
NORTHERN IRELAND ASSEMBLY

PERSONAL STATEMENT

Monday 14 September 2009

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

Members observed two minutes' silence.

SPEAKER'S BUSINESS

Mr Speaker: Order. Before we proceed, I wish to refer to points of order that were raised during sittings that were held immediately before the summer recess. Those points of order related to a range of issues, and, in response to those that concerned the chairing of debates, I remind the House once again of the authority of the Chair: decisions that I or that the Deputy Speakers acting on my behalf make are not open to challenge. For some bedtime reading I refer Members to Standing Order 17, which concerns speeches in the Assembly, so that they might better understand exactly what I am saying about the authority of the Speaker.

In response to points of order relating to remarks made by Members about other Members, I consider several Members' remarks to have fallen short of the standard of good temper and moderation in the Chamber. Where appropriate, I have dealt with those issues by either meeting with or writing to the Members concerned. I will not, therefore, take any further points of order on those issues. However, I hope that, as we commence a new session, Members will share my determination and that of the House that we should conduct ourselves with good temper and moderation and in ways that justify the support of those whom the Assembly was elected to serve. I hope that the whole House supports my comments on the matter.

Mr Speaker: I advise the House that Mr Declan O'Loan has sought leave to make a personal statement to the Assembly.

Mr O'Loan: I note what you have said and hope to continue in the spirit and manner that you have indicated. On 29 June, I commented in the Chamber on remarks that had been made by another Member in a previous debate. During my contribution I used the word "misleading". I am given to understand that the term "misleading" is technically regarded as unparliamentary language and, for that reason, I am prepared to withdraw my use of the word "misleading".

Mr Speaker: I thank the Member for conducting himself in such an appropriate manner. As with all personal statements, I will not allow any further comment or debate on that matter.

EXECUTIVE COMMITTEE BUSINESS

Budget (No.2) Bill

Royal Assent

Mr Speaker: I inform Members that the Budget (No.2) Bill has received Royal Assent. The Budget (No.2) Act (Northern Ireland) 2009 became law on 8 July 2009.

ASSEMBLY BUSINESS

Committee Chairperson and Deputy Chairperson Changes: Sinn Féin

Mr Speaker: I advise Members that I received notification of the resignation of Mitchel McLaughlin as Chairperson of the Committee for Finance and Personnel with effect from 8 September. Furthermore, I received notification of the resignation of Jennifer McCann as Deputy Chairperson of the Committee for Enterprise, Trade and Investment with effect from 8 September.

The nominating officer for Sinn Féin, Pat Doherty, has nominated Jennifer McCann as Chairperson of the Committee for Finance and Personnel and Paul Butler as Deputy Chairperson of the Committee for Enterprise, Trade and Investment with effect from 8 September. Ms McCann and Mr Butler have accepted the appointments.

I am satisfied that the correspondence meets the requirements of Standing Orders and, therefore, confirm Jennifer McCann as Chairperson of the Committee for Finance and Personnel and Paul Butler as Deputy Chairperson of the Committee for Enterprise, Trade and Investment with effect from 8 September.

Committee of the Regions

Resolved:

That this Assembly nominates Mr Francie Molloy as a full member, and Mr John Dallat as an alternate member on the UK delegation to the Committee of the Regions; and notes that the Northern Ireland Local Government Association has nominated Councillor Jonathan Bell as a full member, and Councillor Arnold Hatch as an alternate member. — [*Lord Morrow.*]

Assembly Commission

Mr Speaker: I have been notified that Paul Butler has resigned as a member of the Assembly Commission with effect from 9 September. In accordance with Standing Order 79(4), the vacancy must be filled within 28 days. As with other similar motions, the motion to appoint a Member to fill that vacancy will be treated as a business motion and, therefore, there will be no debate. Before I proceed to the Question, I advise Members that the motion requires cross-community support.

Resolved (with cross-community support):

That, in accordance with Standing Order 79(4), Mr Pat Doherty be appointed to fill a vacancy on the Assembly Commission. — [*Ms Ní Chuilín.*]

MINISTERIAL STATEMENTS

North/South Ministerial Council Plenary Meeting

Mr Speaker: I have received notice from the Office of the First Minister and deputy First Minister that the deputy First Minister wishes to make a statement on the North/South Ministerial Council (NSMC) plenary meeting.

The deputy First Minister (Mr M McGuinness): Fáilte ar ais go léir. In compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make the following statement on the eighth meeting of the North/South Ministerial Council in plenary format, which was held in Farmleigh House, Dublin, on Monday 6 July 2009. Our Ministers who attended the meeting have approved this report, and we make it on their behalf.

The Executive delegation was led by the First Minister, Peter Robinson MP MLA, and me. In addition, the following Executive Ministers were in attendance: Michelle Gildernew, Minister of Agriculture and Rural Development; Caitriona Ruane, Minister of Education; Conor Murphy, Minister for Regional Development; Margaret Ritchie, Minister for Social Development; junior Minister Kelly; and junior Minister Newton.

The Irish Government delegation was led by the Taoiseach, Brian Cowen TD, who chaired the meeting. The Irish Government delegation comprised Mary Coughlan TD, Tánaiste and Minister for Enterprise, Trade and Employment; Brian Lenihan TD, Minister for Finance; Noel Dempsey TD, Minister for Transport; Dermot Ahern TD, Minister for Justice, Equality and Law Reform; Micheál Martin TD, Minister for Foreign Affairs; Éamon Ó Cuív TD, Minister for Community, Rural and Gaeltacht Affairs; Mary Hanafin TD, Minister for Social and Family Affairs; John Gormley TD, Minister for the Environment, Heritage and Local Government; Eamon Ryan TD, Minister for Communications, Energy and Natural Resources; Brendan Smith TD, Minister for Agriculture, Fisheries and Food; and Batt O’Keeffe TD, Minister for Education and Science.

During the meeting we had a broad discussion with the Taoiseach and Irish Government Ministers about the common economic challenges facing us and our respective responses to dealing with the downturn and its impact, particularly on the banking sector in both jurisdictions. The Taoiseach outlined the Irish Government’s intention to establish a national asset management agency (NAMA). Ministers agreed that an early meeting of the two Finance Ministers will take place to discuss those issues.

We noted the contribution of continuing practical and mutually beneficial North/South co-operation to

assisting both Administrations in our efforts to promote growth and employment. The Council received a progress report that the NSMC joint secretaries had prepared on the nine NSMC ministerial meetings that have been held since the most recent plenary meeting in January 2009, and we welcomed the progress made.

We noted the close co-operation on the recent influenza A(H1N1) outbreak. We welcomed the agreement on a framework for the removal of waste that is illegally dumped here. The Council also noted progress on introducing the mutual recognition of driving licence disqualifications later this year and on developing a co-ordinated approach to the introduction of lower blood:alcohol limits. We welcomed the intensified co-operation on child protection, including Internet safety, the development of a protocol for the movement of vulnerable children and families across borders and advice and guidance on safeguarding arrangements for parents, carers and employers. Ministers noted progress on suicide prevention, including proposals for revised media guidelines to incorporate advice on new technologies, including Internet-related suicides.

We welcomed the development of a draft all-island animal health and welfare strategy to facilitate free movement of animals, including plans for a cross-border event in autumn 2009 to bring together key stakeholders to discuss delivery of the strategy. Ministers noted a joint programme of research that was commissioned by the Loughs Agency, which has played a leading role in the development of a Europe-wide research project on use of genetic techniques to identify origins of salmon caught at sea (SALSEA).

The Council welcomed the continued co-operation in education on the approaches to the integration of newcomer children in schools. We noted the further development of the border people website — www.borderpeople.info — the publication by the main banks of information on the cost of cross-border transactions and progress on the transfer of pension rights on a cross-border basis.

12.15 pm

The Council also discussed progress on the achievement of efficiency savings and the business plans of the North/South bodies and Tourism Ireland and noted the need for early decisions on those matters.

The Council considered a paper on the progress of the A5 and A8 roads projects. It welcomed good progress on the A5 Aughnacloy to north-west and A8 Belfast to Larne road projects and noted that an important milestone, the confirmation of the preferred routes, is to be announced shortly. The Council therefore agreed that payment of €9 million will be made by the Irish Government’s Minister for Transport to the NI Consolidated Fund before the end of 2009, in accordance with an agreed payments procedure. The

Council agreed to consider a further progress report at the next NSMC plenary sitting.

The Council considered a paper on the St Andrews Agreement review. It noted that the review group is continuing its consideration of the experts' and advisers' report on the efficiency and value for money of the existing implementation bodies and Tourism Ireland Limited. The Council also confirmed its intention to conclude the St Andrews review process before the end of 2009. It instructed the review group to accelerate its work on all elements of the review and to provide a final report to the next NSMC plenary sitting.

The Council also confirmed its intention, on the conclusion of the review, to refer the recommendations emerging from the review process to the relevant Departments, North and South, for consideration and appropriate action, mindful that any changes to the existing arrangements will require the specific endorsement of the Assembly and Oireachtas.

The Council considered a paper on a North/South consultative forum. It noted the Executive's ongoing review of the Civic Forum, and agreed to bring discussions on the North/South consultative forum to an early conclusion. It recalled that the Irish Government made a proposal to the Executive on a North/South consultative forum following the conclusion of their consultations with social partners and other groups from civic society in 2008.

Ministers considered a paper on a North/South parliamentary forum. We welcomed the establishment of two working groups by the Oireachtas and the Northern Assembly respectively to progress discussions on the establishment of a North/South parliamentary forum. We noted that the agreement to establish a forum is a matter for the Assembly and Oireachtas respectively and agreed to review progress at the next North/South Ministerial Council plenary sitting.

The Council considered a paper on future North/South Ministerial Council meetings and approved a schedule of NSMC meetings to take place over the coming months. It was agreed that the next meeting in plenary format will be hosted by the Executive in November or December 2009.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): I am grateful for the opportunity to ask the deputy First Minister a couple of questions: one as Chairperson of the Committee for the Office of the First Minister and deputy First Minister and the second as a political representative.

Does the Minister accept that the impact of assets potentially being sold off in Northern Ireland by the Republic's national asset management agency (NAMA) could have a serious impact on the Northern Ireland

economy during what is a very difficult time? What assurances, if any, has the Minister received?

Will the Minister outline what effect the speech made by his colleague the First Minister on Tuesday 8 September at the Ulster Hall regarding Assembly reform will have on the Council's St Andrews Agreement review?

The deputy First Minister: The size of the portfolio of loans residing here would have a critical impact on the local economy. Minister Lenihan indicated to Minister Wilson that the level of Northern loans likely to be transferred to NAMA could total around £4.8 billion. However, even if £4.8 billion of local assets were to be exposed, it would have considerable implications for our economy, as that is equivalent to around one quarter of its output.

The cross-jurisdictional implications are significant and include the absence of statements on the discount to be applied to Irish bank loans and the precise length of time for which NAMA will operate. A longer lifespan and larger discount would allow NAMA to pursue loans less aggressively, and it is our view that a short life and small discount would be disadvantageous. The big concern in the North — it is most relevant to land banks — is the possibility of a fire sale, which could have a very damaging and distorting effect on our economy. The Irish Government, through Minister Lenihan, have stated that they are conscious of our concerns. The recent meeting between our Finance Minister, Sammy Wilson, and Minister Lenihan was very useful, and we will continue to observe closely what happens in that regard.

The St Andrews Agreement review was discussed at the plenary meeting, and we welcomed the progress that has been made by the review group. The review group is continuing its consideration of the expert advisers' report on the efficiency and value for money of the existing implementation bodies. The Council wants the St Andrews Agreement review process to be concluded before the end of this year. It has instructed the review group to accelerate its work on all remaining elements of the review so that a final report can be brought to the next NSMC plenary meeting. On conclusion of the review process, it is intended that the recommendations that emerge will be referred to the relevant Departments, North and South, for their consideration and appropriate action.

Any attempt to draw me into a political discussion about recent speeches, comments or interviews given by the First Minister or me is doomed to failure.

Mr Speaker: Order. I remind Members that, as far as possible, questions should relate to the statement that we are discussing on the Floor.

Mr Moutray: Can the deputy First Minister confirm that the yet-to-be-agreed proposal for an all-island animal health and welfare strategy is not a

crude attempt to remove the UK stamp from Northern Ireland produce?

The deputy First Minister: The NSMC welcomes the progress that has been made on the development of a draft all-island animal health and welfare strategy. The draft strategy sets out the high degree of co-operation that there has been on a range of animal health and welfare issues. It seeks to provide a strategic framework for co-operating on policies through a number of North/South working groups. The ultimate aim is to secure the free movement of animals on the island of Ireland. Full co-operation on animal health issues has the potential to help to reduce or prevent the spread of animal disease, facilitate trade and improve the sustainability of farming on the island.

When it is agreed, the strategy will facilitate trade by optimising the animal health status of the island through the alignment of policies to control animal disease. It will ultimately provide both jurisdictions with the basis to seek international recognition and develop and enhance the island's animal health and welfare status. It will also provide a foundation on which we can build our trading position and animal health status. The key stakeholders will be brought together at an event that is scheduled for later this year. That event will help to build genuine partnership on the development of policy and enable stakeholders to discuss the strategic approach and forward work programme. As in all of our efforts, we need to aim for as much agreement as possible.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. Will the Minister update the Assembly on the development of the Narrow Water bridge project?

The deputy First Minister: The NSMC noted that Louth County Council has completed significant work on the Narrow Water bridge and is to undertake a further appraisal of the proposed project prior to progression through the statutory processes. Members may be aware that Roads Service employed consultants to undertake a feasibility study of a Newry southern relief road, which would link the A2 Warrenpoint road to the A1 just south of Newry. The council welcomed the continuing co-operation between officials of Roads Service and Louth County Council in that regard.

I understand that Minister Murphy intends to share the executive summary of the consultants' feasibility report on the Newry southern relief road with local representatives and the community later this month.

Mr Attwood: I welcome the report and the deputy First Minister's reply to Mr Kennedy's comment on NAMA. At least the deputy First Minister, in contrast to his party leader, has demonstrated that he has an interest in the economy. Last week, Gerry Adams said that he had no interest in such matters.

I suggest two ways in which the deputy First Minister could inject momentum into the political process. First, the report confirms that phase one of the North/South review is being considered by the review group. Is it not time for that document to be published for all to consider? If the First Minister is so interested in accountability on North/South matters, why has it not been agreed to publish the report? That would enable the political parties and the public on this island to draw their own conclusions on how well North/South co-operation is working.

Secondly, will the deputy First Minister say categorically to the Assembly that the business of the North/South parliamentary forum is to be progressed exclusively by the two working groups in the Assembly and the Oireachtas and that he and the First Minister are placing no impediment to their work proceeding and recommendations being published as soon as possible? Some people consider that the work of those two groups is being —

A Member: Held back?

Mr Attwood: Thank you.

[Laughter.]

The deputy First Minister: The Member knows as well as anyone in the Assembly that the work on the review is being undertaken under the auspices of the North/South Ministerial Council. Quite a number of Ministers from North and South attend Council meetings. Any report or other outcome of the Council's deliberations must first be presented to that body and no one else.

It has been agreed that the joint parliamentary forum is a matter for the Assembly and the Oireachtas. We look forward to reviewing progress at the next NSMC meeting. The fact that the process has been agreed and that people are meeting indicates that, at least on our part, a genuine attempt is being made. The Speaker is also involved in some of the discussions. It is important to leave the groups to complete their work and report to a plenary meeting of the NSMC. As far as the review and the parliamentary forum are concerned, it would be wrong of the First Minister and me to take away the rights of a body that was established under the tutelage of the Governments, North and South.

Dr Farry: I also welcome the deputy First Minister to the Chamber. I stress that my party's hope is that today marks the start of a productive session of the Assembly, in contrast to those in the past.

Will the deputy First Minister assure the House that the scope of the review of the North/South bodies will be sufficient to take efficiencies into account? Will it also ensure that as many economies of scale as possible are achieved in services by both Governments? Will he assure the House that a proper

audit is being carried out to ensure that no opportunities for North/South co-operation, particularly in modernising the economy, are missed? Mutual challenges face the two Governments in growing the green economy through a process of rebalancing and modernisation.

The deputy First Minister: The efficiency programme was proposed at the NSMC meeting to reflect the wider efficiency programme arising from the revised Budget Estimates in the South. North/South bodies, in common with all public bodies, should deliver their objectives and programmes efficiently. A 3% per annum cumulative cash-releasing efficiency savings programme for 2009 and 2010 has been agreed by the two Finance Ministers. The next step is for sponsoring Departments to work with their North/South bodies to identify the efficiency savings required in 2009 and 2010 and to add that detail to their draft business plans.

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

The revised 2009-2010 business plans should be submitted for the approval of the two Finance Ministers, followed by the NSMC.

12.30 pm

I am sure that we are all very conscious, particularly against the backdrop of the worldwide economic downturn, of the consistent need for all of us to challenge ourselves as to how we can best use resources in the interests of citizens, whether they be in Limerick, Kerry, Dublin, Dundalk, Belfast or Derry. There can be no doubt whatever that that will be a feature of the discussions on the review that is taking place.

Mr Shannon: The Minister mentioned swine flu in his statement. Will he outline the close co-operation between Northern Ireland and the Republic that he referred to? Will he confirm whether swine flu was discussed at the Council? Will he also describe the input of the local Health Minister in that process?

The deputy First Minister also mentioned suicide prevention, and he referred generally to the proposals to deal with it. Will he describe those suicide-prevention proposals in more detail? Many of us represent areas in which the suicide level is alarming, so I would like to know what the process for dealing with it is.

The deputy First Minister: At the plenary, Ministers welcomed the close co-operation on swine flu. We know that Minister McGimpsey has met Minister Harney, and there is departmental contact almost daily. The outbreak has affected both our jurisdictions, but, fortunately, the number of cases has been small so far. I am conscious of the fact that we are at the end of the summer and that we are moving into the autumn and winter when things could change.

As I said, Minister McGimpsey has spoken several times to Mary Harney since the outbreak began. I

know that officials are also in regular contact to ensure that information and response plans are shared at an early stage. It is vital that we maintain that close co-operation. We must recognise that measures to contain the spread of the virus in one part of the island will be less effective if equally effective measures are not in place in the other part. As of last Friday, there have been 179 confirmed cases of swine flu here. In order to help to reduce the risk of transmission, the Public Health Agency has worked with family members and others who have been in close contact with the individuals concerned. GP consultation rates for flu and flu-like illnesses have decreased, but they remain significantly higher than the rates that were recorded in the same weeks of previous years. Obviously, this is an issue that we are dealing with very seriously. We all know that people's health does not recognise borders of any description, so it is critical that we work in very close co-operation.

At the plenary, we reviewed and welcomed progress on suicide prevention, including proposals for revised media guidelines to incorporate advice on new technologies, which include Internet-related suicides. Many of the issues that we face here are also challenges for the South. It is, therefore, important that we share learning and best practice from both jurisdictions.

The piloting of the national self-harm registry in the Western Health and Social Care Trust area is an example of such co-operation. It is pleasing to note that discussions are ongoing to extend that pilot into the Belfast area. It is most important that there is sensitive media reporting on suicide generally, and that is vital for specific cases. The development of updated all-island guidelines on media reporting is timely, as they will incorporate advice on new media technologies, including the Internet.

I share the Member's concern about the alarming figures that have been reported over recent days. All of us have to be very concerned about those, and there is probably not a person in this Assembly who has not had contact with some family that has been through that very traumatic experience. We have to do all in our power to ensure that we do what we can to help to deal with an obviously very difficult and complex subject. The work that is ongoing in the North and the South is valuable, but, like everything else, we are continuing to learn. At the end of that process, we want to be in a position to assure ourselves and our citizens that everything possible is being done to help in a really difficult situation for many families and, I contend, for society as a whole.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá ceist agam don Aire.

Will the deputy First Minister update the Assembly on all-island child protection measures, particularly the management of sex offenders?

The deputy First Minister: Intensified North/South co-operation on child protection was welcomed at the plenary meeting, including on Internet safety, the development of a protocol for the movement of vulnerable children and families across borders, and advice and guidance on safeguarding arrangements for parents, carers and employers.

The five subgroups established under the auspices of the North/South Ministerial Council continue to meet regularly and to keep one another apprised of developments in their respective jurisdictions. Officials are considering how best to raise awareness of issues concerning Internet safety and social networking, and work is under way to jointly develop advice and guidance leaflets aimed at parents, carers, employers, and anyone concerned with children.

Officials in the North and South are also examining ways to develop and to strengthen current procedures for moving a child who is looked after or who is on the child protection register between jurisdictions. Cross-border discussions are continuing on the management of sex offenders. Both jurisdictions now use common assessment standards when dealing with sex offenders, and work is ongoing to bring legislation in both jurisdictions into line as much as possible.

Co-operation on child protection among agencies and jurisdictions is vital. OFMDFM recently published a major policy statement on safeguarding children, which brings together developments that are under way across Departments in the North, the NIO and the Courts Service. That has helped to identify gaps where further initiatives are required. OFMDFM welcomes any proposals that improve information sharing and that assist in the protection of the public in respect of offenders moving between the two jurisdictions.

Mr I McCrea: The deputy First Minister referred to efficiency savings. Mind you, when he read out the attendance list for the NSMC plenary meeting, I thought that every member of the Dáil was there. I believe that I counted 11 if not 12 Members who attended. Reducing that number would certainly be a good start on efficiency savings.

However, the deputy First Minister referred in his statement to progress on the A5 and A8 road projects. Will he inform the House what discussions took place? What assurances can he give that people who live along those routes will be properly compensated?

The deputy First Minister: It is not sensible to make comments about attendance at the North/South Ministerial Council plenary meeting, or to stress the fact that many Ministers turned up. The meeting was held at Farmleigh House, it probably cost no more than

£1,000, and the fact that people are prepared to attend such meetings shows how important they consider the work. I welcome the large attendance of Ministers from the South; our attendance was also large. The more that Ministers engage with their counterparts, the more benefit there is for citizens in the North and the South.

The roads projects are important. The A5 and the A8 are critical to infrastructure along the road from Aughnacloy to the north-west and to ensure connections to the eastern seaboard, which, for our part, are the routes to Belfast and Larne.

As with all projects of this nature, there will always be controversies and disputes, particularly in situations in which people's livelihoods are affected. Nevertheless, the process is up and running, so we need to see people working closely together, taking account of objections. Opportunities for people to lodge such objections will be there in the time ahead.

There are concerns, and the Member articulated a view that some farming interests have expressed about the matter. That is perfectly right and understandable, and it is important that those roads are built in a fashion that takes account of the objections and concerns of local people. Hopefully, not many local people will be affected by the projects, but, in some circumstances, there will be an effect, and it is a matter of the relevant authorities working with those people, in conjunction with elected representatives, to ensure that any concerns that are expressed are addressed.

