numbers or percentages; however, depending on what one is looking for, one will get a different answer.

The same goes for people who try to differentiate between the educational achievement of boys and girls. Five hundred girls from the Protestant community and more than 900 girls from the Catholic community do not achieve five good GCSEs in any given year. All of those children deserve our attention, whether they be boys, girls, Protestants, Catholics, Roma or Travellers. I will not be distracted from my focus on helping every single child in need. The statistics are unacceptable for all children. Pitting Catholics against Protestants or boys against girls is not the way forward. Linking social background and educational achievement may be the traditional pattern but it is one that I am determined to break.

Young people from poorer families may, statistically, do less well, but that does not need to be the case; with the right support from schools, families and communities, every young person can fulfil their potential. That has already happened in many schools, and that is evidence that the right combination of support, leadership, aspirations and expectations can, and does, help young people.

Some Members have asked what I have done, and I can tell those Members what I am doing to improve educational achievement. First and foremost, I got rid of the 11-plus. *[Interruption.]* Those who do not understand the link between educational underachievement and the selective system do not understand education and do not understand educational underachievement. What have the DUP and the UUP done? All I have heard from those parties today is a defence of privilege and a failure to understand the root causes of the systemic decay in our education system. I am proud of the actions that I have taken in my Department, and I am proud of the fact that my party, the SDLP and the Alliance party support the changes that are required.

I have worked to reform our system while others have tried to block reform. For example, I have put educational underachievement at the top of the agenda of North/South Ministerial Council educational sectoral format meetings. Only last week, we talked about newcomer children and educational underachievement, and in every meeting that is our focus.

Education systems throughout the world that outperform ours do not practice academic selection. People can bury their heads in the sand and pretend that there is no link, but they are not doing the children any favours. Non-selective systems provide a more equitable chance for children. Some of the highest-performing countries —

Mr Ross: Will the Minister give way?

The Minister of Education: No. You had your chance; I am making my contribution now. *[Interruption.]*

Mr Speaker: Order.

The Minister of Education: Some of the highest-performing countries that take part in the Programme for International Student Assessment (PISA) do not have selective systems.

When I took the education portfolio, I inherited a system that was geared towards the needs of 40% of children. I have issued guidance on admission to post-primary schools in 2010, guidance that provides the basis of an education system tailored to the needs of all our children, not just 40%. The guidance is an opportunity to move away from a system that is based on privilege and status and rejection and failure; it lays

the foundations of a system based on social justice, equality and academic excellence; it is a system that gives all our children a fair chance.

Consider the outcomes of the old transfer arrangements: one in four children in non-grammar schools is entitled to free school meals; the ratio in grammar schools is one in 17. Therefore, if we are agreed that we need to do more to redress that imbalance, surely a free school meal entitlement admissions criterion is the fairest means of achieving that objective.

It would be funny if it were not so sad watching the Members opposite trying to justify their defence of privilege. How did the 11-plus serve us in this year's admission criteria? How did the policies espoused by the Members opposite support the 10 children from the Shankill Road, the 16 children from the New Lodge or the 25 children from Sandy Row that went to a grammar school? There is no justification for some of the proposals of the Members opposite or their defence of privilege.

In Derry, the four grammar schools educate 43% of post-primary pupils in the county; the other nine non-grammar schools educate the remaining 57%, and 13% of children are entitled to free school meals. From the three primary schools largely serving the Sandy Row area, 11 out of 79 pupils transferred to a grammar school. From the three primary schools largely serving the Shankill area, 10 transferred to a grammar school; and from the seven primary schools serving the Falls Road 49 out of 284 children transferred to a grammar school. We need to get real if we intend to bring about change.

It is not a tenable position for a Minister who is committed to equality, social justice and educational achievement to continue with this deeply flawed system. Getting rid of the 11-plus and bringing in a fairer system is the best thing that we can do for working-class children across the North, boys or girls, Protestant or Catholic, or from newcomer communities.

Fundamental to my reforms is the recommended usage of free school meal entitlement as the first admission criterion for all schools. Let me expand on that point; children in low-income homes were much less likely to even participate in the transfer test. In schools in which more than half the pupils were entitled to free school meals, almost six out of 10 did not sit the test. Compare that to the fact that just over two out of 10 children in the most affluent primary schools did not sit the test.

Let me also tackle the claim that our use of free school meal entitlement disadvantages Protestant communities. The Family Resources Survey has been used to measure poverty in the North of Ireland. I am happy to assure the Assembly that, based on an

analysis of that survey, there is no evidence to support the fear of differential under claiming of free school meal entitlement according to community background.

The survey looked at the characteristics of children who live in households that are defined as being in poverty. It shows that 66% of the most income-deprived children live in households in which the head of household is Catholic. Analysis of the school census shows that 65.3% of pupils who are entitled to free school meals are Catholic. That is almost an exact match.

It is the same for the Protestant community. The Family Resources Survey informs us that 26% of the most income-deprived children live in households in which the head of household is Protestant. The school census shows that 27% of pupils who are entitled to free school meals are Protestant. The very close match of the religious profile of those households points to the value of using free school meal entitlement as an indicator of deprivation. Therefore, let us deal with the issue at hand — the underperformance of boys and girls in Catholic, Protestant and newcomer communities — and let us stop trying to pit one community against the other.

What actions are we taking? We are undertaking transfer 2010; the review of Irish-medium education; 'Every School a Good School' and the new newcomer policy under that same banner; the revised literacy and numeracy strategy, which is being finalised; the comprehensive review of school funding, which I have asked the Department to undertake to ensure that our funding mechanisms support my wider objectives; and the review of special needs and inclusion.

[Interruption.]

Mr Speaker: Order.

The Minister of Education: I ask Members on the Benches opposite to consider some of the indicators that are relevant to young girls. We have the highest level of teenage pregnancies in western Europe. Girls do not get pregnant on their own. However, despite that level of pregnancies, the Party opposite is blocking proposals for school-age mothers because of some outdated nonsense about inclusion. We must look at the statistics that are in front of us, deal with the problem by doing what is needed and not allow antiquated thinking to stop important proposals from being brought forward.

The Full Service School Network project targets areas with poor-educational attainment. In north Belfast, the project has proven extremely successful in the Belfast Model School for Girls and Belfast Boys' Model School. Building on the success of that pilot scheme, my Department has approved a further pilot scheme in west Belfast, centred on Corpus Christi College in Ballymurphy. It is intended that that project

will bring about a new relationship between the school and the community.

Finally, Members spoke about particular problems faced in some of the most disadvantaged communities in Belfast and Derry. I have provided additional funding to the Belfast Education and Library Board and the Western Education and Library Board for targeted actions in those cities. Those area-based programmes were introduced in September 2008, and —

Mr Speaker: The Minister should bring her remarks to a close.

The Minister of Education: I will look carefully to ensure that those programmes successfully contribute to raising standards. Go raibh míle maith agat.

Mr Storey: I shall just give a brief summary of the debate, because sometimes during winding-up speeches we merely reiterate what Members have already said. Nevertheless, I thank the Members who took the time to participate in the debate, because it is important. Sometimes I get frustrated — not sometimes; every day I get frustrated — with the Minister of Education's condescending and dismissive approach to these matters. Somehow, she is above acting fairly and impartially; she is doing everything according to the rules and at no time and in no way has she done anything outside the rules. We could all question the Minister on that issue.

4.45 pm

Members raised concerns about whether we are using the appropriate measures to identify and deal with the problem of educational underachievement. Mr Basil McCrea was clear when he said that many factors impinge on our young people's underachievement. He referred to the education maintenance allowance (EMA), but, in her condescending and dismissive way, the Minister tried to brush that point off as an irrelevance.

Mr B McCrea: Given that reports from the Public Accounts Committee, the Northern Ireland Audit Office and PricewaterhouseCoopers all identified the problem as being among the Protestant working class, does the Member agree that it is strange to adhere to a measure that clearly discriminates against Protestant children?

Furthermore, if the issue is about educational underachievement, will Members on the Benches to my right please explain why EMA is 10 times more likely to be taken up than free school meals? One of those measures must be wrong. Will someone in the Chamber please stand up and defend the interests of hard-working, decent, middle-class Catholic parents who want only the best for their children? No one in the Chamber is looking out for those parents.

Mr Speaker: Mr Storey will have an extra minute added to his speaking time. Mr McCrea, that was quite a long intervention.

Mr Storey: Middle-class Catholics will have to ask the party on the Benches opposite what it is doing to support their interests. In places such as Newry, those people have been ignored in the past.

Mrs O'Neill gave a list of supposed justifications for the use of free school meal entitlement as a mechanism for targeting educational underachievement and described it as being "a good proxy", but we are not convinced by her arguments. Mrs Bradley made an interesting point about the weaknesses in the joined-up approach taken by, and the sharing of information between, the Department for Social Development and the Department of Education. She questioned whether those two Departments are taking the right approach to deal with underachievement.

It came as no surprise that Trevor Lunn tried to be all things to all people, because it is not often that the Alliance Party finds itself in that position. It would be better if the Alliance Party were to come down on one side or the other of the argument on this occasion. Mr Ross made the fundamental point that a great deal of underachievement commences in the early years, long before the issues of transfer and assessment become relevant.

Those are some of the points that other Members made, but I want to move on to the Minister. Once again, she said that she has made the issue of educational underachievement a priority. However, yet again, she went and did the very thing that we expect of her. The Minister can hardly bring herself to use the word "Protestant". She tries to mask the fact that reports specifically mention that there is a problem with Protestant boys and says that the issue should not be made into a sectarian one. Last week it was fundamentalism; now it is sectarianism.

When it suits that Minister and that party on the Benches opposite, they are prepared to go to hell and back to raise issues to do with their ideological position, whether those concern Traveller children or the Irish-medium sector. However, when it comes to Protestant boys, the Minister says that they should be lumped in with Catholics and that the issue must not be made sectarian. Let me tell you, Minister, I will ensure that you are continually held to account to deliver for the Protestant children, whom you have failed, and, indeed, for the many working-class Roman Catholic children whom you have failed.

Mr O'Dowd: On a point of order, Mr Speaker. I thought that the convention of the House was that Members spoke through you, Mr Speaker, rather than to a Member or to a Minister.

Mr Speaker: It is very important that all Members speak through the Chair.

Mr Storey: I am quite happy to say the same thing again through the Chair. Mr Speaker, it is up to the Minister of Education to ensure that she provides for Protestant boys, who, as the report clearly indicates, have been disadvantaged.

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

Mr Storey: The Minister can sit there and smile —

Mr Speaker: The Member's time is up.

Mr Storey: It is not a laughing matter, and it is time that the Minister took it seriously.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I shall start off by agreeing with Mr Storey on one point. He said that he was Protestant and proud of it, and so he should be. No one on the Benches on this side of the Chamber has any difficulty with that, and we have no difficulty with targeting educational underachievement, wherever it may rest.

However, the five education and library boards have been dominated on the political side by both the unionist parties opposite. What have they done to tackle Protestant educational underachievement? They have done absolutely nothing. They have sat on their hands on every one of those boards, and they have defended a system that has let their community down. Mr Storey has had plenty of opportunity in this and other debates to explain how those in the boards have tackled educational underachievement in the Protestant community, and he has not done it.

The Minister of Education is 100% correct; one thing that the debate on transfer has achieved is a discussion on what the education system is delivering. The Minister is also correct to say that, when she first came into office, everyone said that the education system was world-class, that there were no problems with it and that everything was dandy. We are now having somewhat ill-informed debates about educational underachievement, but at least we are having the debate.

Mr Storey: Does the Member accept that, unlike the Council for Catholic Maintained Schools (CCMS), which can provide for one sector, the education and library boards do not have a small parochial responsibility? The education and library boards have had to provide for all education in their areas.

Mr O'Dowd: I thought that the Member was going to give me an example of how representatives from his party on the education boards specifically tackled Protestant underachievement in education, and he failed to do so.

Mr B McCrea: Will the Member give way?

Mr O'Dowd: No, thank you.

My difficulty with the motion is that it is driven by the conservative ideology of my colleagues on the opposite side of the Chamber. A debate is going on in unionism in which the DUP appears to be disgusted with the Ulster Unionist Party for linking with the Conservative Party, yet the DUP is latching its wagon onto the Ulster Unionist Party in this debate.

The entitlement to free school meals is a targeted measure of social deprivation, and the Members on the opposite Benches say that the Protestant community will not apply for it. That may be a generalisation, but is it any wonder that some people in the Protestant community will not apply when, in a recent debate, the Members opposite stopped just short of accusing people who are in receipt of benefits of being spongers? If the motion were to pass today, it would further stigmatise the people who receive free school meals. Regardless of religion, gender or any other consideration, anyone who is entitled to any benefit should apply for it.

My good colleague, friend and comrade, the Chairperson of the Committee for Education, Mr Storey, said that the Minister dismissed using EMA as a measure of social deprivation. She did not dismiss it; she pointed out the factual inaccuracies in Basil McCrea's argument. EMA is based on a different threshold, and it is applied when someone turns 16 years of age. That person, as a young adult, has the right to apply for it, and they do not have to rely on parental consent to do so. If Basil McCrea's argument were to be followed through, educational underachievement would be tackled only at the age of 16.

Mr B McCrea: Will the Member give way?

Mr Speaker: It is quite obvious that the Member has no intention of giving way, and the Member should not persist.

Mr O'Dowd: Educational underachievement is determined by many factors, such as social background, guidance in the home, local community leadership and aspirations. Therefore, I am amazed that the parties opposite are refusing to accept Sinn Féin's amendment.

I caution the Alliance Party and ask it to consider what the Ulster Unionist Party is asking for. Its motion is to end the use of free school meal entitlement as an indicator of educational underachievement. It does not seek the inclusion of free school meal entitlement as an indicator, but for its use to stop. Sinn Féin's amendment allows all Departments to set a course to tackle educational underachievement within their remits. Why would any party dismiss that? Perhaps, with an election imminent, some of my colleagues opposite do not want to be seen to support a Sinn Féin amendment.

Difficulty also arises because people do not rely on facts during education debates in the Chamber. Unfortunately, even with the facts set out before them during the current debate, the Ulster Unionist Party's argument is, basically, that if the facts do not suit, simply remove them and deal with a completely new set of figures.

Mr McCrea dismissed his own question. He asked whether the Minister was telling us that there is more deprivation in the Catholic community than in the Protestant community. I will answer his question: there is.

Mr Speaker: The Member's time is up.

Mr O'Dowd: That is the hard reality of the situation: there is more deprivation in the Catholic community than in the Protestant community.

Mr Speaker: The Member's time is up.

Mr O'Dowd: There is a duty on us all to remove it.

Mr Speaker: I ask the Member to take his seat.

Mr K Robinson: The question is where to start. Much hot air has been expended on yet another education debate. If I still worked in the classroom, I would tear out what little hair I have left.

Schools fail for a variety of reasons, which have been identified in the inspectorate's report. At the outset of my summary, I ask the Minister what positive and practical steps, if any, have been taken, not only to identify those schools, but to go and see what their problems are and to give them the support for which they are crying out. Only when that is done will there be any change in children's underachievement in those schools.

I declare an interest as a governor of two primary schools in the North Eastern Education and Library Board area, and also because I taught and was a principal on the Shankill Road. I know the challenges that are faced by children on the Shankill Road, challenges that were also faced by earlier generations of children. Various schemes were brought forward, such as the Belfast Areas of Need scheme, which was going to change all of this. We had all the highfalutin people and all the reports and academic papers to back them up.

In fact, the outcome of the scheme made no difference to children's underachievement in that area. It provided schools with curtains, carpets, and minibuses to take the children out for extra-educational experiences. It did not, however, provide what the principals of those schools needed: qualified, professionally committed staff; smaller classes; greater support for children who had special educational needs; removal of composite classes; and budgets that allowed them the flexibility to deal with their individual programmes. They got none of those. The Department could not see what was out there.

Sadly, we are another generation along the line and the same experience is being repeated. Figures are bandied backwards and forwards. We talk about free school meal entitlement, among other indicators. Those children need good, committed teachers who are dedicated to raising the levels of achievement that they currently face. However, teachers are weighed down with social and health work — any problem that is out there in the community — landed on their backs. Teachers in areas that suffer multiple deprivation have even bigger kitbags on their backs because they must try to deal with problems that occur in children's homes, not just in school. They need help and backup.

During the debate, Members referred to House of Commons reports that highlighted specific problems faced by teachers in Belfast, particularly in the areas to which Mervyn Storey referred, namely the Protestant working-class areas that the Minister is so great at quoting to Members on this side of the Chamber. Perhaps few children in schools on the Shankill Road pass the current transfer procedure. However, perhaps most attend schools outside that immediate area because their parents have moved them to schools that they perceive as more adept at adapting to the transfer procedures that have evolved over the years. They wanted the best for their children so they moved them to schools outside their immediate catchment areas. I have no reason to doubt that a similar situation occurs in other towns in Northern Ireland and in other parts of Belfast.

5.00 pm

John O'Dowd said that we have to target underachievement regardless of where it is located. I agree. However, why do we not target schools in which there are indications of underachievement? Why not send a task force to those schools? Why not reduce the size of their classes? Why not remove the extra administrative burdens that prevent teachers teaching? Why not ensure that the extended schools programme continues? Why not ensure that schools that qualify for that programme apply for it? Why not ensure that Sure Start is expanded in the community? Why not ensure that teachers who took a year out to undertake specialised training to acquire a skill in reading recovery, which often added to the burden on the remaining teachers, are not forced back into the classroom? The pupil:teacher ratio dictates the number of staff in schools.

Members should consider composite classes in urban schools; we are used to such classes in rural settings. Although there are problems with that concept, we have developed, over time, an ability to deal with them. However, there is a major problem with the number of composite classes and pupil:teacher ratios in inner cities. Why do we continue to have an ideological argument? If, as the facts, figures and research suggest, underachievement exists in certain areas, why not take action?

No amount of lecturing from the Minister will convince Members on this side of the House that she is right and that we are wrong. She constantly claims that we have other reasons for disagreeing with her policies. We want to ensure that all our children receive the best possible educational start in life, which begins almost immediately after birth and continues into the early years of pre-education and into primary-school education. The gap continues to widen, and the Minister must ask herself why it has not been closed. The Minister and the Department are responsible for plugging that gap.

In his winding-up speech, Mervyn Storey asked whether we are using the appropriate measures. I suggest that, as yet, we are not. Mary Bradley gave us a lovely quote to the effect that we must ensure that today's problem will not be tomorrow's. That is a good observation. As I said earlier, one generation has already suffered, and we must ensure that the next generation does not suffer. Moreover, Mrs Bradley referred to the fact that we are having the same educational debate for the second time in a month. It is becoming tedious, but work is not progressing. Until the situation in schools changes, we will all stand accused. To date, nothing has suggested that it is changing.

My colleague Tom Elliott discussed the need for an underachievement policy. The 'Every School a Good School' policy and other policies have been bandied around, but no policy is in place to address underachievement. Alastair Ross mentioned the importance of developing literacy and numeracy in the earliest years. That is true, and he brought that matter to the House's attention during previous debates.

Dominic Bradley referred to Gallagher and Smith. I have not heard Gallagher and Smith quoted in the House since the first Assembly. The previous Minister of Education quoted their research all the time. I do not hear them quoted quite so often by the powers that be. Perhaps a gap is opening there.

There seems to be an element of doubt about the perception of stigma and free school meals. Trevor Lunn said that the perception is that Protestant families sometimes do not apply for free school meals and that one has to try to convince them to do so, as it is their entitlement. On many occasions, I have helped people to fill in their forms and I have told them to make sure to take those forms to the office in Academy Street. I cannot say whether they did so, but I certainly helped them as far as I could.

Mr Beggs: Is the Member aware that some schools from the controlled sector have not applied for the extended schools programme funding to which they are entitled, while other schools have taken up their entitlement?

Mr K Robinson: The Member raises a very good point. I think that I mentioned earlier that there was an indication that some schools were not applying for the

extended schools programme funding for which they were entitled.

Unfortunately, the debate has wandered away from the issue of underachievement. We can speak about the different ways of measuring underachievement until the cows come home, but it has been identified, and it has been identified as being more serious, perhaps, in one community. Since we are responsible for all children, as is the Minister, we must address underachievement in its entirety, regardless of the causes. We must make sure that the next generation is not lost, and that we put in the resources that are required.

Mr Speaker: Before I put the Question on amendment No 1, I advise Members that regardless of whether amendment No 1 is made, the Question on amendment No 2 will still be put.

Question put, That amendment no 1 be made.

The Assembly divided: Ayes 38; Noes 26.

AYES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Dr Farry, Mr Ford, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Mrs Long, Mr Lunn, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McElduff, Mrs McGill, Mr M McGuinness, Mr Molloy, Mr Neeson, Ms Ni Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr Brady and Ms S Ramsey.

NOES

Mr Beggs, Mr Buchanan, Mr T Clarke, Mr Cree, Mr Donaldson, Mr Easton, Mr Elliott, Mrs Foster, Mr Hamilton, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McQuillan, Lord Morrow, Mr Newton, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir.

Tellers for the Noes: Mr Elliott and Mr Kennedy.

Question accordingly agreed to.

Question, That amendment No 2 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the relationship between educational underachievement and social deprivation and that the use of free school meal entitlement is a robust indicator of children

from low income households; further recognises that educational underachievement is caused by a range of social and economic factors; and urges all the Executive Departments to tackle these factors in a joined up way; and notes the issue of underachievement of boys, and specifically boys from deprived Protestant areas, as identified by reports commissioned by NISRA into the literacy and numeracy of pupils; and calls on the Minister of Education to outline what action her Department is taking to address this specific problem.

5.15 pm

PRIVATE MEMBERS' BUSINESS

Race Relations

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

Order. I ask that Members leave the Chamber in an orderly fashion.

Ms Lo: I beg to move

That this Assembly calls on the First Minister and deputy First Minister to review the current Race Relations (Northern Ireland) Order 1997, in view of the fact that the current law does not offer the same levels of protection as in other parts of the United Kingdom and the Republic of Ireland, and also given the deficiencies in the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003.