Mr Elliott: I note from the deputy First Minister's statement that the Minister of Education attended the meeting. In the Republic of Ireland, the Irish Government's proposal to cut funding for Protestant schools is a serious issue. I was wondering whether the management of Protestant secondary schools was mentioned, because it is a serious issue for the Committee.

The deputy First Minister: The issue was not mentioned.

Mrs D Kelly: Unlike others, I welcome the high level of attendance by Ministers from the Irish Republic, because it gives us some certainty as to the interest that the Republic's Government have in the North. I do not hear any sneering about the €9 million that the Irish Government have committed themselves to spending on transport in the North. I welcome that investment.

With respect to child protection, when will the protocol for childcare arrangements be published? In addition, given that it has been agreed in principle that there will be an all-Ireland animal health and welfare strategy, when will that strategy be available for consultation? Furthermore, the Civic Forum was reviewed almost two years ago. When might we see the results of that consultation, and how does the Office of the First Minister and deputy First Minister plan to make progress on the North/South consultative

forum? Also, in future, when statements are being made to the House, perhaps there could be a specific section to highlight new work streams. For example, given the comments about the agreement on a framework for the removal of waste that is illegally dumped in Northern Ireland, might an all-Ireland approach to climate change be considered?

Mr Deputy Speaker: The deputy First Minister may choose to answer one or all of those questions.

The deputy First Minister: I will try to answer as many as I possibly can. I think that there were about four.

The animal health strategy is obviously being worked on at the moment, and it will be delivered as soon as possible.

Child protection is vital. At the plenary meeting, we welcomed intensified North/South co-operation on child protection and Internet safety; the development of a protocol for the movement of vulnerable children and families across borders; and advice and guidance on safeguarding arrangements for parents, carers and employers. Officials are always examining ways to develop and strengthen current procedures; that vital work is ongoing, and I believe that there is an absolute commitment from both Administrations to ensure that it continues.

12.45 pm

At the plenary meeting, the Council noted the Executive's ongoing review of the Civic Forum. It agreed to bring to an early conclusion discussions on the North/South consultative forum. It also recalled that the Irish Government made a proposal on a North/South consultative forum to our Executive following the conclusion of its consultations with social partners and other groups from civic society in 2008. The Member will know that a review of the Civic Forum is under way to examine fundamentally its structure, membership and role, and to consider the most appropriate arrangements for engaging with civic society. That review of the Civic Forum has not yet been completed.

In relation to the other matter, a suggestion has been made. Without giving any commitment on that, officials can look at that to see whether it has merit.

Mr Molloy: Go raibh míle maith agat. I thank the Minister for his statement. Can he tell us whether an update was provided at the meeting on the role of Peace III and on how the INTERREG programme is playing out, particularly given the present importance of European funding to SMEs and the farming community?

The deputy First Minister: Under Peace III, the north-west cluster will deliver nearly £5 million through a peace and reconciliation action plan. Ilex has been awarded £13 million to develop the pedestrian bridge over the Foyle, which has been discussed recently. Under

INTERREG, approximately £8 million in regeneration assistance will be delivered through a multi-annual plan developed by the North West Region Cross Border Group. INTERREG has also awarded £30 million to the Kelvin project to develop a broadband connection in the north-west.

A total of 104 Peace III projects, with a combined value of €155.8 million, which is roughly £141 million, have been approved to date. Peace III builds on the peace-building work of its predecessors, with a greater focus on activities that directly promote reconciliation and an emphasis on larger, more strategic projects with clear legacy potential.

The INTERREG cross-border programme, which is worth €256 million or £233 million, is the only EU programme in the North to have increased its budget in the new programming period; the previous INTERREG was worth something in the order of €183 million. Therefore, it builds on the work of previous programmes and supports strategic cross-border co-operation for a more prosperous and sustainable cross-border region. So far, 73 applications have been received under the cross-border programme, of which 34 have been approved and are worth a total of €156 million, or £142 million. For the first time, areas in western Scotland are eligible to participate, which adds a welcome new dimension. To date, Scottish partners are involved in INTERREG projects worth some £30 million.

The INTERREG programme will build on the successes and competencies of the five local authority-based partnership groups: East Border Region Committee, Irish Central Border Area Network (ICBAN), North West Region Cross Border Group, Councils of the Metropolitan Area (COMET) and North East Partnership. Funding in the order of €55 million has been made available to all five groups in respect of enterprise, tourism and collaboration. Therefore, quite an amount of investment is continuing.

Mr Weir: I will try to restrain myself to one question. Page 2 of the deputy First Minister's statement refers to the fact that, between the latest plenary meeting of the North/South Ministerial Council and the previous one in January 2009, there were nine North/South ministerial meetings. Can he tell me what the corresponding figure is for ministerial meetings of the British-Irish Council during that same period?

The deputy First Minister: I cannot tell the Member that off the top of my head, but we will undertake to provide the answer.

Ms Anderson: I thank the joint First Minister for that statement.

Reference has been made to the national asset management agency, and, in his statement, the deputy First Minister mentioned the common economic challenges faced by the North and South. Given the

interconnected nature of those two economies, have any work or steps been outlined and undertaken by InterTradeIreland, one of the implementation bodies, to develop an all-Ireland economic policy?

The deputy First Minister: I congratulate InterTradeIreland on its initiative to hold the economic forum in Dublin on 18 June. That forum was designed to assist businesses in the current global economic downturn and in the challenges that it presents. Some 120 leading economists, economic commentators and senior policymakers took part in the first high-level North/South economic forum, which addressed a select group of policymakers from both jurisdictions who combined their expertise and knowledge on the extent of the downturn and search for innovative strategic responses.

Mr Ross: In his statement, the deputy First Minister made reference to progress in developing a co-ordinated approach to the introduction of lower drink-drive limits. Will he assure the House that, even if the Irish Republic does not go ahead with that, it will not be a barrier to the Executive introducing lower drink-drive limits for drivers in Northern Ireland? Furthermore, can he tell us what conversations there have been with other UK regions, perhaps through the British-Irish Council, on lowering the drink-drive limits throughout the United Kingdom?

The deputy First Minister: Officials are working to complete the arrangements needed to introduce mutual recognition of driving disqualifications. It is hoped that the process will be completed shortly. It is an important issue. We all understand fully the need to ensure an all-island approach, given that, in the past, people who have been involved in road accidents or who have flouted driving laws have been disqualified in the North but permitted to drive in the South, and vice versa. This is vital work. It is critical that we consider the possibility of introducing lower drink-drive limits, as is being done, and explore the potential for co-ordinating approaches to the implementation of any new limits agreed. The issue is being discussed at the British-Irish Council, so we will await developments from those discussions.

Mr P Ramsey: I welcome the deputy First Minister's reference to progress that has been made on the A5 from Aughnacloy to the north-west. In light of the haemorrhaging of so many jobs in the north-west — 3,000 jobs in recent months — and in view of the great hope, aspirations and opportunities in health, education and access to employment opportunities for the region with the north-west gateway initiative, will the deputy First Minister assure the House that the North/South Ministerial Council will sponsor and adopt the key areas that come out of the north-west gateway initiative as a way forward for that region?

The deputy First Minister: The north-west gateway initiative provides a strategic context for the north-west in facilitating a more co-ordinated approach by the Executive and the Irish Government to the area's development by helping to channel funding into it. The north-west gateway initiative, as Members know, has no dedicated funding, but it aims to derive synergy in the north-west through the effective co-ordination of existing public expenditure. The activities are taken forward by individual Departments in each jurisdiction. The gateway initiative is inherently linked to the work that Sir Roy McNulty, chairman of Ilex, is undertaking on a new regeneration plan for the city of Derry. The strategic plan for the city and its proposed delivery structures will impact on the wider region and will have a cross-border dimension, linking it to the work of Donegal County Council.

We are all conscious of the unacceptable number of job losses that have taken place in the north-west, whether in Coleraine, Limavady or Derry city. During the Minister for Employment and Learning's visit to the north-west, he made what, I think, we all considered to be an important point: more jobs have been lost in the north-west than in the whole of the Belfast area, which, given the relative sizes of both areas, is dramatic news. Therefore, we are concerned and exercised about that.

However, several things are happening in the north-west, including work on a number of infrastructural projects. For example, Project Kelvin will provide a direct international telecoms link to North America and improved telecom links to Europe, and there is also a major project to upgrade the road between Derry and Aughnacloy, of which the Broadbridge dualling phase is under way. Other infrastructural projects include the A2 Ballykelly bypass, the A6 Derry to Dungiven project, the City of Derry Airport runway safety-improvement programme, and improvements to the railway track between Derry and Coleraine.

Other projects are under way in further and higher education. For example, the strategic innovation fund is supplying in the region of €893,000 to provide a complete specification for the delivery of higher education through a strategic alliance between Letterkenny Institute of Technology and the University of Ulster, and a capital programme is under way for the renewal and refurbishment of the North West Regional College site. Employment and skills development projects include an all-island skills conference and the All-Island Skills Study 2008, which identified several potential areas of future joint work to help to realise future skills ambitions. Such projects include the NorthwestNow promotional programme, which is aimed at enhancing the promotion of the north-west business technology zone and the wider region. I could

go on, but it is sufficient to say that quite a lot of things are happening in the north-west.

However, the bad news stories about job losses in the area overshadow all those projects. I have spoken already to the First Minister about the very serious situation that I think exists not just in Derry city but in places such as Coleraine and Limavady, as well as about the need for our Executive to address those difficulties as quickly as possible.

Lord Morrow: My question relates to the A5 project, or the north-west corridor. I note from the Minister's statement that the Irish Government are contributing some €9 million up front into that scheme. That represents approximately 2% of the South's contribution, or 1% of the overall scheme, and seems a very small amount. Will the Irish Government indeed be paying their contribution up front?

More importantly, the A5 scheme is turning out to be very controversial, not least because of the route that has been selected. For example, a section of the route runs from Aughnacloy to Ballygawley and has a curve of some two miles from the existing road. Part of the A5 has been realigned, and that section is known as the Tullyvar section and connects with the Ballygawley roundabout. However, when the new A5 is built, it will sit parallel to the new A4, which is being constructed. Does that not sound like bad management and bad value for money? Will the deputy First Minister assure the House that those and other issues that concern the planned route of the new A5 through to New Buildings will be reviewed? It is a very important issue.

The deputy First Minister: In fairness to the Irish Government, from the very beginning of the process, they declared that they will be paying up front for the A5 and A8 road projects. The €9 million is an initial contribution, and there will be further contributions.

I think that all Members will be very pleased that the Taoiseach and other Ministers at the North/South Ministerial Council dismissed out of hand the speculation in the South about the prospect of those road projects not proceeding. They have given us an absolute guarantee and commitment that those road projects will not be subject to whatever other cuts are made in Dublin. Therefore, we can say with 100% confidence that those projects will continue and that when they are completed, they will make a massive contribution to our infrastructure in the North.

1.00 pm

With regard to the detail of what is happening along the route of the A5, the Minister for Regional Development will be answering questions this afternoon, and he will be able to address that.

Mr Neeson: I welcome the deputy First Minister's statement on the upgrading of the A8 Larne to Belfast road. What is the Executive's position on a commitment to the formation of the North/South parliamentary forum?

The deputy First Minister: The Executive do not have a position on that matter. However, under the auspices of the North/South Ministerial Council, the Oireachtas and the Assembly have been charged with the responsibility for taking that matter forward, and Mr Speaker is the Assembly's lead person on that.

As we move forward, we all recognise that, in such a small island, there are two jurisdictions and there is a compelling argument for working together where there is mutual benefit for our citizens. A strong view is being put forward, to which I subscribe, that increased contact and co-operation among elected representatives on the island is in the economic interests of the people whom we represent.

North/South Ministerial Council: Aquaculture and Marine Sectoral Format

Mr Deputy Speaker: The Speaker has received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement regarding the North/South Ministerial Council meeting in aquaculture and marine sectoral format.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the NI Act 1988 on the recent meeting of the North/South Ministerial Council in the aquaculture and marine sectoral format. The meeting was held in Greenmount on Monday 20 July 2009. Robin Newton and I represented the Executive, and Eamon Ryan TD, Minister for Communications, Energy and Natural Resources, and Conor Lenihan TD, Minister of State for Natural Resources, represented the Irish Government. This statement has been agreed with Robin Newton.

The Council welcomed a progress report on the work of the Loughs Agency presented by the chairperson, Mr Tarlach O’Crosain, and the chief executive, Mr Derick Anderson.

Ministers noted the impact of fishing conditions for the 2009 angling season and commercial salmon season; the success of the guides for angling in both the Foyle and Carlingford catchment areas, with the Carlingford guide so popular that it has had to be reprinted; and the agency’s work with the regional fisheries boards and central fisheries boards to develop the angling brand for coarse, game, sea and pike, including a website in a number of European languages that will be announced shortly. Ministers also noted that, in September 2009, the Loughs Agency will consult stakeholders and the public on the options that are being considered for the agency’s strategic implementation plan to license shellfisheries and aquaculture. A strategic environmental assessment is being conducted on the proposed implementation plan.

The Council welcomed a presentation by Dr Declan Lawlor, environment officer at the Loughs Agency, on the proactive water-quality assessment programme being undertaken by the agency in the Foyle and Carlingford catchment areas, and noted that that science-led approach has proved very beneficial to the agency in conserving and protecting the inland fisheries of Foyle and Carlingford.

The Council approved the recruitment of three staff on a fixed-term contract basis to assist the Loughs Agency in the administration and implementation of a programme in support of its marine tourism strategy,

which is to be funded exclusively through the EU INTERREG IV programme.

The Council discussed and noted the operation and funding arrangements for the Loughs Agency’s sustainable development fund, and approved the use of the fund in the implementation of the agency’s marine tourism development strategy.

The Council approved two sets of regulations. The first will regulate the minimum size of oyster that may be retained on board a vessel within the wild oyster fishery in Lough Foyle, and the second will prohibit the catching of eels in the Foyle and Carlingford areas by any method except rod and line.

The Council also approved a framework designed to support the Loughs Agency in dealing with emergencies such as serious pollution incidents.

The Council agreed that its next meeting in the aquaculture and marine sectoral format will take place in October 2009. Go raibh mile maith agat.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley

Jnr): I thank the Minister for her statement. The Minister will be aware that the Committee received a presentation on 23 June 2009 from her officials on the Foyle area and Carlingford area (control of oyster fishing) (amendment) regulations 2009, and that they deferred the progress on those regulations because of the numerous concerns expressed by fishermen. Those concerns have been repeated to the Committee during its consultation on the matter. It is, therefore, somewhat disappointing to note that the Council is approving, and, indeed, supporting, legislation that has not been endorsed by a Statutory Committee in this place, or by Members of this House.

That said, can the Minister advise the House of the evidence that her Department is using to suggest that grading an oyster by size rather than by weight is the best method available and whether that evidence has been sourced from samples taken from Lough Foyle as opposed to other oyster fisheries outside Northern Ireland? Can she tell the House why she is pursuing a policy that is contrary to the demands of the oyster fishery in Lough Foyle, and, very importantly, the market to which those fishermen seek to sell their hard-gained produce?

The Minister of Agriculture and Rural

Development: I do not have the detail of the evidence with me today, but the regulations must be approved by the NSMC. That approval was granted in July. We always aim to have the Committee on board with regulations before they are submitted to the NSMC for approval, but, occasionally, given the timetable of meetings and critical time factors in the making of regulations, submission may be necessary before the Committee has concluded its deliberations. In this

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case, the agency was very keen to have the conservation measure in place for the opening of the oyster season. The agency has explained its rationale, both to the Committee and to stakeholders, and I understand that the Committee is engaged in further discussion with the stakeholders on the issue.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. Can she provide an update on the Loughs Agency's strategic implementation plan?

The Minister of Agriculture and Rural Development: This month, the Loughs Agency will consult with stakeholders and the public on the options being considered for the agency's strategic implementation plan for aquaculture. That will include public exhibitions in both the Foyle and Carlingford areas, and the NSMC will be informed of the exhibition details at the next meeting. A strategic environmental assessment (SEA) is being conducted on the proposed implementation plan, and a scoping report for the SEA has been issued. The public and stakeholders are being invited to comment on that document.

The SEA scoping report contains details of the proposed environmental assessment only and does not state what will be included in the draft plan as that has yet to be determined. Following the consultation on options, the draft plan and the environmental report arising from the SEA will be published. There will then be a public consultation period for the draft plan, and after that the plan will be finalised.

Mr Savage: I thank the Minister for her statement. Will she outline what discussions took place with her Irish counterparts on the approaches of both jurisdictions to the annual meeting of the fishery Ministers, which will take place in December in Brussels, and what she hopes to achieve at that meeting?

The Minister of Agriculture and Rural Development: The Member will be aware that the meeting under discussion today was held in the aquaculture and marine sectoral format and, therefore, dealt solely with the issues for which the Foyle, Carlingford and Irish Lights Commission has responsibility. The Member's question clearly falls outside that. The meeting did not deal with the issue that he raises. The work for December is ongoing, but I do not have any information on that today.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle, Gabhaim buíochas don Aire as a ráiteas.

I thank the Minister for her statement. My question relates to paragraph 8 of the statement, which mentions recruitment of three staff on a fixed-term contract basis to assist the Loughs Agency in the implementation of a programme in support of its marine tourism strategy.

Although I realise that it is external to the Department, it would be helpful if the Minister could inform us of the total amount of investment that that involves, the duration of the contract plan and whether the Department sees itself as being in any position to extend the duration of that programme for marine tourism, which is an important issue, particularly in an island economy.

The Minister of Agriculture and Rural Development: The overall package that the Loughs Agency applied for was €4 million to the Special EU Programmes Body under INTERREG IVa, and I understand that it was successful in getting all that. I will have to come back to the Member with details of the duration of the contract plan, and I am happy to do so. However, I understand that there was quite a number of applications and I expect the money to be spent before the end of the programme, as that is what normally happens; the duration tends to be longer than money is available for.

Mr McCarthy: I thank the Minister for her statement, in which she noted the success of the guides for the Foyle and Carlingford, with the guide for Carlingford being reprinted because of its popularity. Will the Minister tell us what Carlingford has got to offer that the Foyle has not?

The statement also mentioned the approved framework for dealing with such matters as serious pollution incidents. Does that framework include measures or advice for avoiding pollution incidents happening in the first place?

The Minister of Agriculture and Rural Development: The avoidance of pollution is the responsibility of other agencies, as opposed to necessarily being the work of the agency responsible for Foyle and Carlingford. A serious pollution incident can impact on the work of the Loughs Agency, as the Foyle and Carlingford could be severely affected by such an incident. A pollution incident can have a hugely detrimental impact on a river system, especially when water levels are low, and we have seen the outcome of such incidents in the not-too-distant past. The framework is intended more as an early warning system to help the agency to take measures to mitigate the impacts of pollution incidents, as opposed to trying to avoid them. We all need to work together to avoid pollution, but the framework is more to do with mitigating the impact of pollution in those rivers.

Dr W McCrea: Further to the question from my colleague, the Chairperson of the Committee for Agriculture, Mr Ian Paisley Jnr, will the Minister tell the House why there is undue haste on the issue of oyster fishing, bearing in mind that, as I understand it, the Committee will meet representatives of stakeholder groups as part of its consultation exercise. Will the

Minister not wisely accept the advice of the Committee to defer the decision until the Committee has properly concluded its consultation and come to a conclusion, or will the Committee have to pray upon it in the House to ensure that the will of the House is sought?

The Minister of Agriculture and Rural

Development: The Loughs Agency is bringing forward the regulations, not the Department, so there is a distinct difference. The agency believes that an increase in size will promote the conservation benefits, and my understanding is that its evidence is based on surveys of oysters in the Foyle. The agency has undertaken work that it believes will bring about the best conservation measures, and I have to respect its work.

Mr Brolly: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim mo bhuíochas leis an Aire as a ráiteas. Tá ceist amháin agam air.

Will the Minister explain what the marine tourism strategy is hoping to achieve?

The Minister of Agriculture and Rural

Development: There is so much potential in the Foyle and Carlingford area that can be achieved through the proper outworking of the strategy, and the agency is working with bodies such as Tourism Ireland, Bord Fáilte and the local councils to deliver that. The project objectives promote a number of key themes. Those are to develop boating access and infrastructure; to develop visitor facilities at beaches; to deliver environmental education and interpretation; to raise visitor awareness by providing tourist information; to enhance habitat and develop angling infrastructure for coarse and game fisheries; to design and deliver tourism marine safety and boating training; and to effectively market the Foyle and Carlingford areas.

So, if it is successful in all of those areas, I imagine that the marine tourism strategy will be a great feather in the agency's cap.

1.15 pm

Mr Irwin: I thank the Minister for her statement. I welcome the recent visit by Arlene Foster to Glenarm fishery. Is DARD doing anything to help that sector in Northern Ireland?

The Minister of Agriculture and Rural

Development: Again, that is clearly outside the Foyle and Carlingford area and the agency's remit, so I do not have any information on that.

Mr Elliott: The Minister indicated that there were discussions around the catching of eels in the Foyle and Carlingford areas. Did she or her Department have any impact on the Lough Erne eel management plan that was recently submitted to the European Union through the Department for Environment, Food and Rural Affairs (DEFRA)?

The Minister of Agriculture and Rural

Development: Again, that is outside the scope of the North/South Ministerial Council meeting in aquaculture and marine sectoral format. However, the eel management plan has been delivered. The Department of Culture, Arts and Leisure is primarily working with that, but it works very closely with DARD officials on that matter for the benefit of eel fisheries on Lough Erne and Lough Neagh.

Lord Morrow: The Minister said:

“Ministers noted the impact of fishing conditions for the 2009 angling season”.

Will she elaborate on that? Furthermore, will she tell us, or find out for us, whether the Loughs Agency has received representation from any source about the future of fishing on the River Mourne?

The Minister of Agriculture and Rural

Development: I have not had an update from the Loughs Agency on that. We are talking about a meeting that happened on 20 July, so the timing needs to be taken into consideration. At that meeting, the Loughs Agency reported that the 2009 angling season had been affected adversely by the prevalent low-water conditions. The date is important because there were not many low-water conditions during the rest of the summer. However, we were talking about issues up to 20 July. The agency has also recently reported that flood-water conditions in the latter part of the season further contributed to poor conditions for anglers.

The total catch by game anglers cannot be determined until the season is closed and log books are returned. However, the agency estimates, at this time, that it is likely that game anglers will have caught and retained more salmon than the commercial fishery by the end of the season. The lowest commercial catch in the Foyle area in Loughs Agency records took place in the 2009 commercial season. The season was impacted by drought conditions in June and by flood-water conditions in the latter part of the season, but the agency has issued licences for 18 drift-net operators in Lough Foyle and 10 draft-net operators on the River Foyle.