By tabling the motion, members of the all-party group on ethnic minorities and I are responding to requests from the black and minority ethnic (BME) communities who wish to see parity of protection for individuals from different racial groups in Northern Ireland in line with current and proposed changes to the relevant legislation in Great Britain.

Although we accept that recommendations for the amendment of the Race Relations (Northern Ireland) Order 1997 would be best dealt with under the single equality legislation process, we have seen little progress on the development of the single equality Bill since OFMDFM's consultation in late 2004. In fact, the issue did not even feature in the Programme for Government for 2008-2011. For that reason, we call on the First Minister and deputy First Minister to conduct a formal review of the Race Relations (Northern Ireland) Order 1997.

The Order mirrors the Race Relations Act 1976 in Great Britain, apart from its planning law provision, which is not applicable in Northern Ireland. As one of the people who campaigned for the extension of the Race Relations Act 1976 to Northern Ireland, in 1997, I was very pleased to see legislation introduced here to outlaw racial discrimination, albeit 21 years after the legislation was introduced in the rest of the UK.

In 2000, the British Government introduced the Race Relations (Amendment) Act 2000 in response to the report of the Stephen Lawrence Inquiry. However, that Act covered only GB. A key element of that Act was to make the criminal justice system subject to race legislation. Given that we do not have an equivalent

Act in Northern Ireland, we are bound by the principle that was put down in the Amin judgement, which states that equality legislation shall not apply to services that are solely the provision of Government and that have no private equivalent. In practice, that allows immigration officers, police officers, prison officers, probation officers, tax officers, planning officers and court staff to discriminate against ethnic minorities without any legal redress. The Amin principle applies to all existing equality legislation in Northern Ireland, so it is discriminatory on grounds wider than race.

Section 19B of the Race Relations Act 1976 places a race equality duty on public authorities, and it was modelled to some extent in our section 75. However, section 19B opens out policing and a range of other purely public functions. Instead of introducing section 19B provisions into the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003, OFMDFM introduced a minimalist version of that section. That was perceived as sufficient to satisfy the requisite European directive; however, it was still a long way short of the GB duty. The Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 should include similar provisions to those that are contained in section 19B of the GB legislation so that victims of discrimination on a wider basis than allowed by the Amin principle can be protected.

In 2003, the British Government introduced the Race Relations Act 1976 (Amendment) Regulations 2003 as part of their obligations under the Racial Equality Directive 2000. The direct rule Administration introduced to Northern Ireland the equivalent Race Relations Order (Amendment) Regulations (Northern Ireland) 2003.

At present in Northern Ireland, there is less protection from discrimination and harassment under the Race Relations (Northern Ireland) Order 1997 on the grounds of colour and nationality than on other racial grounds. Five racial grounds are defined in that Order: colour, race, nationality, ethnic origin and national origin. However, as the race directive was considered to apply only on the grounds of race, ethnic and national origin, the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003, which was introduced in order to give effect to the race directive, did not amend the provisions in the Race Relations (Northern Ireland) Order 1997 as regards the remaining two grounds of colour and nationality.

That interpretation creates a two-tier system in which colour and nationality have less protection, significantly in areas such as the burden of proof shift to the respondent, as well as new definitions of direct and indirect discrimination, harassment and victimisation. The Race Relations (Northern Ireland) Order 1997 should include provisions on discrimination

and harassment on the grounds of colour and nationality across its scope to rectify the problems created in the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003.

In November 2008, the British Government introduced the Race Relations Act 1976 (Amendment) Regulations 2008 to change the definition of “indirect discrimination” as required by the European Commission, but they did not introduce a new definition on “instruction to discriminate”. In contrast with GB, in Northern Ireland, the Government did not introduce any new regulations to rectify the problems of the transposition of the directive as required by the European Commission.

For some time, there have been calls for a formal review of the Race Relations (Northern Ireland) Order 1997 from bodies such as the former Commission for Racial Equality for Northern Ireland, the Northern Ireland Council for Ethnic Minorities, and the Equality Commission. The Equality Commission recommended changes to the legislation; specifically, that it should apply to all Government activities. It also made recommendations on the effective enforcement of the legislation by the Equality Commission and a number of other recommendations. Those recommendations should be implemented.

At present, there is a planning law exception in the Northern Ireland legislation. The Race Relations (Northern Ireland) Order 1997 should apply to the planning authority in Northern Ireland, making it equivalent to the legislation in Great Britain. That Order should impose a specific racial equality duty on public authorities in Northern Ireland. It should include a similar provision to the GB provision in the new section 71 of the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. That would replace the current article 67 of the Race Relations (Northern Ireland) Order 1997.

Due to the delay in establishing a single equality Act for Northern Ireland, it is time for a comprehensive review of the Race Relations (Northern Ireland) Order 1997, given its many amendments and deficiencies. In addition, securing greater harmonisation and simplification across the scope of the Race Relations (Northern Ireland) Order 1997 will provide greater clarity for black and minority ethnic communities, as well as for service providers and employers, regarding their respective rights and responsibilities under the legislation.

I ask for the Assembly's support for the motion.

Some Members: Hear, hear.

5.30 pm

Mr Spratt: I support this important motion and welcome the opportunity to discuss the Race Relations

(Northern Ireland) Order 1997 and the need to review its provisions.

I am an elected representative for South Belfast, a constituency with people from many different ethnic backgrounds. Although there have been isolated incidents and attacks on those folks in recent months, all the attacks were utterly condemned. The vast majority of people in south Belfast live in harmony with their neighbours. If people were to believe media reports, they would think that south Belfast is a racist area, but that is not the case, and it is unfair to classify the vast majority of people in my constituency in those terms. I and others from all the political parties have done our best to keep tensions to a minimum, and we will continue to do that.

Setting that matter aside, a few weeks ago my party colleague Diane Dodds and I visited the Chinese Welfare Association in its new premises, and we heard about the problems facing the large Chinese population in Northern Ireland. Many of those folks have integrated into our society over a long time, but many have faced barriers based on discrimination, and Anna Lo addressed many of those issues in her speech. Many of those problems have been created through various aspects of government. We must ensure that we as a Government have the necessary legislative framework in place to ensure an end to racial discrimination and harassment, because it is totally and utterly unacceptable.

The House and the Executive are driven by our Programme for Government, in which there is a commitment to implement the racial equality strategy and to promote social inclusion for new and established minority ethnic communities. Therefore at the heart of the Executive there is a commitment to protect and embrace ethnic minorities in our society. I welcome the clear commitment that the First Minister has shown on the issue, and I am sure that the junior Minister will outline the position of OFMDFM on the matter in due course. There is less protection from discrimination under the Race Relations (Northern Ireland) Order 1997 on the grounds of colour and nationality than on other racial grounds; that deficiency must be addressed quickly.

I fully support the motion. The many people in south Belfast from ethnic backgrounds will welcome today's display of solidarity. I hope that that solidarity will continue round the Chamber on this very important matter.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt ar son an rúin. In rising to support the motion, I am mindful of and angered by the death of Kevin McDaid, who was savagely murdered by thugs in Somerset Drive in Coleraine on Sunday night. Our thoughts and prayers

go out to his family and also to the family of Mr Fleming, who was savagely beaten and is fighting for his life.

We live in a society that hides its incapacity to address its sectarianism and racism. We live in a state where individuals refuse to confront those twin evils, where people have been taught to fear one another and where differences have been carefully fostered by an alien Government.

Racism has its own history in the North. The Six-County statelet has been subordinated to British rule. Britain has notable race problems, which the British state was obliged to recognise after the death of Stephen Lawrence, and the Macpherson inquiry identified institutional racism. We in Ireland have been part of Britain's colonial history, and partition established an institutional sectarian and racist state.

I support the motion because I agree that a fundamental review of the Race Relations Order 1997 is required to address the inherent inequalities that face black and minority ethnic (BME) communities, including migrant workers and Travellers, in a range of areas, such as education, employment, health and social care and housing. Another reason to support the motion is that the Equality Commission has no power to conciliate in cases of race discrimination that concern the provision of goods, facilities and services; nor does it have specific powers to grant assistance to individuals who make complaints under a community law provision that relates to racial discrimination. Moreover, some enforcement and regulatory elements of the police and Prison Service functions are carried out solely by those public authorities and not by private bodies, and those are likely to fall outside the Race Relations Order 1997.

The voices and concerns of ethnic minorities must be listened to and reflected in the Chamber. With no holds barred, they are calling for a review of the Race Relations Order 1997. If anti-racism and anti-sectarianism are to be effective, they must be mainstreamed and prioritised in society. Patrick Yu of NICEM has talked at length in different forums about how racist discrimination, harassment and bullying are common experiences for a significant proportion of minority ethnic adults and children. Despite that, their level of legal protection is insufficient.

At present, ethnic minorities receive greater protection against unlawful racial discrimination in Britain and throughout the Twenty-six Counties than here. A noteworthy development in the South is the national action plan against racism, which is aimed at contributing towards constructing an inclusive society in which racism is effectively addressed and cultural diversity valued.

Also worth noting is the fact that Westminster legislation places a duty on public bodies in Britain not to discriminate when carrying out their public

functions. That legislation is more extensive than the restrictive measure that is in place in the North. The North has an opportunity to exert its influence through the drawing-up of a bill of rights that would enshrine and rest on the core values of humanity, human dignity, equality, freedom, non-discrimination, non-sectarianism, non-racism and non-sexism. The British Government and the NIO must deliver a robust and enforceable bill of rights to provide the much-needed protection to the BME community and everyone who resides here.

As Members of a legislative Assembly, we are obliged to implement our power to establish an equality framework that looks to the future of a developing and increasingly complex society. Unfortunately, however, not everyone in the Chamber will want such action to be taken or progress made. At present, a fragmented array of legislative instruments exists, and it applies different standards of protection across the various strands of discrimination. That has proved difficult, confusing and costly for individuals who seek to assert their rights and for employers and service providers who seek to understand and observe their legal obligation. If enacted, such a framework would enhance race and other relations. On Friday, the concluding observations of the UN Committee on Economic, Social and Cultural Rights were —

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

Ms Anderson: The committee said that there should be enacted in the North:

“without delay, a comprehensive anti-discrimination law, guaranteeing protection against discrimination”.

Mr Kennedy: I give my support and that of my party to the motion. I deeply regret that, once again, Martina Anderson has delivered her speech with such astonishing and gratuitous offensiveness. I am tempted to think well of her by saying that she is in election mode; unfortunately, however, Ms Anderson is always in that mode. She does nothing to contribute to a sensible or logical debate.

I, my party and unionist and Protestant people despise racism. In the Second World War, unionism and Protestantism fought fascism, unlike nationalists or republicans, who, because of their racial prejudices, preferred to remain neutral.

It is deeply offensive —

Mr Deputy Speaker: I remind the Member to make his remarks through the Chair.

Mr Kennedy: Mr Deputy Speaker, I am simply saying that it is deeply offensive to hear a tirade of false allegations and abuse yet again delivered in the Chamber by Martina Anderson.

The motion is important, and the Assembly must busy itself with a structured and planned programme of revising legislation such as the 1997 Order. That would certainly give more cohesion and greater legitimacy to what we do than endlessly debating motions that are not binding on Ministers and are in danger of turning the Assembly into a talking shop or a sixth-form debating chamber. That sterile activity lends no credibility to the Assembly and gives quite an air of unreality. A structured programme of legislative revision would at least do some good in that it would improve lawmaking and keep us up to speed with developments in lawmaking elsewhere in the United Kingdom and across the EU, the Commonwealth and the world. This debate is a case in point.

Another point is that, generally speaking, unionists on this side of the House would like to maintain legal parity with the rest of the United Kingdom, save for specific issues that are matters of conscience, belief and, in some cases, common sense. Much of the legislation enacted by the national Parliament at Westminster and here in the Assembly is derived from European laws and directives.

At present, two pieces of legislation govern race relations in Northern Ireland: the Race Relations (Northern Ireland) Order 1997, which closely follows the Race Relations Act 1976 in Great Britain, and the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003, which implements the EU race equality directive of 2000. The defects in those laws point to the need for proper legislative revision. We would be better engaged in that business than in having this debate, the tone of which is so substantially lowered by Martina Anderson and Sinn Féin.

Unfortunately, colour and nationality are not afforded the same level of protection as other grounds of racial discrimination. Given Northern Ireland's increasingly diverse population base, that needs to be updated. "Racial grounds" as defined in the 1997 Order include colour, race, nationality and ethnic and national origin. However, the EU race directive that came into force through the 2003 regulations did not amend the provisions in line with the 1997 Order to include the grounds of colour and nationality. The partial consequence of that is that fair employment legislation and monitoring requirements do not effectively cover nationality and ethnic origin.

Therefore, we must take the opportunity to address the problems here. The Assembly must act rather than talk; legislate not debate. Let proposals be brought to the House at an early date to begin a thorough and rigorous process of legislative revision.

Mrs D Kelly: I am sure that Mr Kennedy will acknowledge that tens of thousands of Irishmen fought in the two great wars.

Mr Kennedy: I accept what the Member has said. Will she accept that that fact has only recently been accepted and properly dealt with by the Irish Administration and many who live here?

Mrs D Kelly: I accept that; however, my point is that many people fought fascism with whatever means was at their disposal.

I welcome the fact that all parties support the motion, and I welcome the presence of the junior Minister Mr Donaldson, who, I understand, met the Equality Commission with his fellow junior Minister Mr Kelly back in February to discuss the amending legislation that is required to bring our laws up to standard and into parity with those in Europe and Britain.

5.45 pm

Although Ms Lo eloquently outlined the reasons why we need to bring the Race Relations (Northern Ireland) Order 1997 up to date, it is, nonetheless, only one of six legislative amendments that need to be brought forward by the Executive. Sinn Féin promotes itself as a party of equality, so I am very surprised that we do not, as yet, have any of the legislation before us. As Members will know, I serve on the Committee for the Office of the First Minister and deputy First Minister. Up until the start of July 2009, no business is being brought forward by the First Minister and deputy First Minister in relation to any of those amendments. That is despite the fact that the Equality Commission wrote to the First Minister and deputy First Minister in February 2009.

For the record, other areas of amending legislation that are required are the extension of the age discrimination legislation; the Race Relations (Northern Ireland) Order 1997; the Sex Discrimination (Northern Ireland) Order 1976; the Disability Discrimination Act 1995; the Special Educational Needs and Disability (Northern Ireland) Order 2005; the extension of the monitoring requirements under fair employment legislation on the grounds of nationality and ethnic origin; and the amendment of the exceptional employment provisions of the Fair Employment and Treatment (Northern Ireland) Order 1998 as regards the recruitment of teachers in schools. Perhaps the junior Minister will give the House an indication of how many times Sinn Féin has brought forward amending legislation to the Executive so that we can see whether actions really speak louder than words.

As NICEM rightly points out in the briefing paper that it provided to us today, those amending legislative requirements should not be seen as a replacement for a single equality Bill. The SDLP is still committed to a single equality Bill and is disappointed by the level of Executive action and progress on that matter. The Executive have fallen foul of the paralysis that exists at their heart.

Ms Anderson was quite right to point out that we are meeting today in the aftermath of sectarian violence in which one man lost his life and another is fighting for his life. That news, which goes around the world, portrays a poor image of Northern Ireland and makes all our efforts very difficult. We know of racial attacks on many homes and properties, most recently in the Village area in south Belfast after rioting at a football match.

It is important that we bring forward those legislative requirements so that we send out a clear signal to everyone in the community that we are as committed to the highest standards of equality, protections and human rights legislation as anywhere else in Europe and throughout the world. I call on the Executive to bring forward the amending legislation. I welcome the commitment by all parties today, but action and progress are needed.

Mr Shannon: As my colleague Jimmy Spratt said earlier, my party supports the motion. The most recent statistics from various community organisations indicate that there are some 16,000 people who are from minority ethnic community backgrounds in Northern Ireland. The largest group is Chinese, of whom there are some 8,000. About 20 years ago, an area in Newtownards was known as "wee China" because of the number of Chinese people who lived there. The next-largest group is probably those who are from the Indian subcontinent, who number about 5,000. There are some 3,500 people from the African countries, and we are also supplemented by communities from the Arab world and south-east Asia. That does not take into consideration the thousands of migrant workers who have poured into the Province and have integrated into life here. They are from different ethnic and racial backgrounds.

Norlin Airlan hes allus bein weill kent fer hits hospitality an' gien natur an hit vexes me tae alloo at thair bes onie need fer onie foarm o' laa in place at maun ect es a guide tae dae a thing at bes natural tae iz – tae bae welcomin'. In es mich es A alloo this tae bae sae A ken forebye at the reality o' the situation caas fer sim laa accuase we hae a when o' fowk fae ither ethnic an' racial beckgruns an' baetims thair hae bein hannlins an' apheaval atween groups. Oan accout o' thon A hae tae 'gree at the laa shud bae in place referrin' tae aa situations an tae ivry aspect o' social an' community lif'.

Northern Ireland has always been known for its hospitality and generous spirit, and it grieves me to think that there is a need for legislation to guide us to be hospitable and kind, which are characteristics inherent in our nature. Much as I believe that, I also know that reality calls for some legislation, because we have people from other ethnic and racial backgrounds and, at times, there have been problems and upheavals between groups. Therefore, I must agree that

legislation should be in place that covers all situations and aspects of social and community life.

From a young age, children are taught at school not to label people according to their colour or accent. That is something that is spilling over into adult life. There are, however, occasions when prejudice may ensure that there is no real equality. That cannot be allowed in the Province if we are ever to move forward to become all that we can become and to reach our goals and aspirations.

As other Members said, there are issues not covered in the legislation that governs race relations in the Province that are included in similar legislation on the mainland. There has been increasing migration to the Province since the Troubles ended, and, now more than ever, we need to ensure that all men and women are treated as equals. A person's race, colour or religion should never matter: if a person is fit for a job through his or her qualifications, that is all that should be taken into account. It is for that reason that the fifty-fifty recruitment process galls me and other right-thinking people. If someone is fit for a job but happens to be a white, Protestant male, that person should not lose out to someone who is less fit for the job but is, perhaps, a Catholic female. Fitness for purpose, and nothing else, should be the criterion. Having had so many constituents who were told that they had passed all the necessary tests but did not meet the criteria, I understand the need to legislate for real equality. That extends to ensuring that the majority does not face discrimination in any way, shape or form.

We are blessed with a multicultural society. A community group in my constituency, the East End Residents Association, went to great lengths to hold a multicultural day with six different ethnic minorities from the Newtownards area. They manned information stands, involved children from the community in crafts and exchanged foods from different countries. The event was a great success. It opened doors, broke down barriers and went a long way to making us all bond with our neighbours and try to move forward.

Unfortunately that is not always the case. For that reason, we need adequate legislation in Northern Ireland to ensure a fair and equal society for all people. As a member of the Committee for the Office of the First Minister and deputy First Minister, I am aware of the steps that have been taken to make Northern Ireland more attractive to investors and that the way to do that is to display a multicultural society with wide and varying abilities working together in harmony. I agree wholeheartedly that there must be equality for all people in the Province regardless of background and that if a step to achieving that is to implement the same legislation that is at work in the mainland, as the proposer suggested, that is most definitely what we

must do. With that in mind, I support the motion and urge the Assembly to do likewise.

Mr Elliott: I thank the Members who tabled the motion. Racism is one of the most disgraceful scourges on any society. All people are born equal and deserve equal treatment and protection, and I find it difficult to comprehend that there are those who feel that race is a determining factor in deciding someone's worth. It certainly is not, and such views have no place in this or any modern society.

It is incumbent on us to be optimistic about the need for legislation to combat racism. We must hope and wish to see a time in the future where such legislation remains on the statute books purely as a residual protection from a problem that has been eradicated. To that end, legislation must be seen as a secondary tool in the defeat of racism; our primary tool must be education and community outreach. The stick of regulation will not change mindsets and attitudes; it can only hope to change actions. Racist mindsets can be dealt with only through addressing ignorance and hate. Nevertheless, legislation is necessary, and I support the intentions behind today's motion.

I also accept that there is a need to incorporate and ensure rights and protections for the indigenous community in Northern Ireland as well. The responsibility is not only on local communities. There is a responsibility on the foreign national communities who come to Northern Ireland to live and work to educate themselves on the background, cultural differences and diversities of the country they are entering.

At the outset, it is important to highlight the organisations in our society that are working hard to combat racism. For instance, the Chinese Welfare Association, with which many in the Chinese community work, particularly in south Belfast, does much to help. The Orange Institution has produced a series of leaflets aimed at the Protestant community in which it has highlighted the cultural links with west Africa and many other parts of the globe. Those leaflets, which highlighted the fact that racism and Orangeism are incompatible, did terrific work, particularly in Belfast. It is that mix of many community organisations, as well as better-established groups, working to combat racism that will achieve the most radical results. Members and Mr Deputy Speaker will also be aware of the work that is done by individuals in Cunningham's Lane in Dungannon and the outreach work with people from many different community backgrounds. The grass-roots groups in Northern Ireland are vital in the war against racism, and, daily, they do excellent work to educate and inform the local community and those from other fields.

The Protestant community is only too aware that people throughout the Province, particularly those who

live in border areas, have suffered ethnic cleansing. For many years, members of the Province's Protestant community have been targeted, murdered, bombed and put out of their homes.

I support the intentions of the motion in seeking changes to the definitions of racial discrimination in the legislation. It is crucial that the statutory definitions used to define racism uniformly include reference to colour and nationality. The terrible instances in which eastern European families suffered racist attacks in Belfast following a recent football match, which Mrs Kelly mentioned, highlight the ignorance and vile attitudes that can prevail among some people, and we need adequate tools with which to defeat their mindsets. However, I am concerned that some attacks perpetrated by foreign nationals on local people are not classed as racial attacks. They should be classed as such: there should be a two-sided approach to the issue.