Mrs D Kelly: I thank the Minister for her statement. What progress has been made by both jurisdictions on a common approach to a marine Bill? Also, were there discussions about fishing with regard to the state and condition of our rivers, and are any investments planned under INTERREG IV for our rivers?

The Minister of Agriculture and Rural

Development: No; the application is for the Foyle and Carlingford areas, and that is where the money is going. Again, the marine strategy is not part of the remit of the North/South Ministerial Council in aquaculture and marine sectoral format. The Department of the Environment is the lead Department on that.

Regional Transportation Strategy Review

Mr Deputy Speaker: The Speaker has received notice from the Minister for Regional Development that he wishes to make a statement on the regional transportation strategy review.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. Today, I announce a major review of the regional transportation strategy (RTS). Transport impacts upon us all: the parent on the school run; the farmer bringing goods to the markets; the commuter on the bus, train or bike; the lorry driver delivering goods around the region; the businessperson catching a flight to London or Paris; and young people heading out to the cinema. We all use transport in day-to-day life. Due to advances in technology and wealth, we are travelling more often and further. Our parents and grandparents did not have access to the opportunities that we now have; for them, homes and work were much closer, and a trip to the seaside was a once-a-year privilege. For us, it is not uncommon to commute for 40 or 50 miles a day. Many Assembly Members make such journeys, and some travel even further than that.

Although this new twenty-first century world offers many new opportunities, it also brings concerns. There are concerns about how we cope with the increasing demands on our transport infrastructure, about the impact of transport on the environment and about the impact of ever-rising fuel prices. Between 1992 and 2006, the number of cars increased by 80%. There are now 800,000 cars on the roads, and more journeys are made in the region and beyond. People commute further to jobs and schools, more routes are available to new destinations from airports, and the ports deal with more freight transport.

However, many people do not benefit from the car-dominated society: 26% of households here do not own a car, and that figure rises to more than 50% in some urban areas. We must think about the needs of all citizens, not just those who have access to a car.

We encourage investment and business development, and we are helping people to overcome such barriers to work as poor transport. We support training and transport schemes that can help people to access the jobs that are available elsewhere. Good, affordable public transport is vital for helping such people feel included and valued in society. Without access to an affordable and appropriate form of transport, people in many areas are unable to access education, employment, health and other services.

Public transport and roads are interdependent. Most people who use public transport travel by bus on the roads. Improvements to roads, including quality bus corridors and park-and-ride sites, therefore, benefit bus

users as well as car drivers. A well-maintained road network, particularly in rural areas, is an important aspect of a good bus network.

The economy must also remain competitive to achieve the lifestyles that we want. We must be able to move goods around the region and have good connections beyond it. At the same time, the environmental impact of freight must be minimised as much as possible.

Perhaps the greatest challenge that we face involves the environment and climate change. The burning of fossil fuels increases the amount of greenhouse gases in the atmosphere. Transport accounts for around a quarter of man-made greenhouse gas emissions in the North, and it is the only area in which emissions are rising rather than falling.

Since its publication in 2002, the speed and direction of change in society has overtaken the current regional transportation strategy, so a review is timely. The population, economy and the number of vehicles on the roads have grown much more quickly than had been originally forecast, while the issue of the environment and the challenge of addressing climate change have moved up everyone's agenda.

Through the investment strategy, the Executive have secured levels of investment for infrastructure that exceed those predicted in the RTS, but it is now difficult to predict how much investment will be available in the longer term. As the economy develops, North/South and east-west relationships are also developing and changing.

The review of the regional transportation strategy is not, however, being undertaken in isolation. Review and reform is happening across government, and transportation must align itself with planned initiatives and reviews that collectively influence the way that we live and work and the services and facilities that we enjoy. For example, the RTS is a vital component of the regional development strategy, which sets out a framework to influence growth for greater sustainability and better balanced development across the region. The regional development strategy is itself under review. The review of public administration and the public transport reform initiative will shift responsibilities in the planning and delivery of transport in the future.

It is vital that we develop the ability to manage the transport strategy with others across these islands. We must work together with other Administrations on a North/South and east-west basis to improve connections between our networks to enhance the free movement of goods and people. All of that must be completed in a sustainable fashion and against a backdrop of an increasing local, national and European

direction that is designed to address the environmental impacts.

Sustainable development is generally defined as:

“development which meets the needs of the present without compromising the ability of future generations to meet their own needs”.

The Executive’s sustainable development strategy aims to move our region towards a sustainable economy that strikes a better balance between the three different aspects of sustainable development: social, environmental and economic considerations. It seems sensible to me that the transportation strategy review reflects and complements all those elements.

Of course, we are not starting with a blank sheet. The current strategy has a set of expected outcomes that cover aspects such as transport emissions, road safety, transport speeds, and coverage and patronage of public transport. Since taking up office, I have been committed to tackling years of underinvestment in transportation and to delivering balanced improvement of the infrastructure.

I have agreed to a rapid-transit system for Belfast, which will provide people in the city with a new, dynamic means of getting around. It will play a significant part in improving access to new employment and education opportunities, as well as leisure and health facilities. It will help to regenerate neighbourhoods and to provide Belfast with a twenty-first century public transport solution that will complement existing services.

We have completed work on the Westlink, which has improved linkages across the city and has helped to ease journey times for all road users, particularly the haulage industry. We have widened the Belfast-bound carriageway between the Sandyknowes and Greencastle junctions and the country-bound carriageway over the Greencastle junction. We have replaced a number of bridges.

I am addressing the periphery of counties Fermanagh, Tyrone and Derry with a comprehensive package of road improvements. A dual carriageway will be built on the A4 between Dungannon and Ballygawley. We will undertake the biggest road project on the island when we build a dual carriageway on the A5. We will also build a dual carriageway on the A6 between Derry and Dungiven and between Randalstown and Castledawson.

Those road projects are vital to connect rural communities and to open up new business opportunities. Access to ports is also crucial to our economic well-being. Dualling proposals for the A8 between Ballyclare and Larne will contribute positively to improving journey times, which will benefit the travelling public and the business community.

I am not just in the business of building roads. When I took office, the railway line to Derry was under threat. Now, my Department is buying more new trains and improving the track. Links between the two major population centres in the North are important. The new trains will improve the frequency of services. The track improvements, when completed, will mean that journey times between the two cities will be reduced by 30 minutes. It is now planned that, for the first time, commuter trains will arrive in Derry before 9.00 am.

Good progress has been made on increasing rail and Metro passenger numbers and the number of cycling journeys, as well as on reducing accidents. Initiatives such as Travelwise, which encourages the use of sustainable transport options such as walking, cycling, car sharing and public transport, have played a part. Capital investment in infrastructure has also certainly provided benefits. It is worth emphasising that new road schemes throughout the North and new trains and buses on the rail and bus networks have made a positive improvement.

Conversely, although vehicle speeds in Belfast and on the strategic roads network have decreased, road-safety figures are still comparatively high. There is still an over-dependence on the private car. Against the background of more cars on the roads, transport emissions continue to increase. The availability of public transport, particularly in rural areas, is always contentious. Accessibility for people who have mobility difficulties still presents barriers that need to be overcome.

Of course, I am conscious that those are snapshots and that not all the planned schemes to implement the strategy will be delivered until later in the plan period due to the longer lead-in times that are associated with statutory processes. There are challenges ahead. The Department will seek to build on what has been achieved and to provide strategic direction for transportation here.

Since 2002, the transportation scene has changed significantly and continues to evolve. Although investment so far has undoubtedly made a difference, trends suggest that there is still more work to be done to persuade people out of their cars and towards public transport and to avoid the increasing problem of congestion and environmental pollution. Independent research indicates that only three out of ten people use bus services regularly, and one person in ten uses rail services.

With the rise in car ownership, there is greater congestion on the roads. That adversely affects the movement of goods, which relies on the road network. That, in turn, affects the economy. Access to airports, seaports and key tourism sites that play such a vital

part in expanding the economy also needs to be reassessed.

Transport emissions continue to rise. They must be tackled through changing driver behaviour, modal shift and better journey planning. We need to offer better facilities for active travel, such as cycling and walking, which present health benefits for everyone.

Transportation is a crucial component to society's well-being. It provides access to employment, leisure, education, health and social activities. It can assist the regeneration of neighbourhoods and economic activity and can help to include people who feel isolated and ignored.

Although the current strategy has been successful in attracting funding for transport, I believe that a higher-level strategy is now needed that is based on public consultation and gives all people who live here an opportunity to set the key outcomes and priorities that they want for the transportation network.

A revised strategy could include aims to reduce the impact of transport on greenhouse gas emissions; to improve the efficient, reliable and sustainable movement of freight; to improve access to education, training and lifelong learning; to improve travel safety; and to improve access to key visitor attractions. While recognising that not everything can be achieved at once, the strategy will identify the key priorities for transport here and include indicators for key outcomes in order to allow their achievement to be measured.

1.30 pm

The current strategy is being implemented through three transport plans, and any review will of course have a bearing on those plans. It does not strike me as sensible to suspend the implementation of those plans while the review is ongoing, particularly where the funding has been allocated to specific schemes and commitments have been given.

The review is likely to be completed in 2010 and will prompt us to review the transport plans and the accessible transport strategy which expire in 2015. I am equally conscious that the investment strategy has provision for transportation well beyond that time, and that in turn will have further implications.

The implications of the review go beyond my Department, and Executive colleagues will have a keen interest in influencing the review. Engagement with other key interested parties has already commenced. I know of and welcome the Regional Development Committee's inquiry into sustainable transport. As it features the social, economic and environmental aspects of sustainable transport, I fully expect its findings and outcomes to inform and influence the review.

Members of the integrated transport stakeholder group, which acts as a consultative body to me on the implementation of the regional transportation strategy, have also already added to the discussion and debate. I am grateful to both for their contribution, which I am sure will continue and will allow us to mould a revised strategy that will be relevant and appropriate to our circumstances.

I am keen to engage with Members and others on the key outcomes and priorities to help generate discussion and debate on the issues. To help in this task, my Department has prepared a discussion document that outlines some of our thinking. I am conscious that we do not have a monopoly or a complete prescription on what needs to be done, and I am keen to hear views and ideas that will inform the review and start to build consensus on the way forward. I encourage Members and others to consider and respond to the questions posed.

The discussion document is part of a comprehensive engagement process that will result in a draft revised regional transportation strategy that will be subject to a full public consultation process. Members and others will consequently have a further opportunity to share their views and help influence the final outcomes. The ultimate aim is to have a revised strategy available to help inform the 2010 comprehensive spending review. *Go raibh míle maith agat, a LeasCheann Comhairle.*

The Deputy Chairperson of the Committee for Regional Development (Miss McIlveen): I thank the Minister for his statement. If the revised strategy will not propose individual schemes or funding levels, how will the Department ensure that the key priorities of funding and prioritisation for transport will be delivered? Further to that, how does the Minister plan to manage the transition from the current RTS to the proposed revised RTS, which will be at a much higher level?

The Minister for Regional Development: I welcome Miss McIlveen to the Regional Development Committee and look forward to working with her and the other new members who recently joined the Committee.

The Member is aware that there is an investment strategy, a road-building programme and an infrastructure development strategy. Commitments have been given, and work has begun. It is sensible to continue with that as far as budgets will allow.

The regional transportation strategy tackles the issues from the broader perspective of how we go forward as a region. The end period for that is anticipated to be 2035. The strategy will look at key questions that perhaps were not so high up the agenda such as the environmental impact of transport and the increasing number of cars, which I referred to in my statement. It will look at the broader perspective of the

Department and at where the emphasis of the Department lies.

A major road-building programme is going on now. Once the key transport corridors are complete — many of them are either in design stage or construction stage or well on their way to that outcome — questions will arise for us as a region and an Assembly about which direction we want transportation to go in with the funding that we have and the considerations that influence that. Rather than getting into the detail of specific projects and what will happen where, we want to try to set a key standard for that.

Obviously there is a management issue with the current strategy. As I said, I am keen for that strategy to continue being implemented until such time as we have a new direction. That will involve consultation with groups such as the Committee, the integrated transport stakeholder group, which we meet regularly, and my officials. By talking to other people and through the public consultation, we want to ensure that we manage that transition from what currently exists to a consensus on what is needed for the future.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas inniu. I preface my remarks by thanking the Minister for his statement and by welcoming his intervention last Friday on the rescheduling of the timetable in Derry to ensure that trains will now come into the city at 9.00 am.

Will the Minister outline how the review will fit in with the regional development strategy?

The Minister for Regional Development: As I said in my statement, a number of reviews are ongoing, and the regional development strategy is one of the key reviews. To reflect that, it is natural that the regional transportation strategy is also reviewed. Those reviews are fairly substantial documents. Ultimately, they are Executive documents, but they will be taken forward by the Department. We have Executive buy-in to the process that we launched, to my statement today and to the discussion document that was launched.

It is important that all the strategies that the Executive develop, including the reform of local government and many of the other important issues that are being looked at, complement one other. It is also important that we do not have a position, either in a Department or between Departments, in which there are competing strategies or strategies that do not dovetail. Making sure that that does not happen is one of the benefits of having all Executive Ministers discuss those and other matters on a regular basis.

The review is closely aligned with the regional development strategy. That strategy will also align closely with the planning reform process, the changes to local government and a range of other strategies that

the Executive are considering for implementation. It is key that all of those strategies complement one other.

Mr Kinahan: I congratulate the Minister's Department on much of the great work that it does. Does he accept that our transport infrastructure is not keeping pace with the demands being placed on it and that his Department's statistic-driven decision-making may be limiting some of its decisions?

Does the Minister also accept that, for commuters in south Antrim and many other parts of Northern Ireland, the public transport network does not provide an option that is cheap enough or has enough capacity for growth to compete with road travel and that the resultant increase in private traffic creates a vicious circle of unreliability for all methods of transport during peak times? As fuel costs continue to rise, does he accept that the review must provide radical and innovative solutions to this growing problem?

The Minister for Regional Development: I want to see the review providing radical and innovative solutions to all our transportation problems. I do not necessarily concur with all that the Member said.

Passenger numbers on public transport are increasing, as is the number of people using cars. Therefore, the issue is getting a balance. We live in a largely rural area, and the road infrastructure is important. All our freight travels by road. The ability of regions to compete and participate in economic growth and development depends on them being connected by roads and the ease with which freight can get to and from them.

There are always competing demands, and the strategy will allow us, in consultation with the Assembly and all the other interested parties, to get that balance right. People will argue that a substantial amount of money is being invested in the roads, but we are emerging from a period of substantial catch-up. The Member talked about demands on the transportation system, but there are competing demands. There are demands for a better road network to get goods about and move people to and from opportunities for work and education. There are also demands relating to the impact that the amount of traffic on our roads has on increasing carbon emissions.

There are always competing demands; the issue is about striking the right balance, trying to get a proper level of investment in public transport and trying to get a public transport system that encourages usage, operates efficiently and effectively and provides a comfortable and reliable service and all the other things that are required of public transport. The review will allow the Department to further develop that sort of thinking. That is the type of balance that we have been trying to strike since I came into office. With the investment that is available to us, which is limited

because we compete for it with all other Departments, we will try to continue to strike that balance.

Mr Gallagher: The Minister's statement on the review and the key issues associated with CO2 emissions and the contribution of transport to congestion and connectivity is important.

Further to the points that other Members made about the importance of better public transport, can the Minister outline any steps that his Department can take to introduce healthy competition to the public transport sector? The Committee for Regional Development heard that his Department, although talking about possible competition, intends to continue to regulate the market for all operators. His Department also needs to look in more depth at transport in peripheral areas. The paper today gives us the line that extending the dual carriageway to Ballygawley and improving the road from Dublin to Derry is addressing peripherality in Fermanagh. That is no substitute for addressing peripherality, and it needs to be looked at in greater detail.

The Minister for Regional Development: I am surprised by the Member's approach to competition in public transport; I thought that he perhaps would not support an increasingly privatised public transport system. The lesson from England is that deregulation — of bus services in particular — was a disaster.

There is an attempt in the reform of public transport to make sure that we get the right service appropriate to here. That is why Translink will continue to be the largest public transport provider. There are other operators in the field, and there is a degree of competition as is, but there is no suggestion that the only way of improving the service is to deregulate it and open it up to more private companies and more competition. Nonetheless, I have no doubt that we will continue to develop those discussions in our engagement with the Committee.

There is, particularly in the west, Fermanagh and Tyrone and in Donegal and Sligo, a sense of peripherality. The dual carriageway and the improvements to the Dublin-Derry road are major schemes in their own right, but they are not the only ones. We are looking at improvements in and around Enniskillen and at the further development of the proposed southern bypass for Enniskillen; all those are coming on board.

Recently, I visited Fermanagh and, with my colleague Michelle Gildernew, had the opportunity to look at the roads network. I am conscious of the sense of peripherality there and of the limitations on our structural maintenance budget for the improvement that is needed on some of the non-major routes at county council level. However, I am not suggesting for one minute that the road improvement schemes outlined in my statement are the be-all and end-all for Fermanagh or the rest of the west, although they will make a

significant contribution to reducing the sense of peripherality. I have no doubt that we will continue to be reminded of what else is required there.

Mr B Wilson: I thank the Minister for his statement, and I welcome the review. The Minister said that there has been a significant increase in car usage and in carbon emissions since 2002. It is important that the Department move away from being the Department of road building and concreting over the countryside. The original strategy suggested a spending ratio of roads to public transport of 65:35. That has failed —

Mr Deputy Speaker: Order.

Mr B Wilson: That has failed —

Mr Deputy Speaker: Order, order. Sit. This is a time for questions to the Minister; it is not a time for making a speech. Ask a question, Mr Wilson.

Mr B Wilson: I am sorry. The suggested ratio of roads to public transport was 65:35. Is the Minister still committed to that ratio and, if so, how does he propose to achieve it?

The Minister for Regional Development: I have accepted publicly that that is not the current ratio, even though it was the intended one. It comes down to the sometimes simplistic argument of roads versus public transport, an argument that I do not accept, as the vast majority of public transport goes on the roads. Therefore investment in roads infrastructure and improvement to roads is not necessarily a downside to public transport; it is, in fact, an improvement. We want to continue that through the building of quality bus corridors, park-and-ride facilities and other investment in the rural roads networks. The rural roads network assists public transport in places where the railway system, even if we had the investment to put into it, would never reach.

It is important that, in the type of region that we live in, investment in roads continues. Of course, we want to move towards the 65:35 ratio, and I am committed to trying to achieve the ratio of spend that the Member outlined. As I said in response to a previous question, the transport corridors that people envisage as the key linkages between the centres of population are either under way or at design stage. Although there will always be arguments for road improvement schemes, that will allow us to start to shift the focus of the public transport debate, not into the distant future, but a substantial number of years into the future. It will allow us to shift to the type of debate that the Member outlined.

1.45 pm

Mr Bresland: I welcome the Minister's statement. In the light of the current economic downturn, will he confirm that additional funding is in place to complete the planned schemes in the existing regional transportation strategy?

The Minister for Regional Development: The Budget has been agreed up to 2011. I think that it was brought to the House in January 2008, voted on by the Assembly and adopted and agreed on unanimously by the Executive. A range of further schemes is identified in the investment strategy, and they will come online if the finances are available for them. That is why I always include that caveat when answering questions or making statements on matters that are subject to budgetary processes. However, I anticipate that we will continue to invest as outlined in the investment strategy.

The planned improvements to the key transport corridors, the additional investment in the railway system, the new trains, the investment in the track and the purchase of buses are key elements of the current transportation strategy and will continue to be key elements of a new transportation strategy. I certainly hope and intend to be able to invest as we have outlined. We will, obviously, return to a budgetary process after 2011, which will provide the Member with final answers to his question.

Lord Morrow: I want to ask the Minister about two issues. His statement mentions the fact that the A4 is being dualled from Dungannon to Ballygawley. Is that scheme on schedule, and will it be completed within the timescale that has been outlined?

I asked the deputy First Minister about this matter, but he seems to think that I should talk to the Minister for Regional Development about it. As I said earlier, the A5 is quite a controversial route, particularly the section from Aghnacloy to Ballygawley, where two new roads will run parallel to each other. It strikes me and many others, particularly farmers who will lose big tracts of land, that the new part of the A5 that is under construction from Tullyvar to Ballygawley will not be able to connect with another road that will be built in a couple of years. The two new roads will end up running parallel to each other, and one may make the other redundant. I want the Minister to comment on that matter, particularly on the fact that a section of that road has a two-and-a-half-mile curve on it. Why has that happened? It is beyond belief. The Minister has selected the preferred route, but is he prepared to reconsider?

Furthermore, his statement says that independent research indicates that only three in 10 people use bus services regularly and one in 10 people uses rail services. I wonder how those data were collected. For instance, does it take into account that one in 10 —

Mr Deputy Speaker: Order. I think that you have asked a question, Lord Morrow.

Lord Morrow: I notice that another Member got to ask four questions on one occasion, but I suppose that I am different.

The Minister for Regional Development: I will try to deal with all those questions.

I have heard nothing to suggest that there are any delays to the A4 scheme. Although there was adverse weather during the summer, the report that I read suggested that it would not impact on delivery or on the achievement of the target date for completion. I can check that matter again and let the Member know whether any other information is available.

The Member mentioned the A5 scheme, particularly the stretch between Aghnacloy and Ballygawley. He will know that the original improvements that are under way in that area were planned and envisaged before the funding was committed, particularly from the Southern side, for the type of road that we are now able to build from Aghnacloy to Derry.

The route was selected in accordance with those planned improvements, and a wide consultation process brought us to the stage at which the route corridor was selected. In the overall scheme of things, we are now looking at minor adjustments to the project. Therefore, I cannot agree to revisit the scheme, given that there was substantial consultation on it, including public consultation and an examination of all the available route options against a range of measures by which such things are judged. That was the preferred route, it was launched, and there will be further discussions with the people who have been affected on issues such as land acquisition, access to land, or the division of farmland. I do not doubt that that process is under way.

The same process took place with the Dungannon to Ballygawley project, in which a large number of landowners was affected. Substantial negotiations took place on the issues that that scheme raised. I cannot give a definitive answer as to where those two schemes can knit together properly, but I will ask Roads Service to provide a briefing for the Member.

Mr Elliott: I am somewhat concerned about the Minister's answer to Lord Morrow's question about the A5. Will he confirm that an equality impact assessment will be carried out on the proposed route to determine who it will affect under section 75? Will he listen to the concerns of groups and individuals and give a reasonable assessment of their proposals and suggestions?

The Minister for Regional Development: The examination of route options does not take account of the Protestant route or the Catholic route. Options are examined against a range of criteria, such as environmental or economic impact, and I do not think that religion is one of those. I am sure that the Member is aware that a similar approach was taken for the Dungannon to Ballygawley route, which is in his

constituency. The same criteria were analysed so that the preferred route could be selected.