Mr K Robinson: Does the Member agree that a great opportunity was lost some time ago when fair employment legislation was being introduced to the Province? There was great scream and outcry from certain sections of the community that that should be so. At that time, I felt that the extension of that legislation to the mainland would be a great safeguard for the minority religions in mainland GB and that, therefore, we would take on the full complement of race equality legislation that was there but which was not being sought here.

Mr Deputy Speaker: The Member has one extra minute in which to speak.

Mr Elliott: I assume that the Member means that we could have had the best of both worlds, that we could have availed of what existed in mainland GB and shared ideas and opportunities. That is right, and we should be open to that.

The tools to which I referred earlier in my contribution must be uniform in their approach. Discrepancies in definitions in the legislation must be addressed as quickly as possible. Such a change to the legislation is a minor point in many ways. However, as with many things, minor alterations to the wording of the law can make a world of difference. In this instance, shortfalls in language create senseless and needless disparities.

It is crucial that Northern Ireland offers the same protection as the rest of the United Kingdom against unlawful racial discrimination. The duties on public authorities not to discriminate when carrying out their public functions are more extensive in GB than in Northern Ireland. That ambiguity must be addressed.

Mr O'Loan: I also welcome the motion that has been tabled by members of the Assembly all-party group on ethnic minorities, of which I am a member. Other Members have set the context for the discussion

in relation to attacks on ethnic minorities, and it is right to do that. I am aware of such attacks in my own area and in other areas.

The situation is even worse than it is presented as being, because attacks are under reported and often not known about, and they are minimised because members of ethnic-minority communities have learned that they should choose not to live in certain areas. Therefore, the attacks that we see are the tip of an iceberg, and there is a big unseen problem.

6.00 pm

Racial prejudice and overt racism are major problems in Northern Ireland, and when they occur in such visible forms as racist attacks, we can be sure that they exist in institutional contexts also. Legislation must be looked at to deal with those in particular. I agree with the motion's premise that the existing Northern Ireland legislation is inadequate.

I agree with the Equality Commission's view that we need urgent reform for two specific purposes. First, it is required to tackle inequalities. The Equality Commission notes, rightly, that well-evidenced research is available on inequalities experienced by black and ethnic minority communities in relation to education, employment, health and social care.

Secondly, legislation is required to provide, as the Equality Commission puts it, "parity of protection" with Great Britain. We need at least that as a benchmark, but there is no reason why our protections should be restricted to that base level. It is certainly unsatisfactory that there is greater protection against unlawful discrimination in Great Britain than in Northern Ireland.

The duties on public authorities in Britain are greater. In Britain, the duty not to discriminate applies to all functions of public bodies. Here, it is restricted to social security, healthcare, social protection and social advantage, and that is not satisfactory. As a consequence, certain functions of even the police and Prison Service staff probably fall outside the Race Relations (Northern Ireland) Order 1997. That is also the case with immigration officers, which is a particularly clear lapse at present, and with court staff. As Anna Lo mentioned, we do not have the equivalent of the Race Relations (Amendment) Act 2000.

Furthermore, the Equality and Human Rights Commission in Great Britain has wider enforcement and conciliation powers than the Equality Commission in Northern Ireland. Legal provision in Great Britain will, in fact, become stronger as a result of the recently published Equality Bill, so Northern Ireland is being very much left behind in this matter. Members of ethnic-minority communities are being severely disadvantaged by that failure.

Many of the provisions of the Race Relations (Northern Ireland) Order 1997 apply only on the grounds of race or ethnic or national origins. They do not apply on the grounds of colour or nationality.

The Northern Ireland Council for Ethnic Minorities, which advises the all-party group, wants legislation that will deal with four main issues. The first is the inclusion of colour and nationality as racial grounds. The second is a comprehensive duty on public authorities not to discriminate or harass. The third is the provision for dealing with third-party harassment, such as by other employees, customers or clients. The fourth is stronger compliance powers for the Equality Commission. We, as an Assembly, should support their demand.

A review of the legislation is long overdue. In 2002, remarkably, the Equality Commission asked for such changes in its recommendations for changes to the Race Relations (Northern Ireland) Order 1997. As other Members, particularly Dolores Kelly, have said, a single equality Bill could embody all of those requirements and many others. OFMDFM seems to have abandoned that project.

As an aside, I mention Martina Anderson's quaint and naive view that racism simply seems to be a product of British colonialism. It is nice if one can choose to believe that. If one examines the historical record and sociological argument, one could not sustain that view for very long. It is complacency that does not stack up terribly far.

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

Mr O'Loan: For all that her party talks about equality, it has failed to bring about that single equality Bill. I support the motion, but I regret that we are asking the Northern Ireland Office to do the job that should have been done by our own Office of the First Minister and deputy First Minister.

Ms Purvis: Like other Members, I support the motion.

As other Members pointed out during the debate, untenable anomalies exist in the laws that cover discrimination in this country. In essence, those legal inconsistencies create a hierarchy of rights that, in some instances, provide greater protections for political opinions and religious beliefs than they do for discrimination or harassment that is experienced as a result of colour or nationality.

They also create loopholes that allow for indirect discrimination in some cases and, alarmingly, for direct discrimination on the part of some public authorities by keeping the *Amin* principle in place.

Reforms that are being initiated in Great Britain will create further disparities that will allow greater protection from discrimination and harassment for

ethnic communities in Great Britain than in Northern Ireland. That must be addressed immediately. It is essential that all people in Northern Ireland, regardless of race, ethnicity, colour or belief, have the same legal protections against discrimination and harassment in all areas of life, including employment and education. That should also be the case for access to services, including planning and the criminal justice system.

It is equally important that the citizens of Northern Ireland have the same legal rights as their counterparts in Great Britain. Many of those issues were supposed to be addressed through the single equality Bill process, which, admittedly, was started under direct rule. However, that appears nowhere in the Executive's Programme for Government.

That omission highlights another problem that is becoming increasingly serious as the Executive's tenure continues. Critically, some equality initiatives seem to have fallen completely off the radar of the Office of the First Minister and deputy First Minister. Not only is the strategy for cohesion, sharing and integration nowhere to be seen, but the single equality Bill that was supposed to harmonise legal protections for the citizens of the Province appears not to have been given any priority at all. If the Executive, especially the First Minister and the deputy First Minister, do not take the initiative to remove inequalities and divisions in our society wherever they exist, exactly where do they expect the initiative to come from?

Without progress in our legal system; harmonisation of rights; clarification of protections; and initiatives to transform our society into shared and integrated communities with equality of opportunity, change will not take place. Responsibility for leadership in those areas lies with the First Minister and the deputy First Minister.

I join others in calling on the First Minister and the deputy First Minister to review the Race Relations (Northern Ireland) Order 1997 and to start the process of removing inequalities in our society by removing the inequality of rights in our legal system.

I support the motion.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Donaldson): I thank everyone who participated in the debate, including the Member for South Belfast Ms Lo for moving the motion. I am grateful for the opportunity to respond to the debate.

It has been one of my privileges as a Minister to attend events that were organised by ethnic groups in Northern Ireland; I have found that a very enjoyable experience. It has been one of the brighter parts of my ministerial portfolio to be able to meet people from a rich diversity of backgrounds in Northern Ireland, not least, of course, the Chinese community, which is ably

represented by the Member for South Belfast. That added dimension to our culture and community enriches life in Northern Ireland.

When moving the motion, Ms Lo talked about the lack of progress on harmonising legislation in Northern Ireland with that of Great Britain. She listed areas in which there is a lack of provision for protection against race discrimination. Of course, many of the areas that she mentioned are not devolved to the Northern Ireland Assembly at present. We recognise that there is a gap. We have talked to the Northern Ireland Office about that issue, but it seems that the inclination there is to await the devolution of those areas and allow the Assembly to make the appropriate legislative provision.

Ms Lo referred to the amendment in Great Britain on indirect discrimination that was effected in 2008. I am glad to report that we will be bringing forward similar legislation in Northern Ireland. It is hoped that that will come forward in the near future; it is work in progress.

My colleague Jimmy Spratt spoke of the race-motivated attacks that have taken place in South Belfast and condemned them, rightly. He is correct in saying that the vast majority of people in South Belfast, as represented by the Members in the Chamber, are totally opposed to racist attacks. That is the case right across Northern Ireland.

Martina Anderson referred to the murder of Kevin McDaid, and all Members condemn that attack unreservedly. We had hoped that that was something that belonged to the past; not to the present and certainly not to the future. We must all redouble our efforts to ensure that the sectarianism that appears to have motivated that attack is removed from our society, and the Office of the First Minister and deputy First Minister is committed to that.

I echo the comments made by the Member for Newry and Armagh Mr Kennedy. It is unfortunate that, at times, language is used in the Chamber that does not promote good relations and reconciliation between the various traditions in here. We need to get away from the days when we referred to Northern Ireland as "a six-county statelet", because that is something that many people, including people in this Chamber, find offensive. It is unnecessary and adds nothing to the debate.

I endorse what Mr Kennedy said about the need for the legislation to be upgraded; that is something that we recognise. If we have fought against those who promoted racist ideas, then it is incumbent upon us to ensure that we do everything we can to protect people from discrimination on the grounds of their race or ethnic origin. It is true that the legislation that is in place, and the legislation that will be proposed in the future, applies not only to ethnic minorities but to

everyone, which is the point that Mr Kennedy's colleague the Member for Fermanagh and South Tyrone Mr Elliott made in relation to what might be described as the white majority in Northern Ireland. The race discrimination legislation applies to everyone, regardless of their colour, creed or race, and I hope that that reassures Mr Elliott.

Ms Kelly, the Member for Upper Bann, mentioned the Equality Commission's proposals for legislative amendments. We recognise the commission's position, and junior Minister Kelly and I have agreed to meet the chairman of the commission to discuss the way forward on those amendments.

Every Member who spoke supported the motion. I am pleased to confirm that the Office of the First Minister and deputy First Minister endorses the motion and accepts its terms and the need to update our legislation to bring it into line with the rest of the United Kingdom so that it protects people from being discriminated against on grounds of race. Of course, that applies equally to harassment.

6.15 pm

Although the Race Relations (Northern Ireland) Order 1997 needs revising, I stress that we are committed to taking action to ensure the highest level of protection against discrimination and harassment across all racial grounds to people here while providing enhanced clarity in rights and responsibilities.

We also acknowledge that there is an apparent disparity between the protection that is offered in the area of public functions by the Race Relations (Northern Ireland) Order 1997 compared with the Race Relations (Amendment) Act 2000. To that extent, it is true to say that people may be offered a lesser degree of protection here than people elsewhere in the United Kingdom.

Great Britain's approach to public functions is not dissimilar to the provisions and the protections that are afforded by section 75 of the Northern Ireland Act 1998. Although we recognise that there is a gap between the Great Britain and Northern Ireland legislation, it is fair to say that section 75 covers many areas that are not covered by our legislation. Section 75 is unique to Northern Ireland and does not apply to other parts of the UK. It reduces that gap between the position in Northern Ireland and that in Great Britain, but we accept that it does not cover the entire gap. There remains a disparity between Northern Ireland legislation and that in other parts of the UK.