I am not sure that section 75 applies when making decisions about roads; the choice between a Catholic route or a Protestant route does not come into it. The consultations with people who are affected by the proposed route will continue, as they did in a range of other schemes.

There have been similar schemes in my constituency in the past few years, one of which is under way at the moment. The people who are affected will be consulted to ensure that they are compensated properly for loss of land and that access and other issues are worked on. There has been a number of major road-building schemes not just in the North but right across the island in recent years, and every one of those projects encountered the types of issues that the Member raised. On every occasion, many such issues were sorted out with affected landowners. I have no doubt that the landowners affected in this instance will get an opportunity to make their voices heard. They should be listened to properly and compensated adequately for any impact that the scheme may have on them.

Mr P J Bradley: I thank the Minister for his statement. Earlier today, the deputy First Minister was asked about the Narrow Water bridge project. In reply, he talked more about the southern relief road around Newry. Where will the Narrow Water bridge project fit into the review of the regional transportation strategy? Will the Minister for Regional Development confirm that he is 100% committed to the Narrow Water bridge project on a stand-alone basis?

The Minister for Regional Development: I have answered that question so many times that the Member should be aware of the answer, but I will go through it again for him. The Narrow Water bridge project is being carried forward by the Southern authorities. They have granted money to Louth County Council to appoint consultants to assess the viability of options for the bridge project. Roads Service has been asked only to provide technical information on what the arrangements might be on the Warrenpoint side if such a project were to go ahead. I have expressed my support for that, and that remains unchanged: I would be happy to see the bridge developed. However, I repeat: the question of whether the scheme goes ahead is one for the authorities in Dublin. Neither Roads Service nor I have been asked to make any financial contribution to the project other than to assist with the provision of information and technical advice on the Northern side. That position remains unchanged. It is the same one that I articulated to the Member two years ago, and several times since.

Mrs Long: I thank the Minister for his statement and am glad to see that he is committed to making public transport a priority. I hope that it will also be a priority for those who have cars and choose to use public transport, not only those who do not have cars, although that is very important.

The Minister mentioned rapid transit for Belfast and is aware of public concerns about that scheme in east Belfast. Will the Minister provide an update on the time frame for consultation on that proposal? Will other options for using what is currently a dedicated walking and cycling route be included in any consultation that will go to the public?

The Minister for Regional Development: We have been around the houses a few times on that issue as well. The Member is aware that the Comber Greenway was identified very early on for rapid transit, even before it was developed as a walkway. It is a fine amenity. I have walked it myself and understand the attachment that the people of east Belfast have to it.

I will bring the Member up to date. Conclusions on the rapid transit system have not yet been reached. An examination is ongoing, and an examination is also ongoing of other routes in east Belfast. I am not in a position to give the Member a definitive answer. The Member and other interested parties will be informed of when and how a conclusion is reached, what options were considered and how the final decision was made. No decision has yet been reached.

Mr Ross: The Minister's statement focused on public transport and on how to get people out of cars and onto public transport. We could all subscribe to that, but does the Minister agree that the approach taken should be to make public transport more attractive to people, rather than going down the route of congestion charging or increasing town-centre car parking, which would have a negative effect on town centres?

The Minister for Regional Development: There is a balance between the carrot and the stick. The Member is right: public transport must be accessible and attractive. We have to move away from the notion that buses are only used by students and pensioners and that, once one can afford a car, one is no longer seen on a bus. Part of that is to do with improving public transport and its image, as well as the reality of using it. Trains will play a big part in that, and the rapid transit proposition for Belfast will also help.

Questions remain over how to deal with congestion and the number of cars coming into the city. Preventative measures may include the availability of car parking as well as the cost of it. The Member will see, through consultation, that there is an attempt to strike a balance. Reducing congestion is not just about trying to punish car users. If we improve the quality

bus corridors and the rapid transit route, so that people in cars can see public transport getting to its destination much quicker than they can, perhaps that will convince car users to opt for the public transport option instead.

There will be a range of measures. The purpose of the review and the new transportation strategy is to try to ensure that there are complementary measures, so that it is not all carrot and no stick or vice versa.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle.

I welcome the Minister's statement, particularly the emphasis on his personal commitment to sustainable development. Will the Minister consider, in the context of the discussion and the consultation process, publishing commissioned research on the developing technology of battery-powered transportation? An experiment is currently being carried out in Paris with compressed-air hybrid engines. That type of innovative approach would make a significant impact on the environmental issue of emissions and would attract public and tourism interests.

The Minister for Regional Development: I agree with the Member. We have to keep abreast of current and developing technology around more efficient and environmentally sustainable means of transport and ways of providing energy for that transport.

Currently, Translink's fleet uses a blend of 5% biofuel and 95% ultra-low-sulphur diesel. Translink is committed to continue to monitor the future availability and sustainability of alternative fuel blends. European directives may push us further and faster down that road anyway.

2.00 pm

There is a commitment to use the most advanced technology possible, and we are looking at the rapid-transit proposals to see what types of vehicles might be used. Whether we commission research or take advantage of the substantial body of work that has been done, I am happy to examine all the options. I will try to ensure that we have the most cutting-edge technology available in order to provide the most environmentally friendly solution.

Mr G Robinson: I welcome the capital investment in public transport in recent years and agree that public transport can provide many benefits for the population. Does the Minister agree that it is essential to have public transport that suits the user, or passenger, rather than the company? We saw a situation on the Londonderry line recently in which the Minister had to intervene to ensure that passengers had a more accessible timetable.

The Minister for Regional Development: I do not intend to be involved in working out timetables for

Translink. However, the Member is right that there are occasions when a broader look must be taken at decisions that the Transport Holding Company makes, and how those decisions impact on passengers.

Translink has a passenger charter, to which it has adhered fairly well. Everyone who provides a public service, not just in public transport, should be focused on the customer's needs. All services, and the decisions that determine the provision of those services, should be for the good of the customer. After all, the whole purpose is to try to encourage more people to use the rail network and to avail themselves of public transport provision. That will be achieved only by focusing on what people want, what they need to get from A to B and at what time they need it. I concur with the Member's view that we can always improve on putting the customer first.

Reform of the Planning System in Northern Ireland

Mr Deputy Speaker: The Speaker has received notice from the Minister of the Environment that he wishes to make a statement on the reform of the planning system in Northern Ireland.

The Minister of the Environment (Mr Poots): With your permission, Mr Deputy Speaker, I will make a statement to advise formally that I have issued my planning reform proposals for public consultation. Members will be aware that the consultation paper 'Reform of the Planning System in Northern Ireland: Your chance to influence change' was issued for public consultation on 6 July 2009. On 3 July, I indicated that protocol did not permit me to make a written or oral statement owing to the paper's launch falling during the summer recess. I also indicated that I would make a statement to the Assembly as soon as was practical after recess, and that is the purpose of my statement today.

The reforms that are proposed in the consultation paper represent the most far-reaching changes to our planning system in more than 30 years. The proposals will help to transform our mainly regulatory planning system into a more responsive one that helps to enable appropriate development and to manage it in the public interest in order to achieve sustainable economic growth. Members will know that there has been widespread pressure for reform of the planning system from many quarters over the past few years.

We all recognise that the planning system needs to be able to adapt much more flexibly and quickly to the many challenges that face our society. The Executive's key aim is to grow the economy, and we need a planning system that will help us to do that. The recent global economic difficulties and the very challenging outlook for Northern Ireland reinforce the need to reform the planning system to make it more effective and responsive to the needs of all users.

Economic growth, including major infrastructure provision, requires development, but that development must be sustainable and take account of all relevant considerations in the wider public interest. The competing interests that often emerge in the assessment of development proposals require our planning system to balance important social, economic and environmental considerations.

However, I must stress the importance that should be attached to the economic benefits of a development proposal as a material consideration when a decision is being made on a planning application. My predecessor, Minister Wilson, made a statement on that matter shortly before leaving office.

I realise that the planning system cannot be expected to satisfy all interests all of the time. A

reformed planning system should, however, enable timelier decision-making in a way that is transparent, demonstrably fair and delivers better development decisions. No one should underestimate the scale of the reform programme, particularly when combined with the transfer of responsibility for the majority of the planning functions to the 11 new district councils. The reforms that I propose are fundamental and wide-ranging, and, over time, almost every aspect of the system will change.

I will take a few minutes to draw out some of the key elements of my proposal. I propose a new streamlined, fit-for-purpose and responsive local development planning system that will enable the 11 new district councils, communities and developers to work together on the preparation of plans setting out a clear and realistic vision of how places should change and what they will look like in the future. The proposals are intended to produce more flexible local development plans in a shorter timescale, which will reduce from the current six and a half years to approximately three and a half years.

I propose a new two-stage process comprising a planned strategy document and a site-specific policies and proposals document. The introduction of a structured programme management approach will help to ensure speedier delivery. The replacement of the issues stage with a preferred options document will help to increase the participation of the public and other stakeholders early in the process. Plans will be more strategic and responsive, and they will provide greater clarity.

As far as the more effective processing of applications is concerned, we must move away from the current system of development control to a new regime of development management. The proposals are intended to change the culture of the planning application process to ensure that it is responsive to different types of proposals and that it will help to deliver development, rather than mainly control it. It is a question of improving efficiency in determining applications while preserving the safeguards in the system and enhancing public and community involvement at appropriate points in the process.

The creation of a hierarchy of development is a fundamental element of managing development. The intention is to encourage a more proportionate approach to processing applications by focusing resources on proposals that involve a greater economic, social or environmental impact. The hierarchy determines whether a development is classified as regionally significant, major or local, and that, in turn, affects the way in which an application is processed. By introducing new processes, such as performance agreements, pre-application community consultation and predetermination council hearings,

we hope to achieve efficiency, greater certainty about timescales and enhanced transparency and openness.

The introduction of arrangements for the delegation of decision-making to officers, thereby building on the successful streamlining project, will also speed up decision-making and enable work on the ground to start more quickly.

Enforcement is also inextricably linked to development management. The power to take action against unauthorised development and breaches of planning control is a fundamental element of the planning process. Without it, the credibility and integrity of the planning system would be undermined. The consultation paper seeks views but offers no firm proposals on the introduction of provisions similar to those proposed as part of reforms in Scotland, such as fixed penalty notices for breaches of planning control. The consultation paper re-examines the issue of criminalisation. The paper sets out in more detail the advantages and disadvantages of making it a criminal offence to commence development without the required planning permission, and it seeks current public opinion on those matters.

I am considering the role and content of planning policy statements. I propose that they should, in future, provide strategic direction and regional policy advice. The new councils would subsequently interpret that information in local development plans. I have asked my officials to ensure that future planning policy statements are shorter, more focused and prepared more quickly.

Another key proposal relates to the role that consultee bodies play in the planning process. I propose to expand the list of statutory consultees to ensure that, post-RPA, planning authorities consult relevant statutory bodies. In conjunction with that, I intend to introduce a statutory obligation on the relevant authorities to respond within a specified time frame.

Although I recognise the current extremely difficult economic climate, there is an important debate to be had in relation to the contribution that the development industry can make to the provision of the infrastructure that is necessary for Northern Ireland's economic and social improvement, and on the best, or most suitable, efficient, and effective ways for securing such contributions. The consultation paper will begin the debate on those issues.

In view of the previous and continuing interest from some parties, I have re-examined the case for third-party appeals as part of the planning-reform programme. Although there are benefits claimed for third-party appeals, there will also be costs and impacts on the planning system. The proposals relating to front-loading third-party involvement in the planning system

will promote better-quality plans and policies that will then provide a firmer basis for decision-making. Therefore, the consultation paper does not propose to make provision for third-party appeals in the current package of reform that is to be brought forward by 2011. However, I am keen to take views on the issue. All views will be fully considered before a final decision is reached.

Building capacity, both in the planning system and with stakeholder bodies, councils, consultees, developers, and so on, will be critical to the success of the proposed reforms. Neither I nor my officials can build that capacity into the system. It requires all stakeholder organisations to consider their roles and to play their part in increasing understanding, knowledge and capacity in order to improve the planning system.

Of course, we cannot ignore the issue of funding. We are talking about a different approach to planning as it is one of the new functions to be delivered by the new councils. I recognise that funding needs to be explored carefully in the new operational arrangements. Although planning fees will continue to be set centrally post-transfer, the arrangement will be reviewed in the future.

If accepted, many of the proposed reforms will require legislative changes, which take time. Of course, we will continue to take immediate steps to improve the planning system where we can, particularly to introduce measures to speed up the system so that it contributes to the Executive's top priority of promoting economic growth. My officials have taken forward work in a range of areas to improve effectiveness in the short term. In May 2011, the responsibility for the majority of planning functions will move from the Planning Service to the 11 new councils, creating a two-tier system of planning, with new roles for central and local government. The reform proposals were prepared in that context.

Local representatives will become the decision-makers on the majority of planning applications and will set the context for those decisions through their new local development plan functions. The only exception will be a small number of applications that have regional or sub-regional significance. Those will be processed by central government and will be determined by the Minister of the Environment. The new district councils will also act as consultees on regional plans and policies, including the regional development strategy. They will also carry out enforcement against the breaches of planning control. In addition, local government will assume responsibility for associated resources, including the planning staff who will transfer with the relevant planning function. That represents a solid foundation for the development of strong, effective local government that delivers a broader range of services.

Of key importance is the provision of high-quality, efficient services that respond to the needs of people and continuously improve over time. As already indicated, the consultation commenced on 6 July and will close on 2 October. Stakeholder consultation events are running throughout September in each of the 11 new council areas. Planning officials are attending each of those sessions to discuss and to respond to queries on the proposal. Details of the stakeholder events that are still to take place are available through the Planning Service website. I encourage everyone who has an interest in planning to attend one of the remaining events if they have not already had the chance to do so, and to respond to the consultation paper.

All responses will be considered carefully before final policy decisions are taken. If the public consultation process indicates support for the proposals, significant change will be required by all players in the planning system to adapt to new and different procedures and to change culture and mindsets.

2.15 pm

The publication of the consultation paper lays the foundation for transforming the current planning system and is a significant step on the journey to securing greater effectiveness and responsiveness for all users of the system. It is important that everybody contributes to the debate on how to ensure that Northern Ireland has a first-class planning system that serves the needs of all the people. I commend the planning reform consultation paper to the Assembly.

The Chairperson of the Committee for the Environment (Mrs D Kelly): I thank the Minister for his statement. Last week, his officials drew my Committee's attention to the fact that no budget has been secured beyond this financial year for the additional staff needed for the planning reform process. The officials indicated that there are insufficient funds of almost £1 million to cover the cost of staff required to address the extensive programme of work needed to reform the planning system and to prepare for the transfer of planning functions to the new councils by May 2011.

How does the Minister anticipate funding the delivery of his planning reform proposals? I welcome his commitment to grow the economy and to give weight to planning applications of an economic bent. However, given the length of time required and the present dire need to grow the economy, will the Minister now advise his Department on decisions on current planning applications that have an economic focus?

The Minister of the Environment: I thank the Committee Chairperson for her question. I will bid for the full anticipated requirement for the delivery of planning reform, which is vital for the well-being of

Northern Ireland. I anticipate receiving the support of the Committee in those bids, because it always strengthens a Minister's case to have Committee support in making such bids. I assume that the Committee will be unanimous in providing that support.

I will give, and have given, a clear direction to the Planning Service that it must issue decisions in light of economic conditions. I wish to deal with many issues that relate to the existing backlog. I will seek to encourage faster decisions, even if they are refusals, because people prefer certainty rather than uncertainty. It is better to issue refusals than to have indecision followed by refusal two years down the line. I want decisions that benefit the local economy and that can be acted on by applicants.

Mr Weir: I thank the Minister for his statement. A major frustration for Members who have been involved in local government and in the planning process is the length of time that it takes for a planning application to come to fruition. That can frustrate applicants, those dealing with the issue from a local government perspective and, sometimes, objectors.

The length of time that statutory consultees take causes big delays. Will the Minister outline how his proposals will address the problem of the length of consultation time for statutory bodies? Will he expand on his statement on that issue?

The Minister of the Environment: Statutory consultees have improved, and many organisations that are not related to my Department have improved considerably. I acknowledge the help of other Departments in that improvement, but there is more work to do.

The worst organisation, the Northern Ireland Environment Agency (NIEA), is in my Department. Although it has made considerable improvements, I want it to make greater improvements. In England, for example, the deadline for responses is 21 days. As part of our reforms, we will seek to introduce a deadline of 21 or 28 days. We await public feedback on what is best. That is how we intend to improve statutory consultees' reporting processes.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire.

I welcome the Minister's statement, and I wish him every success in his new role. Perhaps it will be third time lucky for me, and there will be no new Ministers until the end of the mandate.

Third-party appeals are a live issue. If there is strong support for third-party appeals, either in verbal or written form, will the Minister seriously consider implementing them in the final policy?

I wish to raise the matter of the economic benefits of a development proposal as a material consideration.

In the absence of draft area plans, people have made submissions to develop ground. Given the potential economic benefits, will the Minister consider examining some of those applications, even in the absence of area plans, because it will be some time before the policy is operating? Go raibh mile maith agat.

The Minister of the Environment: We are considering other systems to deal with third-party appeals. People have asked us to consider various examples, and we are happy to do so. We have to weigh up the advantages of third-party appeals, which provide the public with extensive opportunities to become involved throughout the planning process. However, there are disadvantages. For instance, they can slow up the planning system, and I would be deeply concerned that that might cause the system to stagnate, which would not benefit anyone. Nevertheless, we have certainly not closed the door on third-party appeals, and we will consider the matter further.

I particularly ask people to consider the benefits of front-loading applications, whereby public consultation takes place at an early point. We want developers to consult with the public and, when possible, come to an agreed way forward. We are looking for real and meaningful discussion between those who are developing projects and members of the public, but we will not be satisfied with a box-ticking exercise. We will weigh the advantages of third-party appeals against front-loaded applications, which make the argument for third-party appeals less compelling. Nonetheless, we will consider them.

Given the absence of area plans and the fact that some developments may wish to proceed but not as much land has been approved as might otherwise be available, we are probably not in a position in which there is such a huge demand for development as there was two years ago. With many sites in Northern Ireland, the biggest problem for developers is selling houses. Consequently, many sites are not going ahead as quickly as we would like. Therefore, we need to be careful about introducing additional land that is outside current development plans.

Mr Beggs: I welcome the Department's intention to produce more flexible development plans to enable projects to be developed locally. Will the Minister confirm the continuing role of the regional development plan and how it will interact with local area plans? Will he also clarify what will happen to outstanding local area plans that are at an advanced stage, such as the Antrim, Ballymena and Larne area plan, which was consulted on many years ago?

The Minister of the Environment: Area plans are working towards completion, and we hope to finish them before 2011. If it is believed that it is not possible to finish plans before that date, we will enter into

discussions with the new councils' transition committees to see how the plans can be completed. That is the route that we intend to take.

Mrs Long: I welcome the Minister's statement and the emphasis on dealing with area plans. I trust that he will focus on trying to ensure that they are in place in a timely fashion to avoid a recurrence of the current vacuum.

What contact has the Minister had with DRD to ensure that the regional transport strategy, for example, dovetails with area plans? I am also interested in the Minister's views on appropriate weighting for economic arguments versus, for example, built heritage, environment, local amenity, and so on.

The Minister of the Environment: Our linking up with the regional development strategy has, of course, always taken place. That will not be lost, because the local transition committees, which will become the local councils, will take over the DOE function of engaging with others on the development of plans. The new council, with those powers, will act in a similar way to which the Planning Service currently acts in identifying the infrastructural needs of the local community and will work closely with DRD on that particular issue.

On the issue of economic development versus built and natural heritage and other issues, we have a planning system that goes through a consultation process whereby each Department and statutory consultee brings forward its opinions. The Planning Service does not lightly overlook those opinions at any point. What Minister Wilson indicated in his statement was that, when a decision was marginal and was not a clear-cut refusal, economic development considerations would be given precedence. So when there is a decision that planners may previously have found slightly more difficult to make a judgement on, if there are considerable economic development benefits, that decision should come down on the side of the economic development benefit.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. Questions on the Minister of the Environment's statement will continue after Question Time, when the next Member to ask a question will be Mr Alastair Ross.

The business stood suspended.

2.30 pm

(Mr Speaker in the Chair)

Oral Answers to Questions

Mr Speaker: Before we begin Question Time, I advise Members that from today we do not have any advance notice at the Speaker's Table of Members who wish to ask supplementary questions. We are therefore relying solely on Members rising in their place if they wish to be considered for a supplementary question. Members need to keep rising at the end of the Ministers' replies if they want to be called. Let me make it clear: I will call only Members who are on their feet. In the past, there has been reluctance from Members to rise in their place during Question Time; there does not seem to be reluctance when they are making points of order. It is vitally important that Members rise in their place. In the Chamber, there are Members from another House who can demonstrate how it can be done.

In the past, Members have got up halfway and sat down again, and I am not sure whether they are serious about asking a supplementary question. There are also some Members who nod up to the Chair. Let me make it clear: if Members do not rise in their place, from today onwards they will not be called for a supplementary question.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Hospital Waiting Times

1. **Mr Moutray** asked the Minister of Health, Social Services and Public Safety what is the anticipated reduction in waiting time for a bimaxillary osteotomy, and how many patients have had their waiting time for this procedure reduced since the introduction of the new waiting list initiative. (AQO 1/10)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): The waiting list initiative has halved the time which patients can expect to wait for inpatient treatments such as bimaxillary osteotomy. The current waiting time target is that patients should not wait more than 13 weeks for inpatient treatment. That compares with a 26-week wait in 2006-07. In June 2009, there were no patients on the elective waiting list for bimaxillary osteotomy.

Some patients will have this procedure as a planned case — in other words, the operation is part of a staged

treatment plan, which involves a planned series of treatments over a number of years. Such patients are placed on a planned waiting list rather than on the elective waiting list. In such cases, their waiting times for treatments are determined by clinical need rather than the elective access waiting time targets.

Mr Moutray: I thank the Minister for his response. However, one of my constituents in Lurgan, Mr Niall McSherry, was supposed to have the surgery in November 2008. That operation has been delayed several times. Will the Minister agree today to look into the case as a matter of urgency so that Mr McSherry can have his surgery?

The Minister of Health, Social Services and Public Safety: The elective target times do not apply as part of planned treatment. Many people, such as children who are not yet mature enough to have the operation, have been waiting for treatment for many years. I heard what Mr Moutray said about the individual concerned. If the individual has been in a fit state to have the operation since November, he has been waiting for too long. I will be happy to investigate the case and come back to Mr Moutray, if he gives me his constituent's name again.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. What percentage of patients are being referred to private healthcare providers so that the waiting list initiative targets can be met?

The Minister of Health, Social Services and Public Safety: Without the Member specifying the area where she is talking about the independent sector being applied, it is difficult to be specific about its use. Is she referring to the particular issue of bimaxillary osteotomies, or does she have some other procedure in mind? It is part of my policy to eventually build the capacity within the Health Service so that we do not need to resort to the independent sector. At the moment, however, the independent sector provides additional capacity, and that allows our patients to be seen.

Mr O'Loan: I do not think that there is any doubt that there has been a dramatic reduction in many of the waiting lists, and that is welcome, but I wonder at what cost. One of the mechanisms for addressing the problem has been to bring in, with considerable fees attached, consultants from elsewhere. They have been brought in at weekends and put up in hotels, and the whole administration around that has been considerable. How sustainable is that policy, and has there been any analysis of the costs that are involved? What does the Minister have to say about creating a sustainable system that will keep waiting lists under control?

The Minister of Health, Social Services and Public Safety: To illustrate Mr O'Loan's point, I have allocated a large sum of money for extra cardiac operations, allowing for an extra 700 cardiac

operations over three years. I did that because our waiting lists were too large and too long, and patients were literally coming to harm waiting for their operations. I put that money in place to provide life-saving operations. We do not have the capacity in our hospital system to provide those operations, and it will take approximately five years to build that capacity. Therefore, the question was whether I should have waited for that capacity to be built and allowed patients to die on the waiting list or whether I should have taken the initiative. I took the initiative.

The Member asked at what cost those procedures have been made available, and I ask how the cost should be measured. Is a patient's life measured in pounds and pence? I do not do that, and I think that doing so is the wrong way to proceed.

We have a large number of patients, and we have a capacity issue throughout the Health Service, because, as Members are well aware, the Health Service was seriously underfunded over many years. There was a serious underinvestment in infrastructure and resources; therefore, the capacity is not what is required.

I must decide whether I allow our patients to come to harm or whether I find the capacity somewhere else. I think that the Member has answered that question for me.

Belfast Health and Social Care Trust: Urology

2. **Dr McDonnell** asked the Minister of Health, Social Services and Public Safety to detail (i) the current capacity deficit within the Belfast Trust to meet the demand for urology services; and (ii) what steps he intends to take to address this deficit. (AQO 2/10)

The Minister of Health, Social Services and Public Safety: A regional review of adult urology services was undertaken recently in response to concerns about the ability of our urology services to manage growing demand, maintain quality standards, and ensure high-quality services. The review report addressed in detail how demand and capacity have an impact on that speciality. I am considering the report, and I intend to publish it for public consultation shortly.

Dr McDonnell: I thank the Minister for his answer. However, I suggest that there is distress out there and that there is severe pressure on the service. Although staff and post holders, both medical and otherwise, work hard, their numbers are too small and they are overstretched, which adds to the stress of patients who are badly in need of urology support services.

The Minister of Health, Social Services and Public Safety: I appreciate Dr McDonnell's comment. I am aware of that situation, and that is why I conducted the review and why I intend to publish

shortly a plan that will allow us to create the capacity that is required.

The demand for urology services has increased year on year, with an increase of 9.3% last year alone; therefore, we have an issue with our capacity. The review addressed that, and I will publish my response to that major deficit shortly.

I will give Members an example of the sort of numbers that we are talking about: for 2007-08, the plan funded for 33,369 separate activities, but there were actually 43,000 such activities. That meant that there was a major shortfall, but we managed much of that additional activity — some 8,500 — in-house. However, a small amount still had to be bought from the independent sector. It is a stretch for staff to attempt to manage that extra capacity, and that is why I have taken steps to review capacity and resource. Demand is rising, and historically funding has not been what it should have been.

Mr McCarthy: Thank you Mr Speaker —

Mr Speaker: I remind the Member that if he wishes to ask a supplementary question he must rise in his place.

Mr McCarthy: I am up now Mr Speaker. *[Laughter.]* Will the Minister exercise his authority to everyone in the Belfast Trust? That applies not only to urology patients but to sufferers of ME and ADHD who need services but from whom, I understand, referrals have been withdrawn.

The Minister of Health, Social Services and Public Safety: I am not aware specifically of services being withdrawn in the Belfast Trust. If the Member wishes to write to me, I will be happy to look into the situation, make investigations and come back to him.

Swine Flu

3. **Mr Cree** asked the Minister of Health, Social Services and Public Safety for his latest assessment of the swine flu outbreak. (AQO 3/10)

10. **Mr Armstrong** asked the Minister of Health, Social Services and Public Safety how much it has cost his Department to respond to the swine flu pandemic. (AQO 10/10)

The Minister of Health, Social Services and Public Safety: With your permission, Mr Speaker, I will answer questions 3 and 10 together.

I am pleased to report that Northern Ireland, along with the rest of the UK, is experiencing a downturn in swine flu activity. Recent GP consultation rates for flu and flu-like illnesses and the number of antivirals issued — two indicators of the level of swine flu activity — have decreased. However, that recent

decline in activity will not lead to complacency. Experience from previous pandemics and the advice of our medical experts mean that we must prepare for an increase in cases later this year.

My officials have developed and costed possible scenarios based on varying levels of virus spread and demand across the service, which estimate that swine flu will cost the Department between £65 million and £96 million this financial year. The best estimate, which assumes a moderate level of virus spread and demand, predicts costs of £78 million, £30 million of which has already been incurred, with £27.5 million resulting from solutions that ensure that the Northern Ireland population has the same level of protection as the rest of the UK.

I have requested permission to address the Assembly in greater detail tomorrow on swine flu, and I hope to provide an in-depth summary of the recent developments in that area.

Mr Cree: Will the Minister confirm that, as part of his Budget settlement, he can bid for extra funding, such as funding for pandemic flu? Does he agree that there will be consequences for the Health Service if he does not receive that funding?

The Minister of Health, Social Services and Public Safety: Yes. The Budget deal that I did with Peter Robinson allows for the recurrent resource plus capital plus the first £20 million of in-year money, flexibility over my budget and the right to bid for pandemic flu funding. The Budget settlement specifically contains bids for pandemic flu, so it is quite clear where we are. At that stage, I had no way of estimating whether there would be a pandemic flu or of estimating how much it would cost. There will be extreme consequences for many areas in the Health Service if the bid is unsuccessful.

Mr Armstrong: Has there been any extra pressure on the Health Service over the summer because no money was made available for swine flu in the June monitoring round?

The Minister of Health, Social Services and Public Safety: I have already expended £27.5 million as part of the national agreements on swine flu. Members will be aware that, as part of the UK-wide national response, the four Health Ministers from England, Scotland, Wales and Northern Ireland meet together through Cabinet Committee, and we have agreed a series of measures. Some of those measures are already in place, and others are coming into place. I have reported on several occasions that there are sleeping contracts for vaccines, extra antivirals, extra antibiotics, personal protection equipment and so on.

Mrs I Robinson: I suggest that Members watch the House of Commons debates, and they will understand

that they have to stand up every time a Member finishes his or her question.

On how many occasions has the Minister been in touch with the Treasury in London to discuss the important issue of clawing back any moneys that the Department of Health, Social Services and Public Safety is out of pocket for? Given that swine flu is a pandemic that stretches right across the United Kingdom, it would seem likely that the Westminster Treasury would pay that cost.

The Minister of Health, Social Services and Public Safety: I am pleased to hear Mrs Robinson say that it is likely that the Treasury will pay that cost. That, indeed, is news to me, and I am sure that it is also news to the Finance Minister. We look forward to that —

Mrs I Robinson: It is a real question.

2.45 pm

The Minister of Health, Social Services and Public Safety: I am answering a real question, but comments being made from a sedentary position do not allow that answer to be given. It is not my responsibility. I must not tread on the responsibilities of the Finance Minister, and therefore any input I might have to the Treasury would be through the Department of Finance and Personnel. I can report that I asked the previous Finance Minister to make such an application to the Treasury last May. The response that was given in June was negative.

I and the other Health Ministers also raised the issue at our COBRA meeting and were given a similar response from an attending Treasury Minister, but I am gratified to hear that it is likely that the Treasury will meet that cost. We will all welcome that, because the cost will be over £70 million. I have stated how much the Department of Health can contribute, and that is substantial, but it does leave a very big shortfall. Anyhow, I am delighted to hear of that successful negotiation.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. Will the Minister outline what communication he has had with the Health Minister in the South in relation to his Department's approach to swine flu? I am particularly interested in what happens in the border counties, such as Tyrone, Fermanagh, Derry and Armagh.

The Minister of Health, Social Services and Public Safety: I can report, as I have done on other occasions, that my officials are in constant contact with officials from the Department of Health and Children. I have had a meeting with Mary Harney, the Minister down South, and I have had telephone conversations with her. We are taking forward and sharing all the information jointly. The information

received through COBRA is also shared with the Irish Republic. We obviously have a border with the Irish Republic. One of the key steps that we are looking at taking in the UK involves the effective sharing of resources so that, if there is a swine flu surge in one part of the country but not in another, patients could perhaps be moved to areas where there is available slack. That would present great difficulties for us in Northern Ireland, but there is the possibility that there can be some cross-border sharing. That is one of the areas that I am looking at.

Action Mental Health Vote

4. **Mr O'Dowd** asked the Minister of Health, Social Services and Public Safety to outline the reasons behind the decision to withdraw funding, from 1 April 2010, from Action Mental Health Vote project in the Craigavon and Banbridge area. (AQO 4/10)

The Minister of Health, Social Services and Public Safety: The decision to withdraw funding from the Action Mental Health vote project was made by the Southern Health and Social Care Trust. The trust provided funding for 30 places on the project, but only 15 of those were taken up by trust clients. The service was not fully utilised by trust clients, so the trust has therefore decided to provide individualised services for its clients.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for that answer. The scheme, although it may not have been used by trust clients, is a very effective and efficient one. It is there to provide individual learning courses to 16- to 25-year-olds with learning difficulties in the Craigavon and Banbridge area. The scheme levers in £178,000 of funding from other sources. On many occasions, sometimes quite correctly, the Minister has complained that his Department does not have enough funding. Surely a scheme that attracts £178,000 of other funding should be supported by the trust and the Department.

The Minister of Health, Social Services and Public Safety: The point to stress is the one that I made in the original answer. Although the trust provided 30 places, only 15 were taken up, not all of those by clients who have learning disabilities; some were taken up by clients with learning difficulties. The Member will understand that the trust is responsible for the first of those two groups. We have to spend our money in areas that we are responsible for. I take the point that the service is valuable. It is offered to 18- to 20-year-olds, individuals who are at an important transitional period in their lives. However, if the trust pays for 30 places and only 15 are taken up, that obviously does not fit the demand that the trust has identified. The trust will now provide funding for clients on an individual basis.

I also make the point that the Health Service funds almost £1 million of transition services throughout Northern Ireland, so it is not a one-off, stand-alone service. We recognise the need for transition services, but sadly, for whatever reason, that particular service is not getting the necessary support.

Mrs D Kelly: I am also familiar with that project. Will the Minister assure the House that there was proper promotion of the service and that it was not the case that places were not taken up because people did not know about it because their key workers had not referred them to it?

Will he also give us some indication of the financial cuts to the support for such services, which are provided by the community and voluntary sector?

The Minister of Health, Social Services and Public Safety: As far as cuts are concerned, the Member will know that she and everybody else voted for efficiencies, not cuts. She was aware of the plans that were available from the trust when she made that vote; therefore, whatever the detail of what the trust is doing, she voted for it. Perhaps I should be asking her what the cuts are.

Mrs D Kelly: I did not vote for them.

The Minister of Health, Social Services and Public Safety: Well members of your party certainly did. I also know that there are Members who promised the unions that they would not vote in that way and then broke their word, but that is for another day.

I assure the House that the service is something that the trust is funding and does not take lightly. There was proper assessment made of the service. The Member may say that it is sad — I am sure that it is a very good project — but, of the 30 places available, only 15 were taken up, despite the best efforts of the trust. Not all of those places were taken by clients with learning disabilities; some were taken by clients with learning difficulties. Learning difficulties are not necessarily the responsibility of the trust; they may be the responsibility of another Department.

Gynaecological and Obstetric Services

5. **Mr McElduff** asked the Minister of Health, Social Services and Public Safety what efforts his Department has made to reinstate gynaecological and obstetric services at the Tyrone County Hospital in Omagh and the Erne Hospital in Enniskillen. (AQO 5/10)

11. **Mr Bresland** asked the Minister of Health, Social Services and Public Safety if he supports the decision of the Western Health and Social Care Trust to move all gynaecology services to Altnagelvin Hospital. (AQO 11/10)

The Minister of Health, Social Services and Public Safety: With your permission, Mr Speaker, I will answer questions 5 and 11 together.

The delivery of health and social care services and the recruitment and employment of the appropriate staff to deliver those services are primarily the responsibility of trusts. I am satisfied that the Western Health and Social Care Trust has done everything possible to recruit and retain the appropriately skilled and trained staff. I am pleased to say that that is reflected in the fact that, from today, all services — outpatient, inpatient and day cases — have been reinstated.

Mr Speaker: I call Mr McElduff to ask a supplementary question.

The Minister of Health, Social Services and Public Safety: I have not quite finished.

The safety of patients receiving treatment in any part of the Health Service is my first priority. To ensure their safety, patients should always be treated in facilities where the skills and expertise appropriate to their needs are available. On that occasion, due to a short-term difficulty in recruiting the appropriate staff, the Western Health and Social Care Trust was unable to assure itself of the safety of the gynaecological services at the Erne hospital: that is why the services were temporarily suspended, and I am satisfied that that was the right decision.

Mr Speaker: I now call Mr McElduff to ask a supplementary question.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's response, particularly the news of the reinstatement of those essential health services taking effect from today. I ask the Minister to provide a categorical assurance that there will be no removal of essential gynaecological and obstetric services west of the Bann in future. The Minister will know that the mere mention of removing those services causes huge anxiety and inconvenience among women who are already disadvantaged by residing west of the Bann.

The Minister of Health, Social Services and Public Safety: Seventeen women were sent to Altnagelvin Area Hospital; some have now been returned as they did not require treatment in Altnagelvin and have gone back to the Erne Hospital. Altnagelvin, as I understand it, is west of the Bann.

Although I appreciate and understand the anxiety that Mr McElduff referred to, the Health Service — this relates to a previous answer that I gave to another Member — has been seriously under-resourced over many years. Specifically, that under-resourcing relates to the recruitment of junior doctors. To address the problem, we have increased the number of students going through medical school by 40%, from 150 to

246, per annum. However, they must work their way through the course, so it will be 2012 before we start to see the benefits. That is why that problem occurred.

I will always work to ensure that those services are retained, not just west of the Bann but in Omagh and Enniskillen. However, I will not do so at the risk of patient safety.

Mr Bresland: Thank you, Mr Deputy Minister. Does the Minister accept that the forced closure of the gynae services in the Erne and Omagh hospitals a few weeks ago because of a shortage of junior doctors reflects badly on mismanagement of the Health Service? There are similar shortages in other hospitals in Northern Ireland.

Mr Speaker: I call the Minister.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Speaker, or “deputy master”, as you were referred to.

No, I do not accept the Member's assertion at all. The Western Health and Social Care Trust is, clearly, very well managed, as is the Health Service throughout Northern Ireland. However, we must consider the large numbers of patients and staff whom we are dealing with and the difficulties in a number of areas. I just explained in a previous answer the difficulty of recruiting junior doctors. We recruit about 1,700 junior doctors per annum. In this case, although the Western Trust could not have known it, of the six doctors who were allocated to it, one began work; two are awaiting visas; two withdrew at the end of July within a week of their start date; and one did not meet the required competencies, so the trust will look at that through retraining.

We are now back in a satisfactory position. It was one of those situations that could not have been foreseen. However, there are difficulties because, as I said, the capacity is not there, and, therefore, we are relying on recruitment, currently from inside the EU and then from northern India. Historically, northern India was a very fruitful recruiting ground for the Health Service for doctors, but we are not allowed to recruit there until we have exhausted Europe. That is the issue, and that is one of the problems that we face.

Full service was restored in two weeks, and I expect that we will be able to carry on, but I give this caveat: we have a shortage of doctors. I have increased the numbers going through medical school by 40%. When those graduates start to come through, I expect that our problems in this particular area will be obviated.

Dr Deeny: We are, hopefully, talking about top-standard and high-quality junior doctors. Is the Minister not surprised how quickly those places were filled: in two weeks? Was there competition for those places, were there interviews, or were doctors simply found somewhere and put in place?

The Minister of Health, Social Services and Public Safety: The Western Trust is discerning in its recruitment. Two applicants were awaiting visas. I do not know the exact circumstances, but I presume that those visas have come through. Two withdrew because they got better offers somewhere else, and one is undergoing more training. Therefore, the trust has been able to extend the recruitment period. This has occurred not only in gynaecological vacancies and not only at the Erne Hospital, but five out of six applicants falling through was a most extreme situation. That is very unusual, but within two weeks the trust was able to plug that gap, and I am assured that the quality of patient care and safety will not be compromised.

Mr Elliott: I am pleased to hear the Minister say that services have been restored to the Erne Hospital as from today, but will he tell me whether any discussions are taking place with the body that is responsible for appointing those junior doctors to ensure that this situation does not reoccur in this or any other service?

The Minister of Health, Social Services and Public Safety: I have arranged to talk in depth with the trust. However, of course we undertake HR planning as far as the various competencies are concerned. It was not entirely in the trust's control that two people withdrew at the very last minute to take what, I suppose, they regarded as better jobs, or that two others had visa problems. That was the situation. As I said, we have an historical shortage of junior doctors.

Demand on the Health Service is rising all the time. To deal with that, I have increased the numbers of students who will go through medical school by 40% from 150 to 246. The benefits of having those extra 96 students will be seen by 2012. Perhaps that action should have taken earlier, but that is not for me to say. I can talk only about my time in charge, and I believe that the steps that I have put in place will go a long way to meeting the need.

3.00 pm

Mr Gallagher: Does the Minister agree that the fact that people appointed to those posts can withdraw two weeks before starting time or not turn up because their visas are not in order shows that the procedures in the Department, the trust or the Northern Ireland Medical and Dental Training Agency must be reviewed? Will procedures be reviewed in whichever place the responsibility lies?

The Minister of Health, Social Services and Public Safety: I have largely answered that question. Responsibility lies with the people who, historically, made the decisions on the number of students at medical school. The answer is to recruit more students to train at medical school. There is no problem in recruiting very high-quality students to the medical

school at Queen's University. The increased recruitment should have dealt with the issue by 2012.

Issues regarding visas are outside the Department's control, as is the withdrawal of two individuals to take a better job. I manage the situation as it stands, and we are where we are. I am not clear that I can put a stipulation on a student going to Queen's University that they must take whatever job they are offered through our local recruitment process. The two individuals who withdrew at the last minute were irresponsible, and that is obvious to all of us. I wonder, with some trepidation, what sort of doctors they will eventually make.

REGIONAL DEVELOPMENT

Flood Prevention

1. **Lord Browne** asked the Minister for Regional Development what work is being carried out to prevent the repeat flooding in East Belfast. (AQO 16/10)

2. **Mrs Hanna** asked the Minister for Regional Development, in light of the recent floods and those which occurred during the previous two years, if he will develop a preventative strategy for flood management. (AQO 17/10)

3. **Mr Weir** asked the Minister for Regional Development what strategy his Department is pursuing to provide long-term solutions for households which are vulnerable to flooding but which are not on flood plains. (AQO 18/10)

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a Cheann Comhairle. With your permission, I will reply to questions 1, 2 and 3 together. I apologise in advance that that will result in a much longer answer than would ordinarily be the case.

Roads Service is responsible for the maintenance of storm water carriageway gullies that are part of the public road network, and it aims to clean all gullies in urban areas twice a year. That policy ensures that a reasonable level of maintenance is carried out on the drainage system, while taking account of the Department's finite funding and staff resource levels. Work has been carried out in east Belfast in accordance with that maintenance policy.

Roads Service has completed flood alleviation schemes in Orangefield Lane, Merok Crescent and Tudor Drive. New gullies have been installed at Sandhill Park and Earlswood Road, and a number of replacement gullies has been installed in the lower Ravenhill Road area. In addition, further works are

planned for Clonduff Drive and Wynchurch Road in the next six weeks, and investigatory work is continuing in Carnamena Avenue and Rosetta Road. However, even with the most careful and thorough planning, gullies, road drains and watercourses can simply be overwhelmed by a deluge of rain falling in a short period of time.

Northern Ireland Water (NIW) is currently undertaking a drainage area study of east Belfast, and that is scheduled for completion later this year. From that study, a drainage area plan will be formulated and subsequent proposals for flood alleviation will be considered. The implementation of any proposals will be subject to funding being available from NIW's capital budget.

NIW recently held site meetings with residents and elected representatives at Hamel Drive, Houston Park and Cooneen Way to discuss flooding that occurred on 31 August 2009. The company has also undertaken to carry out remedial work ahead of full implementation of proposals generated by the drainage area study. That work is programmed to take place in the next two weeks.

The Rivers Agency has also advised that it proposes to undertake river flood alleviation works in east Belfast on the Loop, Knock and Connswater rivers. The agency is also working alongside the East Belfast Partnership to integrate flood alleviation measures into work associated with the Connswater community greenway.

With regard to a preventative strategy for flood management, Roads Service is involved with the implementation of the draft Water Environment (Floods Directive) Regulations. Those regulations establish a framework for managing flood risk which is aimed at reducing the adverse consequences of flooding on health, environment, cultural heritage and economic activity. They place obligations on government to identify areas of potential significant flood risk by undertaking a preliminary flood-risk assessment of all river basin and coastal zones by December 2011.

Flood-risk management plans must be produced by December 2015. The plans will focus on prevention, protection and preparedness and will detail objectives and measures to reduce significant risk in those areas. Rivers Agency will take the lead in implementing the directive in the North. The directive represents a shift to a more integrated, proactive and holistic approach to reducing flood risk. It emphasises the use of sustainable flood management.

In order to provide long-term solutions for households that are vulnerable to flooding, responsibility for drainage infrastructure is shared among Roads Service, DARD — through its Rivers Agency — and NIW. Procedures for liaison and co-ordination of emergency

responses among those organisations are set out in the best practice guidelines. Those guidelines are currently being reviewed.

There is also a shared flooding hot-spot list, which identifies the areas that are at greatest risk of flooding as well as the lead drainage organisation for each location. The organisations also take the lead in developing and implementing measures to reduce the likelihood of future flooding at those hot spots. Each drainage organisation also holds its own hot-spot list and has its own programme for dealing with those on a priority basis.

Following the extreme flooding that occurred in 2008, a flood improvement action plan was developed. Measures to deal with emergency planning, actual response and the clean-up and recovery phases are currently being implemented by all three aforementioned organisations.