In the Programme for Government, we stated our determination to:

"continue our efforts to address the divisions within our society. Progress has been made, but at a time when our society is being transformed, sectarianism, racism and intolerance are still too

evident. They mar our reputation, blight our economic prospects and have a corrosive effect on our society."

Sadly, at times they result in the most tragic of consequences, as we saw at the weekend in Coleraine.

The Programme for Government continues:

"For these reasons it is imperative that we all embrace the opportunity to create a shared and better future, based on tolerance and respect for cultural diversity."

That has to apply, and not just on the grounds of race. It would be nice to see some respect for cultural diversity between the two main traditions in Northern Ireland. We could set a better example in that respect. People from ethnic minorities often point out to me that they hear our talk of the need to have a shared society, yet our two main traditions cannot agree at times. We have a situation where expressions of cultural identity are opposed violently. That is something that we need to address and from which we have to move away.

We noted the UK Government's declaration of their intention to abolish the two-tier level of definitions and tests in the Race Relations Act 1976. We will wish to see the outcome of that process, after which we will consider how we should take it forward in Northern Ireland.

I take this opportunity to thank those who have contributed towards the wider debate in society. In particular, I commend the work of the Northern Ireland Council for Ethnic Minorities, which briefed the Committee for the Office of the First Minister and deputy First Minister recently on a review of the Race Relations (Northern Ireland) Order 1997. I know that before the debate, Members were briefed by the council. I commend it for its work, and I commend other organisations representing the various ethnic groups for the valuable contributions that they have made to the debate in the wider community.

I referred earlier to some of the key areas that were highlighted in the debate and that were omitted from the Order originally. They include the activities of the police, the Prison Service and other areas that Mr O'Loan, a Member for North Antrim, mentioned. Those matters remain reserved to Westminster, so there are difficulties for the Assembly in legislating on them. However, the advent of devolution will open up the opportunity to do so, and it would be prudent to wait for those areas to be devolved before moving forward.

We outlined recently our proposal to the Committee for the Office of the First Minister and deputy First Minister to clarify the definition of the concept of indirect discrimination in the Race Relations (Northern Ireland) Order 1997. We are considering how to amend the Order where it allows for discrimination on the ground of nationality, in relation to pay by employers or principals in respect of seafarers who apply for, or

were engaged for, employment outside Northern Ireland. That is to comply with EU anti-discrimination law. The Order needs to be amended so that it no longer provides for the exception for seafarers from the European Economic Area and designated states.

I reiterate our stance against racism and intolerance generally. We remain committed to the six shared aims in the racial equality strategy and consider them robust and comprehensive. The first stated aim, which is particularly relevant to this debate, is to eliminate racism, racial inequality and unlawful racial discrimination and to promote equality of opportunity in all aspects of life, including public life, for people of different ethnic backgrounds in Northern Ireland. We accept that we need to turn that clearly stated objective into the legislation necessary to afford the protections that we all want to see and that Members have mentioned in the debate.

Of course, the attitudes of a small element in our society need to be tackled. The issue is not only about legislation; it is about changing those attitudes and the mindsets that go with them. Those attitudes must be challenged wherever they occur. We are determined to take what steps we can to legislate against discrimination and to promote equality of opportunity for all people. We need a stable society where people live and work together peacefully side by side, regardless of community background and beliefs. It is that mutual acceptance and appreciation that must be the foundation for our future sustainability and prosperity.

One of the cross-cutting themes of the Programme for Government is the building of a shared and better future for all; it states that we must continue our efforts to address the divisions in society. It is imperative that we all embrace the opportunity to create a shared and better future based on tolerance and respect for cultural diversity. We have made significant progress on that, and we continue to develop and refine the programme for cohesion, sharing and integration to examine how we can build on the achievements of previous initiatives and programmes.

However, we recognise that work to foster good relations must take place against a background of strong legislation. For those reasons, I am happy to support today's motion, and I recommend that Members do the same.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I also thank Anna Lo for opening the debate. As Ms Lo said in her opening remarks, members of the all-party Assembly group on ethnic minority communities tabled the motion in response to a request from the people whom the group represents.

After the inquiry into the death of Stephen Lawrence uncovered institutional racism, the Race Relations (Amendment) Act 2000 was introduced to

extend the application of race legislation to the entire criminal justice system. It is clear that the Race Relations Order 1997 must be reviewed, because people need legislation that can challenge inherent inequalities. We are talking not only about racial attacks, but about the deeply rooted racial inequalities that exist in the North.

Certain public services, such as the police and the Prison Service, are not subject to the 1997 Order, and that is one of the reasons why it must be reviewed. Some Members referred to the fact greater protection exists in Britain and the South of Ireland. Legislation in Britain places a duty on public authorities not to discriminate when carrying out public functions; however, in the North, the list of public authorities required to do that is restricted. In the South, the national action plan against racism is aimed at constructing an inclusive society. Therefore, more must be done here, and I hope that a review of the legislation will be a step towards achieving that.

I wish to comment on the single equality Bill. We would be better served by a single Bill than by the mishmash of legislation that we currently have. I will touch on that issue later, because some Members made reference to it. However, the core theme of today's debate is the need to ensure that the grounds of colour and nationality have the same level of protection against direct and indirect discrimination, harassment and victimisation as do other grounds.

In her opening remarks, Anna Lo stated that little progress has been made on creating a single piece of equality legislation, and she therefore called for the Race Relations Order 1997 to be reviewed. Anna set out the key issues for such a review. In contrast with Britain, the North did not introduce any new regulations to rectify the problems of the transposition of the race directive, as required by the European Commission. The Race Relations Order 1997 needs to impose a specific racial equality duty on public authorities in the North.

My colleague Martina Anderson felt that a review of the Order was required to address the inherent inequalities that face black and minority ethnic groups and communities, including migrant workers and Travellers, in areas such as education, employment, health, social care and housing. I agree that it is very important to address those inequalities.

Danny Kennedy used this debate to attack Sinn Féin again. He talked about being offended, but some of the evidence proves that racism here has emanated from sectarianism, and that was the point that Martina Anderson was trying to put across.

Mr Kennedy: Will the Member give way?

Ms J McCann: It depends; will I receive extra time to speak? I have quite a lot to get through.

Mr Deputy Speaker: No.

Ms J McCann: Sorry; I have too much to get through.

Mr Kennedy: You are not really sorry.

Ms J McCann: If I have time left at the end, I will give way.

Another point that Martina made was that the Equality Commission has no real power to conciliate in race discrimination cases. That is another reason why it is very important that the Order is reviewed.

Jimmy Spratt referred to some of the attacks that have occurred in South Belfast and the commitments in the Programme for Government to implement the Racial Equality Strategy and to promote social inclusion. He mentioned the deficiency in the legislation in that there is less protection on the grounds of colour and nationality than on other grounds, and he said that that needed to be addressed. He also made the very good point that the Chamber could send out a very clear message of solidarity today by saying that racial inequalities and racial attacks will not be tolerated.

Dolores Kelly also used the debate to attack Sinn Féin. I must tell Dolores that the single equality Bill and the bill of rights are not being blocked at Executive level by Sinn Féin; in fact, it is the party opposite that is doing that. I must clear that point up.

Jim Shannon provided the House with some statistics on the cultural diversity of the North, and we are really changing. Ireland as a whole is changing, and more and more migrant workers are coming here to work. We must embrace that cultural diversity as it sends out a message about the rich fabric of life that exists here.

However, I disagree with Mr Shannon's comments about the 50:50 recruitment process for the police. Affirmative action is needed when an even playing field does not exist. If there was an even playing field, I would agree that it is not needed. However, until we have that even playing field, it will be needed.

Tom Elliott made the point that legislation should not be the primary tool in combating racism, and that education and community outreach must be the priority. That is correct, but we also need legislation to tackle inequalities and areas of discrimination. Nevertheless, his point that we need those other factors to be in place is relevant.

6.30 pm

Declan O'Loan said that urgent reform is needed for two reasons: to tackle inequalities and to protect against discrimination. He said that existing Orders do not take account of colour or nationality. In addition, he referred to the need for a single equality Bill, but I have already covered that matter.

Dawn Purvis pointed out the fact that people from ethnic-minority communities have fewer rights than those whose political and religious rights are protected. She felt that that situation should change and that everyone should have equal rights. She said that all people in the North of Ireland must have access to all services without fear of discrimination, and, furthermore, we need legislation to remove inequalities from society.

Junior Minister Donaldson made several points. He, too, said that legislation must be updated in order to protect people from discrimination as a result of their colour or nationality. He recognised that everyone who contributed to the debate supported the motion, and it was good to hear that the Office of the First Minister and deputy First Minister endorses the motion and is committed to taking action to tackle discrimination and harassment owing to nationality or colour.

The junior Minister commented on NICEM's work. As I said, NICEM regularly briefs the Assembly's all-party group on ethnic-minority communities to bring it up to date on matters that affect people from ethnic-minority communities. Only people from those communities can tell the all-party group about their needs so that we might challenge discrimination and embrace diversity.

I was also glad to hear the junior Minister say that OFMDFM remains committed to the six shared aims that are set out in the race relations strategy. He mentioned the strategy for a shared and better future, and he spoke about the need to change mindsets. We must be open to embracing different cultures, and that applies right across the board, to religious and political beliefs, gender issues, and so on.

I shall finish by quoting from the concluding observations of the Economic and Social Council of the United Nation's Committee on Economic, Social and Cultural Rights:

"The Committee recommends that the State party takes remedial steps to enforce existing legal prohibitions of discrimination and to enact, without delay, a comprehensive anti-discrimination law".

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

Ms J McCann: It continues:

"It also recommends that the State party consider making such comprehensive anti-discrimination legislation applicable to"

the North of Ireland.

Mr Kennedy: What about responding to me?

Ms J McCann: Sorry.

Question put and agreed to.

Resolved:

That this Assembly calls on the First Minister and deputy First Minister to review the current Race Relations (Northern Ireland) Order 1997, in view of the fact that the current law does not offer

the same levels of protection as in other parts of the United Kingdom and the Republic of Ireland, and also given the deficiencies in the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003.

Motion made:

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

ADJOURNMENT

Redundancies at Nortel

Mr Deputy Speaker: The proposer of the topic for debate will have 15 minutes in which to speak. All other Members who are called to speak will have approximately seven minutes.

Dr W McCrea: I bring before the Assembly the serious issue of redundancies at Nortel. I appreciate that those redundancies affect a number of constituencies, and I know that several Members will wish to participate in the debate. First, however, I wish to express my appreciation to the Business Committee for choosing this important topic for the Adjournment debate. I also appreciate the fact that many Members are electioneering for another place and on behalf of other candidates, and, therefore, it will be difficult for some of them to participate. Nevertheless, we are debating an important topic, and I trust that it will have the House's approval. I also appreciate the presence of the Minister for Employment and Learning, and I know that he will have important comments to make in the debate.

These are challenging times for employment in Northern Ireland, and many of our constituents have endured an intolerable body blow with the loss of their jobs. The unprecedented recession could rightly be blamed for the layoffs at some of the largest manufacturing companies in Northern Ireland. However, the increasing spiral of job losses must never be accepted as a necessary consequence of recession.