NIW has advised me that most of the core sewer systems in the North are combined sewer systems, which take storm water as well as foul sewage and are, therefore, susceptible to flooding during high rainfall events. Long-term solutions are being developed that are based on flooding records and hydraulic modelling. Each solution will be costed and prioritised according to the severity of the flooding.

It is intended that expenditure will be focused on properties that are at risk of eternal — sorry, internal — flooding. Pardon my mistake. Progress on work to resolve flooding issues will depend on the outcome of funding that is available to NIW as a result of PC10 — the price control for 2010-13 — which is currently under consideration.

Lord Browne: I thank the Minister for his reply. I am sure that he will agree that we can too easily forget the impact that flooding has on families and individuals. A 93-year-old lady who lives in the Cregagh estate in my constituency of East Belfast has been subjected to flooding on no fewer than six occasions. None of our constituents should have to endure that situation, never mind a lady of 93 years of age. I understand that similar situations have occurred throughout east Belfast. What co-ordination has there been and what meetings have taken place between the Department and all the relevant agencies to ensure that the remedial work that is necessary in those areas is carried out as soon as possible?

The Minister for Regional Development: I understand the personal stories that are heard often. In 2008 and, indeed, in 2007, I had the opportunity to visit people who had been affected by flooding in east Belfast. I appreciate that flooding causes great distress as well as damage, particularly when it is foul sewage as well as storm water flooding that gets into people's

homes. I wish to see those issues addressed sooner rather than later.

In my answer, I outlined that meetings had taken place and courses of action been agreed, some of which will take place during the next two weeks in specific areas where there have been problems. Of course, a study that is specific to east Belfast — the drainage area plan — is ongoing and is intended to be completed by the end of 2009. A set of measures will emerge from it. Rivers Agency has also done work on the three rivers in east Belfast, because the swelling of those rivers contributes to the drainage backup that causes flooding in the Cregagh estate and other areas. Therefore, measures are being taken in the short term. The agencies that are involved will be happy to meet the Member and any other elected representatives on site to discuss those issues. Longer-term measures are being put in place through studies.

Mrs Hanna: The Minister has mentioned budget. Is a plan in place or a budget available to replace the entire worn-out and out-of-date drainage infrastructure, particularly in Belfast? I am aware that bits and pieces are being done. However, I have heard that all existing infrastructure is old and worn out. Is there a requirement to address the loss of natural drainage owing to overdevelopment in places such as south Belfast?

The Minister for Regional Development: I have not had the same kind of feedback as the Member has had about the general state of the infrastructure, which is considered to be satisfactory.

Building infrastructure that will cope with some of the summers that we have had recently would probably require the Executive's Budget for a number of years. If we were then to have several dry summers, people would ask, quite rightly, what the point of all that investment was. The issue is about getting infrastructure that can cope with as much as we expect it to cope with. Our infrastructure could not possibly have coped with the deluges and torrential downpours that we have experienced over the past number of summers. However, to provide infrastructure that could cope would drain not only the DRD budget but the entire Budget substantially.

There is a sense that a piecemeal approach to the issue has been taken in Belfast. Studies have to be focused on areas that have a history of repeat flooding in order to address the problems there. Wider studies have been conducted into the persistent problems in east Belfast over the past number of years.

There were problems in south Belfast, particularly in the lower Ormeau area. The sewerage project in that area will have an impact on the Lagan and on the type of backup that was taking place in times of heavy rainfall. We have already seen those problems being addressed, and there have not been the same incidents

that there were in that area four or five years ago. Then, it seemed like flash flooding in the lower Ormeau Road area was becoming a repeat occurrence.

The areas that are becoming hot spots are being addressed, and measures are being taken. I do not get the sense that the overall infrastructure needs the type of upheaval that the Member suggested.

Mr Weir: Like most MLAs, I am faced with a situation every time there is a heavy downpour. It seems to be the case that it is always the same two or three streets and the same two or three households that suffer and that there is a lack of long-term solutions to the problem.

I welcome the Minister's remarks about co-ordinated action to provide long-term solutions. However, will he confirm that the long-term co-ordinated plan will not act as a barrier to finding solutions as soon as possible for hot spots that are being hit on a constant basis? Flooding makes a relatively small number of people's lives a misery.

The Minister for Regional Development: I agree absolutely. Actions are being taken on different levels, and some of them are dealing with specific local problems. Actions have been taken, and some have been proposed for the next number of weeks. I can see that those actions have been effective in some areas, and that they are no longer on the hot-spot list. Unfortunately, other areas have gone on the list. Lord Browne mentioned someone whose house had been flooded six times: we are getting repeat occurrences. I have always encouraged and will continue to encourage Rivers Agency, Roads Service and NIW to meet elected representatives and residents in those areas in order to try and find local solutions that will affect the here and now while long-term solutions are developed.

Mrs Long: It is clear that the drainage area study will need to be funded and implemented, and that may take a considerable length of time: I agree with the previous Member about that. In the interim, will the Department for Regional Development and NIW be talking to the Planning Service about any need for restrictions in development and further intensification in areas in which the infrastructure has been shown to be inadequate? Have there been any discussions at the Executive about the potential for schemes to help residents insure their properties, because people often find that difficult. In England, the Government have arranged such schemes.

The Minister for Regional Development: Planning applications involve consultation with Roads Service and NIW on whether the infrastructure exists to cope with developments. In certain areas, NIW has said that there should be no more developments because the infrastructure has to be brought up to a higher standard, while others complain that we are frustrating

developments. I exclude the Member from that, but we get it from both sides. In an area where the infrastructure is either not appropriate, is not at a level to service, or the problems are ongoing, NIW will tell planners that the infrastructure cannot cope with further development, and planners have taken decisions to refuse planning permission on that basis.

3.15 pm

The answer to the other part of the Member's question is that the Executive did meet. In the first instance, there is a fund to assist people with the immediate effects of flood damage. There were discussions about insurance at previous Executive meetings, and one of the big concerns was that many households had no house insurance.

If there is anything that the Executive can do to help, I am sure that they would be happy to discuss proposals. No specific proposals have been brought forward, but we want to encourage people at least to try to get insurance in the first instance. If there are insurance companies that are unwilling to insure properties because of a history of flooding, the Executive would want to try and assist those affected.

Mr McNarry: Trying to be called to ask a supplementary question is very good exercise.

There were concerns about communications. What discussions has the Minister had with the Minister of Finance and Personnel about the effectiveness of the emergency telephone service, particularly during the most recent flooding in east Belfast? Was he able to extract any guarantees about improvements to that helpline?

The Minister for Regional Development: I received a briefing after the flooding in east Belfast, because I was made aware, through the media in particular, of complaints that people were unable to access the helpline. In previous incidents of flooding, there had been confusion about which agency was responsible. Some of the agencies involved are outside the Executive's control, so the response to incidents of flooding is a complex picture, particularly in bigger occurrences where the clean-up may involve local government, the police, the Fire Service and the agencies that are directly under the control of DARD and DRD.

There was a discussion about the provision of a single helpline; there was some argument that it had not worked as well as people would have liked it to. In the briefing that I received, I was told that people felt that a helpline was a good idea and that problems included a lack of staff, which was due to the absence of a severe weather warning.

The helpline service is worthwhile. There were one or two complaints from people who did not get the full

benefit of the helpline, but it provides people with a one-stop shop to access the service that they require. Often, the wrong agencies are called out, which leads to a delay in their response to people who need their services. The helpline is a good idea, but, as with any new service, it sometimes takes teething problems to iron out the edges, which was the case in this instance.

Roads: Eglinton to Limavady

4. **Mr Campbell** asked the Minister for Regional Development, following completion of the work on the dual carriageway between Maydown and Eglinton Airport, if there are any plans for the continuation of a dual carriageway bypassing Ballykelly to Limavady. (AQO 19/10)

The Minister for Regional Development: Roads Service has advised that the programme of strategic road improvements proposed over the 10 years of the investment strategy for Northern Ireland for the period 2007-2018 is in the investment delivery plan for roads. The plan contains one further scheme for the section of the A2 between the City of Derry Airport and Limavady — a dual carriageway bypass at Ballykelly, which will be approximately 6 km in length. Roads Service anticipates completion of that scheme towards the end of the delivery plan period.

Mr Campbell: I trust that the outstanding access issue that I understand to be still ongoing at Campsie with regard to the existing dual carriageway will be resolved this week. I know that senior Roads Service officials are speaking to businesses that have been affected.

In relation to the proposed link between Eglinton and Limavady, either through or around Ballykelly, can I take it that there will be intense discussions with landowners and public representatives to avoid the problems that emerged with regard to the proposed dual carriageway from Tyrone to Londonderry?

The Minister for Regional Development: As the Member may be aware from his own tenure in the Department for Regional Development, there is rarely a road-building scheme that proposes to go through open countryside that does not involve land issues. Some of those issues can be managed; others are more severe. The scheme that the Member referred to — the construction of a road between Derry and Aughnacloy — is the most substantial road scheme that we have ever been involved in and will involve the largest ever number of landowners. Therefore, that scheme will have the most significant effect on landowners of any scheme to date.

There is standard procedure in place. It has been deployed on the Dungannon to Ballygawley road, the Newry bypass, the Belfast to Newry road, the Derry to

Belfast road, and on all other major road-building schemes which required the same type of process because roads had to go through farm lands or other properties had to be removed. That procedure is deployed where there is discussion with elected representatives, negotiation over compensation or access issues for people. That is an inevitable part of road-building schemes and one which sometimes takes much longer than building the road itself.

The Member is quite right to draw attention to this. People have rights and, where proposed schemes go through their land or affect their properties, they have the right to be consulted, to be compensated for access issues, and for other issues that they raise to be properly dealt with. In the course of doing that, it is always the case that local elected representatives who have an interest should be involved and be kept abreast of how those things are happening. We must make sure that they have an opportunity to have an input.

Mr Dallat: I am sure that the Minister will be absolutely horrified to learn that yesterday there were tailbacks of several miles at Ballykelly. The question being asked is: what is the timescale between producing plans and constructing the necessary improvements? I am thinking in particular of Dungiven, where the plans exist, but there is no indication yet as to when the people of that town will be relieved of the pollution from which they are suffering.

The Minister for Regional Development: The Member must not have attended any of the public events at which the indications and time frames were given in relation to the Dungiven bypass. Similarly, in relation to the Ballykelly bypass, the land acquisition process and discussions around access issues have started. We went to Dungiven and spoke to the community about the process that is unfolding and the time scales involved. Of course, in common with the people in the area that I represent, they would have preferred it had the road been built 30 years ago; however, they understood fully the process that we have outlined and the time frames involved and were satisfied that, at last, someone has taken the initiative and is pushing those schemes forward.

Corporate Social Responsibility

5. **Ms Anderson** asked the Minister for Regional Development to outline his Department's policy on corporate social responsibility. (AQO 20/10)

The Minister for Regional Development: My Department is strongly committed to corporate social responsibility and has articulated how it aims to develop that in its corporate and business plans for 2009 to 2011. We are committed to being a socially and environmentally responsible organisation and an

excellent employer. Therefore, my Department's policy focuses on four key themes: community, environment, workplace and responsible procurement. My officials are in the final stages of developing a formal corporate social responsibility policy for DRD which will take into account the wide spectrum of measures that we will take now and in the future. It is my intention to launch that policy in the autumn.

We are very keen to support our staff in making a personal contribution to the community. One of the ways we hope to achieve that is through our partnership with Business in the Community. That will allow us to participate in schemes such as the Time to Read initiative, which 15 members of staff have enrolled in for the 2009-2010 academic year.

We wish to develop areas such as research development where we can, through internships and work placements, engage in partnership with undergraduates and graduates to work on research associated with promoting sustainability. In spring of this year, under the corporate social responsibility banner, I decided to launch a student bursary scheme with the aim of encouraging studies in subjects relevant to DRD objectives. The scheme offers an opportunity for students in their final year of studying for an MSc in engineering at Queen's and those studying for a BSc in engineering or a BSc in transport at Jordanstown. There are a total of 10 £1,000 bursaries available, which will be awarded to five students from each university. I intend to present the bursaries to the successful candidates later this month, and I will continue to engage with my Department's corporate social responsibility policy as it goes forward, to implement further new initiatives and to drive through its implementation.

Ms Anderson: Go raibh maith agat. I thank the Minister for his answer. How is his Department providing the social requirements in the procurement contracts, particularly in relation to the positive community and social benefits that will be ensured when those contracts go through?

I thank the Minister for his intervention during the week, which ensured that the trains coming into Derry will now arrive at 9.00 am. Go raibh míle maith agat. Stand up for Derry.

The Minister for Regional Development: My Department is following guidance prepared by DFP's Central Procurement Directorate and the Equality Commission on sustainable development and equality of opportunity in public sector procurement. In line with that guidance and at my instruction, action plans have been produced by Roads Service, NI Water and Translink.

Those will include proposals for implementing critical community impact and social objectives, such

as increasing access to public sector procurement opportunities for small and medium-sized enterprises, encouraging the economically inactive back into the workplace and encouraging training and skills development through, for instance, apprenticeships. Roads Service's action plan ensures that social and environmental factors are considered alongside financial factors when making procurement decisions. The plan has a package of actions to deliver the step change that is needed to ensure that Roads Service and its partners are focused on better design, low waste, higher recycle content, respect for biodiversity and delivery of its wider sustainable development goals.

Mr B McCrea: Will the Minister outline any achievement highlights from his corporate social policy? How much did that cost the taxpayer?

The Minister for Regional Development: I am surprised that the Member feels that promoting corporate social policy should be restricted by cost. All Departments have a duty to display a socially responsible attitude to procurement and actions taken. I will repeat one initiative that I mentioned in my previous answer: the bursary scheme. Later this month, after the successful candidates have been selected, the Department intends to award bursaries. It is designed to encourage students from here and to assist them with areas of their studies that relate to Department for Regional Development policy. Five students from Queen's and five from Jordanstown will receive £1,000 bursaries; that is £10,000 for starters.

Mr Shannon: In the Minister's response to the initial question, he mentioned opportunities that are available to university students. Will he confirm that such bursaries will also be available to students who attend colleges of further education? The Minister is probably aware that student numbers are greater this year than ever before. Therefore, there is an eagerness to take advantage of bursaries and job opportunities and to ensure that everyone receives an equal chance.

The Minister for Regional Development: The Member is correct. I highlighted one scheme: in my previous answer, I said that Roads Service, NIW and Translink, in the contracts that they secure, encourage the use of apprentices and encourage the economically inactive back into work. The Department has specific proposals on scheme sizes, the number of apprentices that we expect the scheme to employ and the number of economically inactive people who return to work as a result of it. The bursary scheme is particularly directed at universities, but a range of other measures aims to bring people in through skills and offers them opportunities to be involved. Some major infrastructure and engineering schemes are ongoing here, and they provide tremendous opportunities for young people to become involved, learn skills and gain experience.

Belfast International Airport: Links

6. **Mr Kinahan** asked the Minister for Regional Development to outline his long-term vision for improvements to transport links to Belfast International Airport. (AQO 21/10)

The Minister for Regional Development: The infrastructure connections to our airports are important, particularly for economic competitiveness, tourism and leisure markets and the convenience of the travelling public. The strategic relevance of those connections will be considered in the review of the regional development strategy and the regional transportation strategy.

My Department's investment delivery plans outline a £3.1 billion programme of investment in roads over the next 10 years that will transform the strategic road network in the North. Despite the fact that it is the largest ever programme of investment in our road system, resources are finite, and choices had to be made. Those choices have been made in line with the guidance contained in the regional transportation strategy and the supporting transport plans. Although it has not been possible to include an upgrade of the link from the M2 to Belfast International Airport, the proposal will be assessed, along with other potential schemes, for inclusion in future programmes.

The investment delivery plan includes schemes that will improve accessibility for passengers travelling to Belfast International Airport from across the North and, indeed, from the South. For example, the scheme under construction from Beech Hill to Cloghoge at Newry will complete the dualling of the A1 from Sprucefield to the border and will significantly improve access from the South to Belfast International Airport. Accessibility to the airport is further enhanced by the completion of the M1/Westlink and M2 improvement schemes. There will be further improvements when the A4 Dungannon/Ballygawley scheme is completed.

Major dualling schemes are planned for substantial sections of the A6 between Derry and Randalstown and the A26 between Coleraine and Ballymena. Proposals for a number of two-plus-one carriageway-widening schemes are being considered for the A26 Nutts Corner to Moira road. Roads Service has carried out a study of that route, and a route management strategy is being prepared.

3.30 pm

Mr Kinahan: I thank the Minister for such a thorough answer. He has taken half of my supplementary question away with it. However, I wish to emphasise the urgency of improving the links from the airport to the M2 and, to the South, through to the M1 at Moira. Will the Minister look at doing an urgent

feasibility study, reusing the statistics, so that the development of the rail link to the airport is also encouraged?

The Minister for Regional Development: As I said, a number of improvement works are in progress, although not immediately akin to those connected to the airport. I had discussions with the operators of Belfast International Airport in which they highlighted the fact that they were getting more traffic from the South, from Sligo across to County Louth, because of the road improvement schemes that have been put in place. I take the point that several others, including the airport operators, have made about the importance of the connection through Templepatrick between the motorway and the airport. Although it is not in current plans, the review of the regional development strategy will allow a reassessment of the importance of the gateways here to take place.

The railway connection was the subject of an assessment in 2006, which stated that passenger numbers would have to double to make the connection economically viable. I know that passenger numbers have increased significantly, and I will keep that matter under review.

Mr Burns: Has the Minister had any further discussions with the Kilbride Group about the railway line between Lisburn and Antrim? Will he consider giving it funding for a feasibility study?

The Minister for Regional Development: I have not had any further discussions with the Kilbride Group. I know that funding for feasibility studies has been given to various people who have an interest in developing the rail network, but I am not sure whether the Kilbride Group has received any such funding. I will determine that and get back to the Member. I met that group's representatives, and I know that they are interested in developing that part of the railway line. I encouraged them to continue their work because I am interested in developing the rail network. I will determine whether the Kilbride Group has asked for or received any funding, and if I make plans to meet its representatives in the near future, I will inform the Member in due course.

MINISTERIAL STATEMENT

Reform of the Planning System in Northern Ireland

Business resumed:

Mr Ross: In his statement, the Minister of the Environment made reference to the need to build capacity. Given that significant powers will be devolved to local government from the Assembly, what consideration has been given to running pilot schemes or similar schemes in local government to help build that capacity?

The Minister of the Environment (Mr Poots): Building capacity is the key to the success of the reform measures. In looking ahead to 2011, my officials are working with other sectors, through the review of public administration (RPA) implementation structures, to explore opportunities to enhance capacity in the system, particularly to ensure readiness for the changes that will arise in the context of the implementation of the RPA and planning reform.

Capacity is not developed by simply getting people to attend training events or by allocating extra resources. It comes through many opportunities, and the stakeholder engagement sessions provide a means of starting to build capacity through enhanced understanding. The potential pilot work between the Planning Service and some of the transition committees on the new development plans will constitute capacity building. The joint working between the Planning Service and the Construction Employers Federation is important. Initiatives undertaken by the Northern Ireland Local Government Association (NILGA), the Royal Town Planning Institute (RTPI), the Royal Institution of Chartered Surveyors (RICS) and others will also contribute to capacity building.

Mr Kennedy: I am grateful to the Minister for his statement, and I congratulate him on his recent appointment. I am obviously trying to ingratiate myself at an early stage.

His statement rightly refers to the economic growth aspect of planning decisions and the enforcement responsibilities of his Department. Hopefully, the consultation will provide a way forward in achieving a balance on those issues.

However, I am concerned about the gap that exists in policy direction for economic growth and planning enforcement. The former Minister, and indeed, the present Minister, is aware of the number of cases in my constituency where the Department is pursuing enforcement —

Mr Speaker: I ask the Member to come to his question.

Mr Kennedy: The Department is pursuing enforcement cases that will have a very serious impact on local jobs and small businesses. Does the Minister have any plans in the short term, and in the intervening period until the new policy is consulted on and established, to bring forward a policy that will deal with those problems?

The Minister of the Environment: We certainly have a policy to deal with those problems; that is why we have enforcement officers. Whenever there are breaches of planning applications, it is the job of enforcement officers to ascertain the veracity of any complaints that are lodged against individuals who have perhaps started a development in advance of having received planning approval.

I understand that not every case is clear-cut. There are often significant complications and confusion, and it is up to the applicants to make their case very clearly if they feel that they are not in breach of planning regulations. Regulations and policies are in place, and the enforcement officers are there to implement them.

Mr Gallagher: I thank the Minister for his statement. In bringing forward planning reform, it is important to tie up any loose ends that remain in the planning business, not least those concerning draft PPS 21 and the report of the independent working group. Does the Minister expect that that report will be completed and that its findings will play into planning reform?

We are aware of the 'Foundations for the Future' report and its view on third-party right of appeal. Does the Minister still see third-party right of appeal, with restrictions, emerging from the planning reform?

The Minister of the Environment: I am meeting the Minister of Agriculture and Rural Development to discuss that issue, and we hope to be in a position to finalise draft PPS 21 in this parliamentary session.

The work of the independent working group on non-farming rural dwellers has not enabled me greatly to move that issue forward. It has not identified different ideas as to how the group might enable non-farming rural dwellers to develop without causing a proliferation of buildings to be built across our countryside. That was why PPS14 was introduced in the first instance. Were we to allow such a proliferation, it would not meet current EU regulations.

Therefore, we must be careful in our considerations. The independent working group's paper will be published in due course. I have agreed to forward it to the Committee in the first instance, and Members can then draw their own conclusions from it.

Mr I McCrea: I congratulate the Minister on his appointment, and I welcome his statement. It is good to see him back on the party's ministerial team.

The Minister did not make specific mention of concerns about permitted development. Does he intend to consult on permitted development through the planning reform?

The Minister of the Environment: I thank the Member for his question and for pointing out the wisdom of the party leader.

We seek to create more opportunity for permitted development rights and propose to extend the range of minor developments for which planning permission is given without a planning application. The list will be wide-ranging and will include those that are available to householders, industry, waste management, electronic communications, the commercial and retail sector, agriculture, electricity undertakings, mining operations and institutions such as universities, hospitals and schools. We will also provide specific permitted development rights for small-scale renewable energy generation.

Extended permitted development rights will save time and money for developers and the planning authority. If we get the balance right, a significant number of schemes each year will no longer need an application for planning permission, and resources will be redirected to developments that are of greater strategic and economic importance. Consultants have been engaged to advise on the scope for extending existing permitted development rights and introducing additional categories of permitted development. We expect to consult on the outcome of that work very shortly.

Mr B Wilson: I thank the Minister for his statement. I welcome the emphasis on the economic aspects of planning and the need for quicker decision-making. However, I am concerned that reform will be achieved at the expense of the local community. In his statement, the Minister referred to:

"enhancing public and community involvement at appropriate points".