Each person affected is understandably broken-hearted at the thought of joining the unemployment queues: many are without hope of finding another suitable job. I pay tribute to those who have come through that experience, faced that challenge, and have sought and found further employment. However, it will become more difficult to do so in the current recession. The magnitude of the recent redundancies will no doubt bring added strain to family life in the Province, as many people face an uncertain future on the dole.

Every public representative must endeavour to assist in every way possible at this time of crisis. I appreciate that there is no magic wand that can be waved to satisfy the needs of the hour. Indeed, there is a limit to what any devolved Government can do to alleviate the suffering of constituents. However, we must raise a united voice in the Assembly when a cruel injustice has been done to hardworking and honourable people.

It is imperative that Government agencies act in a co-ordinated fashion to bring fresh investment to Northern Ireland. The truth is that the prospects of that happening now to meet the needs of those who have been made redundant at Nortel are not high. I appreciate the efforts that our Ministers are making in that respect and I wish them every success as they continue with those efforts.

As a leading telecommunications company, Nortel has been a valued employer in Northern Ireland for several years. Earlier this year, the UK operation of the global communications company went into administration. The workers expressed their concern when the parent company filed for bankruptcy protection, but management assured them that everything would be fine.

Then, the bombshell dropped that more than 220 positions were to be slashed across the United Kingdom, including 87 at the Newtownabbey plant. Those were highly skilled and well-paid jobs, and their loss creates a worrying deficit in the Northern Ireland economy. The news sent shockwaves throughout my constituency and several neighbouring constituencies, as unemployment is a tragic blow to any individual or family.

After investigation, I found the manner and execution of the redundancies to have been extremely offensive and totally unacceptable — it must be roundly condemned. It is apparent that some people regard a proper consultation period and appropriate notice as meaningless and insignificant inconveniences that can be cast aside at the whim of an arrogant dictator. When the Nortel workers in Newtownabbey heard the news of the redundancies, it was announced that 87 workers were to be taken off the premises that very afternoon. Many of those skilled and professional workers had given Nortel years of hard work, but their sacrifice was treated with disdain. They were marched off the Nortel site like criminals.

At the beginning of May, Sammy Wilson MP, Nigel Dodds MP, First Minister Peter Robinson MP, Alasdair McDonnell MP, Jeffrey Donaldson MP and I, the South Antrim Member of Parliament, met union representatives, union workers and non-union workers in Parliament Buildings to hear about the administrators' actions at first hand.

It was evident to us that in the execution of its responsibilities as the administrator, Ernst and Young had flouted the law, and I believe that it has since acknowledged that it ignored the demands of the law in respect of its actions. The rights of union and non-union members of staff were trampled on, and Ernst and Young must be made accountable for its disgraceful actions.

In the twenty-first century no one should have the right to dismiss the rights of workers with an arrogance

that is unworthy of any significant employer, never mind a leading company in Northern Ireland. The law must be urgently changed so that no administrator can ignore his or her responsibility and act with impunity. The action that was taken could not have happened in any other region of Europe, because the law would not have permitted it.

As I said at the beginning of the debate, we are living in challenging economic times; unions and workers are not oblivious to the hard choices that must be made. However, if the firm or the administrator had engaged in meaningful and respectful discussions with the union and the workers, much anger and frustration could have been avoided. Some of the jobs would have had to go; nevertheless, the workers should have been treated with dignity, and there are laws to ensure that.

The company said that it filed for bankruptcy under chapter 11 of the United States bankruptcy code to enable it to undertake a comprehensive business and financial restructuring. Therefore, it is despicable that although the pensions that many of the workers paid into all their working lives are under threat, the company decided to pay large bonuses to executive management. Such payments are highly offensive and must be carefully scrutinised. It smells of a similar problem in the banking industry, where payments were made to chief executives.

I call on Invest Northern Ireland to make Nortel repay the grant that it received to create and safeguard employment, for it has surely breached the terms of such financial assistance.

Further investment in the training and retraining of those who face redundancy in the recession is urgently needed. To make that meaningful and positive, it is imperative that we continue to engage with union representatives. It is important that we go forward together, whether in Government, public or private employment, or among the unfortunate people who face the turmoil of being made unemployed.

Since investment in training or retraining is never wasted, we must encourage it. I listened to the announcement of the Minister for Employment and Learning in the House today that he continues to look at the situation, and I deeply appreciate his efforts in that respect. Such investment will always be rewarded with success.

The House must demand fairness and integrity in business life, and any process that leads to redundancies must be done decently and in order. I thank those who raised the issue with us as elected representatives, and I trust that their hand will be strengthened because the issue finds support across the Assembly. I assure the Assembly that those of us who are Members of Parliament are working with other MPs at Westminster who have Nortel interests in their constituencies. I

hope to have an urgent meeting with the Minister of State for employment relations, Pat McFadden.

It is important that Members use every lever to gain justice for our constituents. I ask the Assembly for its unanimous support.

6.45 pm

Mr Beggs: At the outset of my contribution, I recall the new millennium when, perhaps, Nortel was at its peak locally. The company was doing well, and it was expanding and looking for suppliers. It interacted with universities on research, and further education colleges retrained people in disciplines that would enable them to fill the types of vacancies that the company offered.

Although Nortel has declined quickly in a relatively short time, the possibility remains that the company could rise again. Departments must try not only to assist staff who have been made redundant but to ensure that that torch is kept alight. Eventually, the economic decline will end and considerable worthwhile, well-paid, skilled employment will be possible. Nortel's recent decline is unfortunate, and, perhaps, that is seen most vividly in its share prices, which, during a short period, fell from over 1,000 Canadian dollars to fewer than 10 cents.

As the Rev William McCrea has said, the parent company filed for administration in January 2009. Since then, staff have been most aggrieved by the way in which the company has treated them. Suddenly, 228 redundancies were announced in the UK, and, of those, 87 were in Northern Ireland. The administrators failed to respect what would be considered to be normal conditions, particularly from a multinational company: no staff consultations took place; short notice was given about termination of staff benefits; and company cars were withdrawn almost immediately. At a time when staff who had been made redundant, as well as those who remained in the company, most needed assistance, the employee helpline ceased.

I am sure that what hurts staff most is that, perversely, while all that was happening and people were being made redundant, senior employees were awarded bonuses. Something about that stinks. It is entirely inappropriate that at a time when a company is going through financial difficulties, senior executives should award themselves bonuses of millions of dollars. Some 45 million US dollars were paid to 1,000 employees, and top executives were paid some 7.3 million Canadian dollars. How could that happen when the company struggled? It makes no sense.

I contrast that with another company of which I am aware that managed not only to break even but to make slight profits. To do that, staff were consulted, who recognised that the company had to make savings. Staff agreed collectively that the company must make savings, protect jobs and retain skills so that when the

economic downturn ends, it would benefit. Therefore, it is regrettable that Nortel's administrators moved swiftly, treated staff badly and failed to consult them.

I want to know what Government can do. Is there a need for the Assembly to change legislation? Certain aspects of the situation may be due to the fact that Nortel is a multinational company. It would be helpful if the Minister could confirm that. Nevertheless, one would have thought that a multinational company would value and respect all its staff equally, irrespective of where they are located, and would ensure that bonuses are not paid at a time of financial difficulty.

I want to know what the Department for Employment and Learning and Invest NI are doing with the company, how they are assisting staff who have been made redundant and, indeed, what work they are doing to create jobs for the future.

Mr Burns: I commend my South Antrim colleague Dr McCrea for securing a debate on this important matter. I want to take the opportunity to say a few words on behalf of the Nortel workers.

As other Members have mentioned — and I include Dr McDonnell, who cannot attend this evening but has had meetings and representations with the workers — the Nortel staff have been treated very badly. That took everyone by surprise, because Nortel has a long history as a good employer in Northern Ireland. Some of these loyal people have spent most of their careers at Nortel — over 30 years in some cases. They have been rewarded with no proper redundancy payments, no notice period, a termination of their benefits and a reduced pension. The taxpayer will have to clean up the mess.

The workers have been denied what they are due. They have been denied their rights, and they have been treated with disrespect. They were told that it was business as usual, despite the fact that the company had gone into administration. Serious questions must be asked about the actions of the company and the administrators. There was no proper consultation period and no advance warning to the unions. As I have said, the company's actions were disrespectful and immoral, and the courts will decide whether they were legal. I understand that some employees will be taking legal action against the company and the administrator; I hope that the courts rule in their favour, because the workers should receive what they are owed.

It is clear that the laws that protect workers' rights must be reformed. The SDLP is calling for that measure, because we cannot allow this to happen again. Companies must fulfil their responsibilities to their staff; they cannot walk all over people. The loopholes in the law must be tightened, and our laws must be changed. If Nortel or the administrators have

broken laws, they must be punished and the workers' rights upheld. The system seems to have failed. We must fix the system quickly, because, in the current economic climate, more companies will go into administration. We have seen enough at Visteon and Nortel; we do not want to see this sort of thing happening again somewhere else in a few months.

In a recession, people will lose their jobs. However, the way in which they lose them is crucial. There are a number of serious concerns about the operation of Nortel and the administrators. There is no excuse for denying workers respect, and there is no excuse for denying workers their employment and pension rights. There are legal and policy gaps in workers' protection in the UK. The protection that is afforded to workers in Europe, in countries such as France and Germany, shows how light-touch UK employment law is. As a result, it has been exploited, and unscrupulous companies are getting away with disgraceful acts towards their workers, many of whom, such as those in Nortel, have given a lifetime's service. We cannot sit back and allow that to continue. That is why the SDLP calls for a serious shake-up in UK employment law.

Mr Neeson: I welcome the opportunity to debate this issue, and I thank Rev William McCrea for raising it.

I can remember that, at the turn of the century, almost 2,000 people were employed directly by Nortel and its other supply companies. I also remember visiting the factory, along with the Committee for Enterprise, Trade and Investment, and being very impressed at the time. In my former role as Deputy Chairperson of that Committee, I visited the Nortel headquarters in Canada with Sir Reg Empey, when he was Minister of Enterprise, Trade and Investment. At that time, there was a great deal of optimism about the future of the company. However, I was, unfortunately, in Montreal on the day that the shares of Nortel collapsed and the Canadian Stock Exchange had to be closed.

Nortel is still very important to the economy of East and South Antrim, and it also has many employees in North Belfast. When things were going well, the local further education colleges quite rightly provided courses to meet the needs of Nortel. I also remember the day that Sir Reg Empey went to Carrickfergus to cut the first sod for the Solectron factory, which supplied Nortel.

Nortel's facility at Monkstown is part of Nortel Networks UK, which, in turn, is a subsidiary of Nortel Networks Corporation. Last year, the facility at Monkstown employed over 500 people, paying in excess of £18 million in annual salaries and wages, with more than 100 people employed in direct suppliers.

On 14 January 2009, Nortel Networks UK announced that an administration order had been granted against

the company, as the parent company, Nortel Networks Corporation, had successfully filed for protection under chapter 11 of the US bankruptcy code and under the Companies' Creditors Arrangement Act in Canada. The Nortel Networks Corporation decided to release 3,200 workers worldwide. On 30 March, Nortel Networks UK decided that 87 workers would be released from the Monkstown facility.