Will he clarify what is meant by that?

The Minister of the Environment: I thought that the statement was clear that the most appropriate point for the community to be involved is the starting point. Currently, the community cannot have its stake or say at that early point, and people often come in to fight the battle when the opportunity to speak has gone. It is far better for the community to become involved when the planning application is being drawn together, where people are engaged with those who are drawing up proposals and can have a greater influence on them. The individuals who are drawing up the proposals will welcome the support of local communities and will

want to work with them to gain that support. We are getting it right by offering communities the opportunity to be involved at the front end rather than coming in when the battle is already lost.

Lord Morrow: Will the Minister confirm that, technically, people do not need planning permission to commence development? That is a fundamental weakness in the current system, and I am pleased that the Minister sees it as an area that needs to be addressed in any new system. When someone commences a development, which is then brought to the attention of the planners, the developer has to submit an application. The planning process can take two or three years before a decision is made. Does the Minister agree that something has to be done to change that situation? I impress upon him the importance of closing that loophole so that developers cannot start to develop before planning permission has been granted.

The Minister of the Environment: Developers who start work without planning permission do so at risk. Mr Kennedy appealed for more leniency and Lord Morrow wants me to be stronger on enforcement issues; so it is a case of identifying where the balance lies.

It is inappropriate that people can start a development without planning permission and not be deemed to be doing anything wrong. We will look at that matter in the proposals. I have also looked at what has happened in Scotland, where provisions have been introduced recently to require developers to notify the planning authority when they commence and complete developments. People there are given the opportunity to pay a penalty as an alternative to prosecution, which frees up planning officials to do other work. We will use the consultation paper to seek views on the introduction of similar provisions, and we welcome all input to that.

Ms Lo: I, too, welcome the long-awaited consultation on planning reform.

I have been to a couple of public meetings, one of which Community Places organised specifically for the community sector. Individuals and community groups have many concerns about the third-party right of appeal being ruled out. People fear that they and the developers will not share a level playing field. They welcome and appreciate the front-loading approach that will greatly increase their involvement from the beginning of the process. However, they feel that a last resort should be available to enable them to address any issues.

3.45 pm

The Minister of the Environment: As I said earlier, the door is not closed, because the consultation process is ongoing. My officials and I will give due consideration to that matter. At this point, we consider that the case for a third-party right of appeal is made less compelling by the other opportunities that we wish

to create for members of the public to consult on public issues. We want them to have a clear and effective voice before they reach the stage of launching a third-party appeal.

We want a planning process that works, is efficient and does not become bogged down or stagnant. We must find a balance, and the consultation paper is a good starting point in identifying that. We will continue to work through the issues and to consult. Hopefully, the right balance will have been achieved for everyone involved when I return to the subject in the Assembly.

Mr Shannon: I thank the Minister for the opportunity to question him on planning reform, which, as everyone in the Chamber who works hard in their local areas knows, is an important issue. It is important that local politicians will be making the final decisions. That must be good news, and it may remove the perception that the current attitude in the Planning Service is one of “can’t do”. Its replacement with a “can do” attitude would be important to everyone who wants progress.

Earlier today, comments were made in the Chamber about third-party appeals. I am extremely concerned about any changes to those. Planning reform seems to place an onus on bringing about change whereby members of the public would no longer be able to attend appeals at which they could express their views orally. They would be able to do so only through written communication. Does the Minister consider that to be the best process for development projects? Does the removal of the opportunity for an oral hearing not remove the opportunity for questions and discussion?

The Minister of the Environment: Mr Shannon should realise that I will claim credit for all that is good in the paper, and I will blame my colleague and predecessor who is sitting behind me for everything that is not so good.

As regards oral hearings, I am being pressured by all sides: developers, potential objectors and community representatives. Everyone wishes to have their say, and that will drag out and extend the process. Nonetheless, my officials and I are always keen to hear what the public tell us. Thus far, all sides of the community have spoken with one voice during the consultation.

Mr Kinahan: I congratulate the ex-Minister and the current Minister on the many good points in today’s statement. However, I have one concern that is shared by many people outside the Chamber. Does the Minister envisage any checks and balances being imposed on local representatives to ensure appropriate transparency, particularly when a development is likely to have a significant effect on the economy?

The Minister of the Environment: In short, yes. Once established, the new councils will be subject to codes of governance that will apply to every individual councillor. We have been examining the codes of governance that are in place elsewhere. Some of those are excessive and others can result in councillors being unable to carry out their work until unsubstantiated claims are dealt with. We hope to put a practical system in place.

However, I have to say that over the lifetime of my political career, most, if not all, of the people whom I have worked with have not been corrupt. I will lay that on the line: politicians, whatever their faults, are generally not corrupt. That is not to say that there will not be exceptions, because in every business of the world, there are people who let that business down. We will put checks and balances in place, but when it comes to local authorities making the decisions, there is no more likelihood of corruption than is currently the case.

Although it has quite often been suggested that there is corruption in the current process, I have yet to see any evidence of it. I am not aware of any court cases in which it has been proven. Therefore, we do not need to build up that type of allegation too far because people want to work for the general good of their communities.

Mr Ford: I thank the Minister for his statement and for the paper. During his answers, he placed considerable emphasis on the economy, although his statement referred to providing the infrastructure that is necessary for Northern Ireland's economic and social improvement. Where does the enhancement of our environment fit with those objectives? Where does the Executive's well-known commitment to building a shared future fit among the social objectives?

The Minister of the Environment: I have never regarded the economy and the environment as either/or matters. The economy is key to a quality environment because if people are in good, well-paid jobs, they will want to look after and create a quality environment to live in. We will certainly be responsive in creating that particular environment. Very strong powers have been put in place for our natural heritage, and the Northern Ireland Environment Agency (NIEA) is quite firm in enforcing those.

It does not help very much when a Minister makes a statement that promotes the economy and people who are involved in business take judicial reviews against this House when it promotes the economy. I find it reprehensible that businesses, for their interests, seek to subjugate the will of this Assembly, which approved Minister Wilson's statement. There was no objection to that statement. It is a sad day whenever people seek to judicially review such statements when we are trying to promote jobs and push the economy forward in

difficult circumstances, but individuals, for their own selfish reasons, seek to stop that.

EXECUTIVE COMMITTEE BUSINESS

Department of Justice Bill

First Stage

The deputy First Minister (Mr M McGuinness): I beg to introduce the Department of Justice Bill [NIA 1/09], which is a Bill to provide for the establishment of the Department of justice and for the appointment of the Minister to be in charge of that Department.

Bill passed First Stage and ordered to be printed.

Mr Speaker: That constitutes the Bill's First Stage, and it shall now be printed. The Bill will be put on the list of future business until a date for its Second Stage is determined.

Rates (Amendment) Bill

First Stage

The Minister of Finance and Personnel (Mr S Wilson): I beg to introduce the Rates (Amendment) Bill [NIA 2/09], which is a Bill to amend the Rates (Northern Ireland) Order 1977; to make provision relating to the sharing of certain social security information with the Department of Finance and Personnel and others; and to confer a temporary power to make grants to district councils.

Bill passed First Stage and ordered to be printed.

Mr Speaker: That constitutes the Bill's First Stage, and it shall now be printed. The Bill will be put on the list of future business until a date for its Second Stage is determined.

COMMITTEE BUSINESS

Standing Committee Membership

Mr Speaker: As with similar motions, this motion will be treated as a business motion. There will therefore be no debate.

Resolved:

That the Rt Hon Jeffrey Donaldson and Mr David Hilditch replace Mr Jim Wells and Mr George Robinson as members of the Public Accounts Committee; that Mr Nigel Dodds replace Mr Nelson McCausland as a member of the Assembly and Executive Review Committee; and that Mr Trevor Clarke and Mr Thomas Buchanan replace Mr Jonathan Craig and Mr David Hilditch as members of the Standards and Privileges Committee. — [*Lord Morrow.*]

Statutory Committee Membership

Mr Speaker: The next item is a motion on Statutory Committee membership. As with similar motions, this will be treated as a business motion. There will, therefore, be no debate.

Resolved:

That Mr George Robinson replace Mr Ian McCrea as a member of the Committee for the Office of the First Minister and deputy First Minister; that Dr William McCrea and Mr Jim Shannon replace Mr Trevor Clarke and Mr Edwin Poots as members of the Committee for Agriculture and Rural Development; that Mr Trevor Clarke and Miss Michelle McIlveen replace Mr Nelson McCausland and Mr Jim Shannon as members of the Committee for Culture, Arts and Leisure; that Mr Alastair Ross and Mr Jonathan Craig replace Mr Nelson McCausland and Mr Edwin Poots as members of the Committee for Education; that Mr Trevor Clarke replace Mr Alex Easton as a member of the Committee for Employment and Learning; that Mr David Simpson, Mr Gregory Campbell and Mr Stephen Moutray replace Mr Robin Newton, Mr Simon Hamilton and Mr Jim Wells as members of the Committee for Enterprise, Trade and Investment; that Mr Adrian McQuillan replace Mr Trevor Clarke as a member of the Committee for the Environment; that Mrs Iris Robinson replace Mr Thomas Buchanan as a member of the Committee for Health, Social Services and Public Safety; that Mr Ian McCrea replace Mr Alastair Ross as a member of the Committee for Regional Development; and that Mr Alex Easton replace Miss Michelle McIlveen as a member for the Committee for Social Development. — [*Lord Morrow.*]

PRIVATE MEMBERS' BUSINESS

Compensation from the Libyan Government

Mr Speaker: The next item of business is the motion on compensation from the Libyan Government. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who speak will have five minutes.

Mr Donaldson: I beg to move

That this Assembly notes the decision by the Scottish Government to release the Lockerbie bomber from prison, and supports the case being taken by the victims of IRA terrorism to claim compensation from the Libyan Government who supplied arms and Semtex explosives to the IRA; and further calls on the UK Government to apply diplomatic pressure on Libya to pay this compensation.

I welcome the opportunity to propose the motion. First, I will give some background to the case, because it is important that the House understands that this issue did not recently arrive on Members' desks, as it were. In fact, it is a legal case that was initiated in early 2006 when a number of victims of IRA terrorism decided to launch a class action in the courts of the United States of America against the Libyan Government. On 21 April 2006, 141 victims of IRA atrocities, mainly involving the use of Semtex explosives, lodged a class action with the American courts.

Those victims included people whose families had lost loved ones in the Harrods bombing in 1983, the Canary Wharf bombing in 1996, the bombing of the Arndale shopping centre in the same year, and the bombing of the centre of Warrington, in which two young boys lost their lives. The class action included victims of terrorist actions in Northern Ireland, including the Enniskillen bombing, bombings in Belfast and in places as far apart as Lisburn, Londonderry, Portadown and Banbridge.

Many towns, villages and cities across the United Kingdom were affected by the actions of the Provisional IRA using weaponry supplied by the Libyan Government. The most lethal of that weaponry proved to be Semtex explosives, which clear evidence shows were supplied to the IRA by the Libyan Government in the early 1980s. That Semtex was subsequently used in bombings to devastating effect in lost and broken lives, in people maimed and in the destruction of property. Damage running into millions of pounds was caused during the period that those weapons were used.

4.00 pm

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

The question has been raised in the public domain as to why there should be a focus on this particular aspect of what has become known as the Troubles. The answer is clear: it was the victims themselves who initiated this legal action, not the politicians. It was the victims who decided that they wanted to seek compensation from the Libyan Government, and they did so on the basis of sound legal advice from their lawyers and in the aftermath of the Lockerbie bombing, where the victims of that particular atrocity, which, as we know, was also sponsored by Libya, were able to successfully secure compensation from the Libyan Government.

It is also the case that victims of Libyan-sponsored terrorism living in the United States have subsequently been successful in securing compensation from the Libyan Government. I believe that it is fair for the victims who are pursuing this case to ask why they should be treated differently. We have an instance, Mr Deputy Speaker, where an American citizen who was injured in the Harrods bombing in London in 1983 is now to receive compensation from Libya. That compensation has been agreed and secured for him by the American Government, yet victims of the same bombing in London who are British citizens are not to be compensated by the Libyan Government.

Therefore, it is perfectly legitimate for those victims to ask why they are being treated differently. The answer is clear: they have been treated differently hitherto because our Government in London has failed to pursue the question of compensation from the Libyan authorities and to press the case with Colonel Gaddafi and the Libyan regime, despite having been urged to do so and despite meetings having taken place with the Government. They cannot plead ignorance about this issue; there is a paper trail of correspondence between me, my friend the Member for North Belfast, and other Members of Parliament who have raised this issue in another place. The victims themselves have pursued the matter with the Government.

Until very recently, the attitude of the Government has been that the need to secure normalised trading and diplomatic relations with Libya came before the need to compensate the victims of IRA terrorism. The Government were quite clear that oil came before victims' needs. That was entirely wrong. Many of us will have been horrified at the weekend to discover yet another development: our own Government signed some kind of agreement with the Libyan Government, so that the family of a young British police officer who was shot outside the Libyan embassy in London will not get justice. The suspect in the murder of PC Yvonne Fletcher will not be brought to trial because some sort of deal has been reached, and the British public are right to be appalled.

That is symptomatic of what has been happening here as a result of our Government's relationship with Libya. Thankfully, after the application of much pressure, and particularly in the wake of the release of the Lockerbie bomber by the Scottish Executive, the Government in Westminster have realised, belatedly, that this matter must be addressed. It is a question of justice that the victims of IRA terrorism have the right to pursue their claim for compensation from the Libyan Government, and they should receive diplomatic support for doing so.

I welcome the turnaround in the Government's attitude at Westminster. However, we want the Prime Minister to go further; we want him to make it clear to the Libyan Government that he expects the matter to be settled, and settled quickly. It should not be just a question of going through the diplomatic niceties and the motions of providing diplomatic support; it should also be a question of the Government actively supporting the case for compensation, just as the Bush Administration actively supported and worked for compensation for American victims of Libya-sponsored terrorism.

We welcome the change in the Government's attitude, but we are bringing this matter before the House today to secure also the support of this Assembly for the case that is being taken against the Libyan Government. We are not asking people to change their political position or to put their hands in their pockets. We are not asking this Assembly to compensate those victims but to recognise that there are citizens of Northern Ireland — Protestant and Roman Catholic, unionist and nationalist — who were killed or injured as a result of IRA bombs and actions and who are deserving of compensation. It is not a question of unionism seeking to score some kind of political point. It is about people, and it is an opportunity for all of us to come together today, behind the victims, to support their case for compensation. Then it will not be a party political issue; it will be a question of this Assembly recognising that in this case justice should be done.

Some have suggested that we ought to be looking at other cases as well. We, on this side of the House, have made it clear that victims of terrorism should be adequately compensated for their loss. Where there is a difference, of course, is that we are very clear that the people who should be compensated are those who were the real victims and not those who went out in the name of a paramilitary organisation to maim and murder. We do not believe that a perpetrator can be equated with a victim, and that is why, in time, we will seek to change the definition of a victim so that that matter can be properly addressed.

Today, our focus is specifically on the case that is being taken by victims against the Libyan

Government. We hope that the House can unite on this issue in supporting the victims in their quest for compensation. If others come forward with similar legal actions, this Assembly can have an opportunity to consider whether their cases are worthy of support. However, today, the focus is on this particular case, and I urge the House to support the motion.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin opposes the motion. It is unfair and partisan. Let me say for the record that Sinn Féin is not opposed to any victims lobbying any Government anywhere in the world for compensation. Let me also say that I am very mindful of the suffering of those families whose loved ones were lost or injured as a result of IRA actions. I believe that it is the responsibility — certainly a part of the responsibility — of republicans to acknowledge that and to do all that we can to build a better society for all the people of this island. I also believe that others need to do the same.

It would have been better had the Members who proposed this motion consulted with the other parties to bring forward a motion that would have united, rather than divided, us and that would have reflected the suffering of all victims. The motion suggests that there is a hierarchy of victims, and that is wrong. The only way that political parties, in particular, and society in general can deal properly with all these issues is on the basis of equality of treatment for all. The motion, therefore, fails on that most important hurdle.

It is understandable that some of the families who have been bereaved or injured focus entirely on those who are responsible for their loss; that is their right. However, we who are in political leadership should be concerned with representing all citizens and all victims. Many of those who have suffered most are among the most magnanimous and forgiving of our people. We in this Assembly should follow that example.

The motion calls upon the British Government to apply diplomatic pressure on Libya. The proposers of the motion must surely appreciate the inappropriateness and hypocrisy of any British Government making or supporting such a demand of any other Government, given the London Government's long history of involvement in violence in Ireland. That includes the killing of citizens from Derry to Ballymurphy, from Newry to the Shankill, and on many other occasions.

It includes directing, arming, training and providing information to unionist death squads, and involvement in numerous cover-ups, including, as was revealed recently, the Loughinisland killings. Remember, a LeasCheann Comhairle, taxpayers' money was used to fund those killings. What greater scandal is there? Is that not a matter of concern for the Assembly or the DUP?

I will give one brief example. In the summer of 1985, with the full knowledge of British intelligence, a British agent Brian Nelson was sent to apartheid South Africa to get weapons. To finance the trip, the UDA, the UVF and Ulster Resistance, which was established by the DUP, carried out a bank robbery on the Northern Bank in Portadown, which netted £325,000. That was used in South Africa to purchase a shipment of arms. Those arms were brought back to this country, and in the three years after that, unionist paramilitaries killed 224 citizens and wounded countless others.

Although I understand why our friends in the DUP moved the motion, I put it to them that no unionist leader has ever acknowledged the role of the state or political unionism in fomenting and sponsoring conflict in our country.

The rejection of the Eames/Bradley group's report and its proposal for a recognition payment is another example of that, and I am disappointed that the Member for Lagan Valley Jeffrey Donaldson reinforced that point today. This is not about viewing the person who was killed as the only victim; it is about the families of those who have been killed. There is a misguided notion that one set of families can be designated as unworthy or of lesser value than another set of families.

State killings and collusion, which were an administrative practice and part of the British Government's strategy, have to be dealt with. That Government — the very Government that the proposers are asking to lobby the Libyans — refuse to co-operate with inquiries, hand over files or publish reports. That is evidence of their unwillingness to end the cover-ups and take responsibility.

We have to deal with all the issues. There are big challenges for us, and I hope that our unionist friends can join with us in meeting those challenges.

The SDLP's refusal to sign a petition of concern today is another example of that party's short-sightedness and lack of vision. Go raibh maith agat.

Sir Reg Empey: Libya's record as a state sponsor of terrorism throughout the 1980s and 1990s is well known. Throughout the Middle East, Libya sponsored terrorist groups that were opposed to the Israeli-Palestinian peace process. Such sponsorship of terrorism extended to Colombia, although some organisations closer to home also supported terrorism there. Sponsoring terrorism in western Europe, Libya was responsible for the murder of United States service personnel in Berlin in 1986. It is against that background that we must understand Libya's support for the Provisional IRA as part of its campaign of backing far-left and anti-Israeli terrorist organisations committed to furthering their extremist agendas through violence and terror.

The fact that Gaddafi's regime provided extensive supplies of weaponry and explosives to the Provisional IRA in the 1980s is not denied by anyone. The murder and mayhem wrought by the IRA in Northern Ireland, the rest of the UK and in the Republic throughout the 1980s was supported and enabled by Gaddafi. His support, however, does not in any way absolve those who undertook the terrorist campaign in Northern Ireland. Gaddafi provided the weapons, but the triggers were pulled, the bombs planted and the murders undertaken by people much closer to home.

From the early part of this decade, I have been in contact with Her Majesty's Government regarding the matter. It was clear from the responses that I received from the Foreign Office that Her Majesty's Government had little or no intention of undertaking anything like the approach to Libya that was pursued by the United States and France, an approach that resulted in compensation for victims of Libyan-backed terrorism before Libya was readmitted to the international community.

As my colleague Alan McFarland MLA said, yesterday's revelations in 'The Sunday Times' that the Prime Minister apparently vetoed an attempt to force Gaddafi to compensate victims of Libyan-backed IRA terrorism is a depressing confirmation that the present Government have decided that those in Northern Ireland and the rest of the UK who suffered because of Libyan weaponry in IRA hands have been forgotten by their Government.

The fact that Her Majesty's Government (HMG) have directed the SAS to train Libyan special forces surely suggests that we are far past the point when HMG would support those who were the victims of Libyan-backed IRA terrorism.

4.15 pm

I support the motion not because I believe that Her Majesty's Government or the Gaddafi regime will necessarily pay attention to whatever we say. I support it in solidarity with those who have suffered because Libyan support allowed the IRA to murder people across Northern Ireland.

I also sound a note of caution: we must be careful that the victims' families are not exposed to extra coverage and publicity, and are not led into an agenda that will go nowhere. Now that the Libyan regime has been readmitted into the international community, it has sent non-governmental organisations, armed with sovereign wealth from the Libyan treasury, that are proposing to offer investment in various countries. I believe that they have been in the United Kingdom, here and in Scotland, and that they are very active on the ground.

When one adds the whole thing up, it is perfectly clear that the policies that the Prime Minister is

pursuing were determined eight years ago, and that he is carrying on from where Tony Blair left off. The priority to stop Libya using its resources to develop nuclear weapons, and to stop the spread of those weapons, has overcome the desire of the United Kingdom Government to pursue compensation.

Furthermore, it is also not entirely clear what was the source of the 2008 compensation moneys, and it is not clear whether it came from the Libyan Government. It may well have come from a number of oil companies who are trading in Libya, some of which are American-owned, and it is not beyond the realms of possibility that British-owned companies were also involved.

There are a range of issues that must be examined, and I am anxious that the victims' families are not led up the garden path. The Libyan regime has set its face against paying compensation, and both Gaddafi's son and the Libyan Foreign Minister have ruled it out. Nevertheless, if there is any opportunity for the victims' families to receive recompense and recognition, the Ulster Unionist Party will support it.

Mr Attwood: From the outset, I wish to make it clear that, with caution, the SDLP backs the motion. An SDLP amendment to the motion was not accepted by the Speaker, and we believe that that amendment would have more generously reflected the situation with respect to victims and survivors. The SDLP amendment acknowledged that violence and human rights abuses had been perpetrated not just by the IRA using Libyan weapons, but also by agencies acting on behalf of the British Government, and by all the other paramilitary groups. In general, we believe that part of the fabric of a healed and reconciled society is the acknowledgment of the pain and the experience of the other, however it arose. A broadly phrased motion, which included all of those who have suffered violence at the hands of an illegal group, or through the actions of a Government, would have been a better statement from the House.

That is particularly important in the run-up to Christmas, because the British Government are currently consulting on the proposals of the Eames/Bradley group. They have made it very clear that they will legislate on those proposals only if there is political consensus, which is code for the lowest common denominator. For elements of the RUC, the security services, the British Army, and the leadership of the IRA, the UDA and the UVF, the lowest common denominator is the suppression of truth and the denial of justice to the victims' families.