I share the concerns expressed by Rev William McCrea about the way that the issue was handled. It seems to be becoming common now that if people are made redundant, they are marched out to the factory gates. That must be investigated. I find it unfair and unacceptable that workers are being treated almost like criminals; it is an issue that must be looked at.

The company continues to trade under the administration process. Obviously, the loss of jobs is a major blow to the local economy. Last week, the Committee for Enterprise, Trade and Investment met officials from Invest NI to express its concerns, particularly about the £7.4 million clawback. It must be remembered that the value of taxation and national insurance is vital to the Exchequer and that as the company continues to provide employment, the Exchequer continues to gain from it.

The Monkstown facility used to employ several hundred people in research and development, but that has been reduced greatly. That concerns me, because it is an important element of any modern company. Although that is a worry, I note that some former Nortel workers have been employed by some new IT companies here in Northern Ireland.

This is a serious issue, and all elected Members and the various Departments must work together to ensure that Nortel continues with production at Monkstown.

7.00 pm

Mr K Robinson: I will not go over the major points that other Members made. I thank Rev William McCrea for bringing this important topic to the House.

I have a feeling of *déjà vu*, Mr Deputy Speaker. As has been said before in the House, we have witnessed the telecommunications industry's ups and downs. We were in a boom, and we were expanding. More than 2,000 people were employed in firms in South and East Antrim, but we then experienced a massive contraction in those jobs. Back then, the now Minister for Employment and Learning, in his previous ministerial role, was able to intervene quickly because of the prompting of the six East Antrim MLAs. We presented a united front, realised the dangers that existed at the time and asked the Minister to respond quickly by setting up a task force to address the problems, which he did.

At that stage, alternative jobs were available. Many of the people whom we thought would be out on the street were able to find different employment, and some of them were able to set up their own businesses. We weathered that particular storm rather well — much better than we expected at the time. The problem now is that there is no slack in the system. There is nowhere else to go. We are dealing with a global recession, and all that we can do is try to soften the blow in Northern Ireland, particularly for the workers who have been made redundant at the Nortel plant in Monkstown.

As has been said, not only has the Monkstown plant provided steady employment for many years for a core of workers but the extra spending power that it generated benefited shops and businesses in East Antrim. The knock-on effect of the redundancies is, therefore, felt across the area in a variety of ways. The threat of redundancies has caused uncertainty among the workers since 14 January 2009. Being a local Administration, our difficulty is that we want to ensure the future stability of the Monkstown plant. We need that plant, we need those jobs in Northern Ireland and we need the critical-mass link-up between the training that is provided at the University of Ulster at Jordanstown and the Monkstown plant's research and development potential.

We are also faced with a situation in which workers, who have been loyal to Nortel for many years in its many guises and throughout its various restructurings, almost find themselves in a Victorian scenario in which they are marched to the factory gates and waved bye-bye. It is then that problems start to emerge. How do we cope with the redundancies? What can Departments do to help redundant workers with practical difficulties? People are uncertain about their mortgages, about keeping their homes and about family commitments. All those matters raise large question marks. Beyond the hard economics of the Nortel redundancies, families and individuals feel the impact. Those workers were loyal through difficult times — remember that the firm operated at full blast throughout the darkest days of the Troubles.

On a previous visit to the Monkstown plant, on the eve of the most recent big European football tournament, I was impressed by the telecommunications-equipment cabinets sitting on the factory floor, which were destined for cities in Germany. It was through that equipment that the pictures from that tournament would go out across the world. That represents the scale and importance of the Monkstown plant. We must retain the plant and its core workforce, and promote its research and development links. I hope that the Minister will assure us that Invest Northern Ireland is making moves to ensure that the factory continues to operate, in whatever guise.

It is the treatment of the 87 workers who were made redundant at the Monkstown plant that has enraged us all. No one who has given such loyal service to any employer should be treated like that. We saw how workers who faced a similar situation in West Belfast were treated. I ask the Minister whether he can reassure the Nortel workers about their pensions. It is bad enough for workers to lose their pay at the end of the month, but to put a question mark against the pension contributions that they made in preparation for the end of their working life is a cut too far.

To conclude, Nortel's importance cannot be stressed enough. The loyalty of its workers over many years and in difficult times cannot be overemphasised. I ask the Minister and his Department, and any other arm of the Assembly that can bring pressure to bear on the administrator, the company and the powers that be at Westminster, to ensure that there is further employment potential in Nortel, not just for the folk who remain working at the factory but for those young people who are coming out of our universities and schools, who would look forward to steady employment in such an establishment.

The Minister for Employment and Learning (Sir Reg Empey): I welcome the opportunity to speak on the topic; I know that it is of particular importance to those Members who represent South and East Antrim.

My Department first became aware of Nortel's difficulties when the company announced on 14 January that it had filed for protection under chapter 11 of the bankruptcy code in the United States. We are familiar with the number of jobs that were consequently lost. Under employment rights legislation, Nortel was obliged to notify my Department of the proposed redundancies at least 30 days before giving notice to terminate employees' contracts.

I will state that again: under employment rights legislation, Nortel was obliged to notify my Department of the proposed redundancies at least 30 days before giving notice to terminate employees' contracts.

Nortel did notify my Department, but not within the required time frame. As soon as my Department was notified about the redundancies, my officials, in partnership with the Social Security Agency and staff from the jobs and benefits offices, provided an on-site redundancy service running from 31 March to 1 April 2009. Workers were allocated individual appointments to obtain information and advice on benefits, job searching, employment, training and further education opportunities.

Under employment rights legislation, my Department's redundancy payments service pays certain entitlements — within limits — owed to former employees of insolvent employers. That legislation guarantees a basic minimum payment to employees of insolvent

employers, as they would otherwise have to wait a considerable time for payment or receive no payment as creditors in the insolvency proceedings.

Outstanding contractual debt remains listed in the insolvency agreement, and it may become payable only if the sale of an employer's assets realises enough money. It is a matter of regret that Nortel workers believed that they had been working under contracts entitling them to more redundancy pay than would be payable under the statutory scheme, which is the only scheme that the administrator could apply once the company became legally insolvent.

I am acutely aware that those statutory payments can only partially compensate for the redundancy payments that the employees would have been entitled to after working for Nortel — for up to 35 years in some cases. To make those statutory payments, my Department has to agree with the administrator what those redundancy entitlements should be.

As all Nortel pay records were held in Great Britain, the administrator there received all applications for redundancy, including those from employees in Northern Ireland. All those applications were processed in Great Britain through the Birmingham redundancy payments office of the Insolvency Service. Although that is an administrative abnormality, the key issue is that most of the 87 redundant employees will have received payments, although probably not all of their entitlement, as statutory notice payments are not paid until the notice period to which they are entitled has expired. My Department is actively pursuing the issue with its counterparts in Birmingham to ensure that all due entitlements have and will be made.

I am aware of Unite's allegations that the company and its administrators did not comply with employment law in respect of the selection criteria and the consultation period that the employees were entitled to. Nortel was legally obliged to consult employees on proposed redundancies.

Employers proposing to dismiss between 20 and 99 employees must begin consultation with employee representatives at least 30 days before redundancy notices take effect. Consultation must be genuine, and is intended to include ways of avoiding, or at least mitigating, the effects of redundancy. Employees are also entitled to a statutory or contractual notice period that takes effect from the date that consultation is complete.

Employees who do not feel that they have been properly consulted or have received adequate notice may take a complaint to an industrial tribunal, which may make a protective award of up to 90 days' pay.

The issue of pensions was mentioned, and I will address it. I spoke about the pensions issue with regard to Visteon during Question Time. Before I continue on it,

I want to look briefly to the future. I have great sympathy with those who have lost their jobs at Nortel. It is important to resolve the redundancy and pension issues as quickly and as fairly as possible. We are doing everything that we can to help all those who have recently lost their jobs as a result of the economic downturn.

If any Member or trade union approaches my Department with evidence of pension irregularities, I will be happy to take it to the Department for Work and Pensions and the Department for Business, Enterprise and Regulatory Reform in London. The Pensions Regulator, who is already looking into the situation at Visteon, can look into any alleged irregularities at Nortel. There is no reason why that cannot happen. If there is any suggestion from the trade unions or employees of activity that is inconsistent with proper practice, the sooner we are told about it the better. To my knowledge, my Department has not been advised of any such activity, even though we were specifically advised by the trade unions in the Visteon case. If we are made aware of any allegations, we will act immediately and do anything that we can to help the employees.

Dr McCrea mentioned the role of the company and the need for the law to be changed. I will bring the points raised in the debate to the attention of my colleague the Minister of Enterprise, Trade and Investment, who is responsible for company law. I will ensure that Dr McCrea's views, and those of other Members, on the way that the situation has been handled are brought to her attention, because it has clearly caused great anxiety.

When administrators are appointed, their objective, as opposed to that of liquidators, is to maintain the business as a going concern. The administrators might argue that the only way that they could do that at Nortel was to get rid of a number of employees to reduce costs. Therefore, any action taken against them would take money out of the company and prevent its survival. That will be the argument. However, the issue of company law needs to be taken up, which is best done through the Minister of Enterprise, Trade and Investment.

A number of other points were made, such as the position with clawback. Over £10 million has been clawed back already, and an invoice has gone in for the remaining £7.4 million. As Mr Neeson well knows, I had a lot of dealings with Nortel. We redid its financial memorandum on a number of occasions, and I was never out of the place; I was in Canada with the company, and my Department was regularly in touch with its representatives. At one stage, it looked as if the turnover of that one company could equal the remaining turnover of all companies in Northern Ireland. That was the scale of the Nortel operation. I remember the

Solectron launch. The Belfast Institute of Further and Higher Education actually put on Nortel-only courses, which were paid for by DEL. That is how keen the Department was to help.

Mr Beggs asked what can be done. The taxpayer is picking up a lot of the cost. DEL is responsible, on behalf of the taxpayer, for matters relating to redundancy pay, pay in lieu of notice and other entitlements. If there was a pensions issue for contributions in the short term, that could also fall to my Department if an award is made by an industrial tribunal.

In answer to Ken Robinson, my last action as Enterprise Minister was to designate areas of East Antrim as areas of particular difficulty from an employment perspective. Therefore, it is déjà vu all over again, which is a matter of very deep regret.

I am aware of the hurt that has been caused, and I am shocked to hear of the manner in which the workers were removed from the plant; I was not aware that matters had got to that stage. I will draw that to the attention of my colleague, the Minister of Enterprise, Trade and Investment.

I assure Members that Invest NI is working to identify who could take over parts of the business. As Members probably know, the objective is to seek purchasers for different parts of the business, and Invest NI has commenced work to identify likely suitors. Several potential foreign direct investors have been identified, and work is under way to finalise specific sales propositions for each of those companies.

I commend that work and hope that it is successful. However, I deeply regret that Members' constituents have been treated in that way, and my Department will do all that it can to mitigate those unfortunate circumstances.

Adjourned at 7.16 pm.