Therefore, it is important to send out a broader and particular message to the British Government that all victims of violence and human rights abuses have to be acknowledged and their entitlements have to be

respected, which includes their entitlements to truth and justice. The danger is that a partial, selective motion such as this sends out a message to the British Government that plays into the hands of those in illegal groups and state organisations who have anything but truth and justice on their minds. However, the SDLP still supports the motion because, on balance, victims and survivors need to be acknowledged rather than further victimised by the playing of politics on the Floor of the Chamber. We will not go down that road.

In one way, I find it difficult to accept some of the DUP's good faith in this regard, because many cases have been taken by victims and survivors to secure truth and justice. Many victims, including victims of state violence, have gone to court to assert their entitlements and have gone all the way to the European court to assert their entitlements to due process and truth and justice, but I have not heard from the DUP on any of those cases. When victims have taken legal action to protect their entitlements, the DUP has not stood up and supported them along that path.

Towards the end of his speech, Gerry Adams said that the SDLP was being short-sighted and lacked vision. He beat up on the motion, as well he might, because it calls on the British Government to apply diplomatic pressure on Libya. That is the same Government that Gerry Adams says should be persuaders for Irish unity. He is prepared to rely on the British Government in that regard, but beats up on them in respect of Libya. It is the same British Government that Gerry Adams relies on when it comes to the role of MI5 in the North, yet he beats up on the British Government when it comes to their role in respect of Libya. Gerry Adams said that we should not call on the British Government because they lack standards in respect of their behaviour and have a culture of cover-up and disclosure. In that regard, he speaks some truth. However, he should apply the same principles to the illegal organisation known as the IRA, which killed half of the people who were killed during the Troubles in the North, including hundreds of so-called innocent civilians. When will the truth and disclosure of all that come out at the hands of the IRA?

Mr Deputy Speaker: The Member should draw his remarks to a close.

Dr Farry: The Alliance Party is happy to support the motion. Although we recognise that the motion is piecemeal with regard to the issue that it is trying to address, it is, on its own terms, the right thing to do.

As a liberal internationalist, I am extremely comfortable with the notion that we hold states and their leaders accountable for their actions, including severe and gross breaches of human rights and, arising from that, any sponsoring — including state

sponsoring — of terrorism. A range of different means is available, including the International Criminal Court, the International Court of Justice, the European courts with all of their various terms of reference, and our domestic courts through the principle of extraterritoriality, which has been well established through a large number of precedents.

There is strong evidence that Libya has been involved in sponsoring terrorism, not only in relation to what has happened in these islands, but elsewhere in the world. Although the actions of a large number of Governments in the West may suggest that that is now a thing of the past, nevertheless there is an issue of accountability for actions that have gone before. When we talk about the true interests of the United Kingdom and any other country with regard to their relationship with Libya, it is important that we do not lose sight of those wider interests with regard to establishing respect for human rights and opposition to terrorism. Indeed, the manner in which we react to past examples will go a long way in sending signals to people elsewhere in the world who may be tempted to go down similar lines regarding to the type of response that they will receive from our Government and other Governments. So, it is right that we seek to hold Libya accountable for what has happened.

I recognise that that is only one aspect of what we can do to address the past and what has happened in our country in a very tragic manner. People have spoken about the need for a global response to dealing with the past. The Alliance Party certainly endorses that, as well as the approach of trying to get a body such as the Eames/Bradley group to recommend a set of proposals to take matters forward. However, until we reach that point, we have to look at the individual ways in which we can address the different issues concerning the legacy of the past in our society. I will certainly support any individuals or groups who wish to find redress through the means that are available to them, either domestically or internationally. That is the right thing to do.

I was interested to hear Sinn Féin members making the point about the need for a more overarching response to how we deal with the past and criticising the motion for being piecemeal. If they are prepared to engage more willingly with the Eames/Bradley process and recognise that it is the only show in town, that would be tremendous progress and may give us some platform on which to build the way forward.

There are certainly flaws and difficulties in what we have seen so far, and it is up to the parties in the Assembly to try to reach a consensus that will allow some proposals to be progressed. It is also important to recognise that the needs of victims are very diverse. Some people have a desire for compensation, and the motion before us is a call for compensation. In some

respects, that may be all that is available to them. There are also demands for justice, truth and discovery, and for people to be able to tell their story and have that placed on the record. There are also the individual needs of victims, including support that they may need for healthcare, education and so on.

Mention was made of a hierarchy of victims, but it is worth making a distinction between two issues. I do not recognise that there is a hierarchy of suffering. When people suffer, particularly when a family suffers from the loss of a life, in many respects the suffering is equal. However, we must be clear that there is a hierarchy of circumstances in which events occurred. We cannot describe the circumstances in which lives have been lost as being equivalent, because there are different standards in the way those circumstances meet the rule of law. That is an important point that needs to be clarified.

It is important that the Assembly is serious in how it deals with the past and that it treats such issues responsibly. Although it is fine to address matters on a piecemeal basis, the main prize is to try to find an overarching way forward on the issue.

Mr Dodds: I welcome the opportunity to speak in this important debate, and I am glad that the first private Members' motion in the new Assembly term is about victims. When we talk about the issue of compensation from Libya, it must be noted that the needs of victims are different, as the Member who spoke previously mentioned. When we talk to different groups and individuals, it is clear that their needs differ as much as their circumstances.

One thing that struck me about the statements made by many people from the United Kingdom — not just people from Northern Ireland, but people from right across the United Kingdom — who are involved in the class action in the United States is that it is not so much the issue of financial compensation that is central, but the issue of ensuring that culpability on the part of the Libyan Government is recognised. There must be some form of facing up by Libya, and, necessarily, by others to their role in what happened to people's friends, relatives and families. Finding closure is far more important to many of the victims than the issue of financial compensation is, although that is not to say that there are not many people who are in need and who suffer day and daily. Those people do not just suffer emotionally because of the scars that have been inflicted by what has happened to them; they suffer financially, too. We must also address those issues.

4.30 pm

I welcome the fact that the British Government have had a change of heart on this issue. I remember that Jason McCue, the lawyer who has been involved intimately in pursuing a class action in the United

States on behalf of victims, received a letter from the Prime Minister on 7 October 2008. In that letter, the Prime Minister made it clear that the British Government were not going to get involved, primarily for the reasons that my Rt Hon Friend the Member for Lagan Valley outlined. At that stage, it was very difficult to see circumstances in which the matter could be progressed. However, I must say that it has progressed and has got to this stage, and that has not been because it has been driven by politicians.

Whenever we talk about leading people on and so forth, it is important to make the point that the campaign has been driven and is being led by the victims. That is the key issue. It is not a campaign that has been whipped up by any group of politicians; it has progressed because the victims initiated class action, which their legal representatives have been assiduous in pursuing, and because the victims have now sought the assistance of their elected representatives, which we have been glad to give. As a result, pressure has mounted on the British Government.

The circumstances in which the Lockerbie bomber was returned to Libya have created a situation in which the Prime Minister has realised that there is simply no credible or arguable defence for saying that, on the one hand, we should have compassion for a perpetrator of violence by sending him back to Libya to live out his last days and, on the other hand, we should adopt a flint-like response to the needs and cries of the victims. They deserve to be helped, and that is what is now happening. I welcome that, and the vote on the motion is a clear opportunity for all Members and parties in the Assembly to stand together with victims.

We are dealing with one particular set of circumstances, but that is the particular set of circumstances that the victims have brought to this House, as it were, and to us as politicians. It is now up to us to respond. When the Division is called, it will be an opportunity for us Members to say either that we are on the side of victims by helping them through our actions as well as through our words or that we are simply going to pay lip-service to the needs of victims and, when it comes to the chance to demonstrate where we stand, we are going to go into the "Noes" Lobby and vote against the motion. It will be a sad reflection on any Member who decides to take the latter action.

We hear the issue of a hierarchy of victims being trotted out time and time again. I agree with Dr Farry on that issue. We all recognise the suffering that has occurred across the Province, but there is a difference between the circumstances of those who go out deliberately to murder and who are then dealt with according to the rule of law and those of the innocent victims of those terrorists. We should never ever get away from facing up to and recognising that

difference, both in fact and in law. Hopefully, that will be recognised in law sooner rather than later.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. First, let me restate what my party has said time and time again: all victims should be equal, and their families should be treated equally in every way and treated with respect. It is regrettable — we are not surprised in one sense — that Jeffrey Donaldson MP, who was a junior Minister and who had responsibility for dealing with victims, is party to proposing the motion, which makes a one-sided attempt at dealing with victims.

We are a society coming out of a conflict situation, and I would have thought that, at this stage, all parties would be trying to deal with all victims equally, to respect them, to help them with their worries and concerns resulting from the trauma that they have gone through and to give that support to their families, instead of engaging in publicity stunts and using the issue for electioneering purposes. The issue of victims is much more serious than that, and it should be treated in that way.

Families should be treated with respect. We should be trying to help the families of victims to resolve issues, to respect differences and to move into the new opportunities that are in front of them, which politicians have moved into already. However, I feel that some politicians would like to hold victims in the state of victimhood and play on the emotions, worries and concerns of victims and their families.

All families should be treated equally, and this motion does not treat all families equally. This motion deals with one side only.

Mr Donaldson: I am not sure what the Member means by one-sided. We support all the victims who were affected by the use of that weaponry, and that is not exclusive to the unionist and Protestant community.

I am sure that the Member will be familiar with 'Lost Lives'. Let me briefly quote the case of Patsy Gillespie, a Roman Catholic father who was taken from his home in front of his family by the IRA and made into a human bomb and who lost his life as a result. His widow is quoted in the 'Belfast Telegraph' in 1991 as saying:

"Me and Jennifer were here together on the chair, and he just sat on the arm of it and put his arms around us and said, 'Everything will be all right, don't worry.'"

I am speaking out today for the Patsy Gillespies of this world, every bit as much as I am speaking out for unionist victims. Therefore, this is not a one-sided motion.

Mr Molloy: I do not see it as unionist victims. I listened to Mr Donaldson and I did not hear any acknowledgement of the victims of British atrocities,

the victims of collusion or the victims of the regiment of which he was a member, a regiment that so badly abused so many people that it had to be disbanded such was the disrespect in which it was held across the community, just like the organisation that it replaced, the B-Specials.

The B-Specials were another loyalist paramilitary organisation — a Protestant force for a Protestant people — and one of the first organisations to commit murder, killing a young Catholic man at a peaceful protest in Armagh city. Agents of the British Government carried out a long list of atrocities in which the British Government and the British Army, FRU, MI5 and other undercover forces colluded.

Others acted indirectly. Loyalist paramilitaries and the UDR colluded to murder and to set up others to be murdered. The murder of Catholics under the UDR across the murder triangle is notorious because it was clear that it involved a mixture of RUC, UDR and loyalist paramilitaries. Some come from the constituency that Mr Donaldson represents, yet I have never heard him speak out in any way whatsoever on behalf of those victims.

The motion is one-sided because it does not deal with any of the issues for which the British Government were responsible. Mr Donaldson does not call on the British Government to seek compensation from those who armed loyalist paramilitaries; he does not ask the British Government to seek compensation from Ulster Resistance, which the party to which Mr Donaldson now belongs was key in setting up. Some were also clerks and secretaries of the Ulster Clubs, which was part of Ulster Resistance. Mr Donaldson might have been in a different party and wearing a different beret at that time. He was wearing the green beret of the UDR while his colleagues were wearing the red berets of Ulster Resistance; however, they were part of the same force, all colluding in bringing about the murder of Catholics across mid-Ulster and beyond. They operated not only in the North but across the border, and the Dublin Government, despite their silence, could be asked to compensate the victims of the murder and mayhem that was created by the collusion between the British Government and loyalist paramilitary forces.

It is important that we state today that all victims are equal. What victims want is compensation from the British Government for what they did to citizens here, but they also want the truth, which is a form of compensation. The British Government could easily end all the inquiries by simply telling the truth. Directing loyalist paramilitaries did not happen with a few renegades around Lisburn or Portadown or mid-Ulster.

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

Mr Molloy: It happened through direction from the very top.

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

Mr Molloy: From Downing Street and from MI5.

Mr Irwin: I welcome the opportunity to contribute to this timely and important debate on the release of the Lockerbie bomber and compensation for the victims of Libyan-sponsored IRA violence.

The disgust and betrayal felt by the families of those who were murdered in the Lockerbie bombing, after witnessing the release of al-Megrahi and the fanfare that greeted his arrival in Libya, were felt across the nation. The arguments for his release, which were based on his ill health, in contrast, gave little regard or acknowledgement to the well-being of the families who suffered the terrible loss of their loved ones. This issue is at the centre of how Governments treat the victims of terrorism. Megrahi made a decision to take life. He did not have to take the decision to murder 270 people. In light of his actions, surely he cannot have the luxury of release on compassionate grounds. The lives that he took and the families that are left behind are the sole focus of our debate. The release of the bomber on compassionate grounds is an affront to the memory of the people whom he murdered.

Libyan-exported arms and explosives have wreaked havoc across the world, with mainland Britain and Northern Ireland having their share of the carnage through the IRA's campaign of violence. According to statistics, around six tons of Libyan Semtex were brought to Northern Ireland by the IRA. Along with the import of arms and ammunition, that accounted for many innocent lives being lost and families being ruined.

At the height of the Troubles, my constituency of Newry and Armagh was considered to be a hotbed of IRA activity, including planning of attacks, making bombs, hiding material and, of course, carrying out some of the most bloodthirsty acts of murder imaginable. The victims of IRA violence in that area still bear the scars of that campaign, and their memories of lost loved ones are as real today as ever they were. The campaign to secure compensation from Libya for the carnage that it sponsored is a campaign that must be won. The voices of the Assembly must be united to send a clear message to Libya and its Government that their ridiculous decision to supply the IRA with explosives and weapons was the direct cause of much suffering.

In recent days, much has been said about the new trade links that Britain is forging with Libya. There are more important issues to address than trade relations. Will Libya recognise its part in the loss of many lives here, and will it, at the very least, acknowledge its mistake by compensating the families of the people

who lost their lives? The campaign by the victims will force that message home, and, along with my party, I fully support the campaign. Libya must be held to account for its actions. I support the motion.

Mr Kennedy: No amount of compensation can ever make up for the heartache and emptiness caused by the loss of loved ones through the wicked and cruel actions of terrorists and those who cynically provided them with the means to carry out their acts of terrorism. That is an important message from the House.

Although Libya provided the lethal materials, those materials were used by Irish republicans. Even more unpalatable and difficult to come to terms with is that some Members of the House may have used those materials on behalf of the republican movement. Worse still, perhaps, they may have been used by Members who have gone on to serve in the Executive.

I praise the representatives of victims' groups who have campaigned tirelessly on the issue. I assure them of my support and that of my party in their continuing campaign. The failure of Gordon Brown's Government to link the issue of compensation for the victims and relatives of victims of IRA terrorism to the bilateral negotiations that have taken place between the United Kingdom and Libyan Governments has resulted in a perception that the Lockerbie bomber was released in return for oil concessions for UK firms. That has resulted in a serious loss of leverage for the UK Government in obtaining further concessions from Libya. The Brown U-turn on compensation for IRA victims is, of course, window dressing. Libya is unlikely to respond, because the matter is outside the mainly commercial terms of the bilateral talks. It will now be raised only through the normal official diplomatic channels that involve Foreign Office officials in Libya.

4.45 pm

The worry is, therefore, that very limited leverage is left with which to persuade the Libyans to agree to compensate victims. That is why Colonel Gaddafi's son issued such a robust rejection of the claim for compensation for IRA victims. He basically said that the matter would be left to the two sets of lawyers to sort out.

The uncomfortable truth is that Gordon Brown made his most recent of U-turns only because English newspapers and other mainland media raised the issue of compensation for mainland victims of IRA atrocities, such as Warrington, the Baltic Exchange and Canary Wharf. It appears that Northern Ireland's victims of IRA terrorism, which Libyan explosives facilitated, were far from the Prime Minister's mind.

I want to register my deep concern about the damage that will be caused by the latest foray by Gordon Brown's long-discredited Government into

cynical and commercially motivated negotiations with a regime that is dubious, to say the least, and about what that, in turn, will do to the relationship that this country and nation has with the United States. During the past 10 days, newspaper headlines in New York have spoken of a possible end to the special relationship between the UK and the USA. Ministers here must be concerned about the damage that Gordon Brown has done to the special relationship.

I am also concerned about the level of personnel being brought to the negotiations. I wish to show no disrespect at all to the individuals concerned, but a top-level UK political delegation must be sent that involves, at the very least, the Foreign Secretary and potentially the Prime Minister himself, if the UK Government are serious and if they want to be taken seriously by the people of Northern Ireland. I want the negotiations to go well. However, the delegation would have a greater chance of being taken seriously if it were to include the British Foreign Secretary or even the First Secretary of State, Lord Mandelson, who seems to be on such good terms with Colonel Gaddafi's son.

I do not want the hopes and expectations of many victims of terrorism in Northern Ireland to be built up to an unrealistic level, only for them to be dashed. That would be both cruel and unprincipled.

Mrs D Kelly: As I make my contribution to the debate, I am mindful of the fact that, in the majority of cases, financial compensation is not the real issue for victims. Certainly, in this case, victims' groups have made it clear that the issue is getting recognition of their pain and suffering. We all know, however, that, although it cannot buy health or happiness, money makes life considerably easier. As a result of the tragedy of our past, many families have been left without their main breadwinner and, consequently, have experienced severe financial hardship.

In setting out the context of the debate, the proposer of the motion, Mr Donaldson, made it clear that Libya has conceded the principle of compensation by already making payments to United States citizens. That is a fact. It is also a fact that the campaign has been instigated by victims' groups themselves, not by a political party. It is unfortunate, therefore, that the House will divide on the motion. We in the SDLP are disappointed that our amendment was not accepted for debate. It would have broadened the debate and would have given all Members the chance to support it.

The issue of a hierarchy of victims has been raised in the debate. Although there can be no moral equivalence between a perpetrator and a victim, there is a substantial and, indeed, increasing grey area as to who the victims and perpetrators were during our tragic 30-year conflict. That 30-year conflict was

entirely unnecessary. That is one truth about the past on which I hope we can all agree. However, revisionism suits Mr Adams and Sinn Féin as they try to erase the IRA's brutal past. After all, the terrorist organisation murdered more Catholics/nationalists than the loyalists and the British security services put together. That is another truth about the past.

The SDLP is opposed to violence from any and all quarters and has nothing to fear from supporting the principle of the motion and the victims' call for compensation. I support Mr Empey's comment that we must not falsely build up the expectations of the victims' groups for getting compensation from Libya. Libya has already drawn the battle lines in that matter. We should not be shy or retiring in supporting the victims in their quest.

Mr A Maskey: My remarks were in no way a reflection on any of the families that are involved in the motion. Does the Member agree that motions such as this, which relate to a narrow section of victims' families, and the way in which they are dealt with can often cause even greater and further hurt to families that are not included in such motions?

Mrs D Kelly: Many of the contributors thus far said that the pain and suffering of victims' families are the same and that they should not be penalised. Mr Donaldson has regularly and routinely been quoted as having made such comments. In proposing the motion, Mr Donaldson said that the rationale for the debate is the fact that the issue is very much in the public forum after the call for victims' compensation and the recent decision by the Scottish Cabinet Secretary for Justice to free the person convicted of the Lockerbie bombing.

I also support the comments of my party colleague Mr Attwood. He said that, in the past, the DUP was put to the test in supporting individuals and groups of victims in their search for truth and justice, whether that be through inquiries or compensation, and that he hopes that the party will reflect on Mr Donaldson's comments and consider carefully the proposals that come forward either through the Eames/Bradley group or from other individuals or groups that have been made victims by terrorist organisations in the past. We will watch closely, and we expect the DUP to live up to its obligations in supporting all victims of the past.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. All victims of the conflict and their families are entitled to compensation. Like my colleagues, I feel that the motion creates a hierarchy of victims, and that is unacceptable. Our priority and focus should be to ensure that all relatives are treated with respect and dignity and that every effort is made to support them, irrespective of their religious or political affiliation. There should be no hierarchy of

victims, and all families need to be treated with that respect and dignity.

The proposer of the motion forgot to mention the victims of the British Army, the RUC and the unionist death squads. The motion does not acknowledge the fact that the British Government were a combatant force in the conflict. It is, therefore, unacceptable that a state that was responsible for murder itself, either directly or indirectly, through the policy of collusion should hold any other country to account.

Gordon Brown would be better placed to take responsibility for his predecessors and come clean to the families of the victims that his Government were responsible for killing, either directly or indirectly. It would suit him better to do that.

In the days that followed internment, in west Belfast alone the British Army murdered 11 people, including a Catholic priest and a mother of eight children. That same group of paratroopers went on to murder 14 innocent civilians in Derry on Bloody Sunday at a civil rights march, and many more people, including young children, were killed by plastic and rubber bullets. From the Shankill butchers era in the early 1970s to the murder triangle killings and the years of the LVF, Catholics of all ages and sexes were systematically targeted and murdered without mercy by unionist paramilitaries, including members of the RUC and the UDR.

In the Lurgan and Portadown area alone, 300 Catholics —

Mr Donaldson: Will the Member give way?

Ms J McCann: No, I will not give way; you have spoken enough.

Three hundred Catholics were murdered, and, to this day, their deaths remain unexplained. They were killed —

Mr Deputy Speaker: Order. I ask Ms McCann to take her seat. I also ask Members to make their remarks through the Chair. The debate has been good natured until now, so let us keep it that way.

Ms J McCann: We are talking about facts, not allegations, about the Glenanne gang. The fact is that serving members of the UDR and RUC and security service agents were directly involved in murders and bombings, including the Dublin and Monaghan bombings, in which 33 people lost their lives, and the Miami Showband killings.

For people who are a bit confused about collusion, I will explain how it works. The Force Research Unit, better known as FRU, was a unit of the British Army that was responsible for the recruitment and running of British agents, including Brian Nelson, to murder Irish citizens. That unit, in turn, was answerable to the task co-ordinating group, which comprised the RUC's

Special Branch, the Chief Constable and other intelligence services. That group was accountable to the joint security committee, which is now known as the joint intelligence committee. The committee is directly responsible to the British Prime Minister and has overall control over all security issues. Therefore, the British Cabinet, including the British Prime Minister, is aware of everything that is happening in intelligence circles.

In the 1980s, loyalists were armed with weapons that were smuggled in from South Africa. I have not heard many Members talk about that today.

[Interruption.]

Mr Deputy Speaker: Order. I am sorry, Ms McCann, you will have to resume your seat again. I remind Members that remarks shouted across the Floor are not recorded in the Hansard report, so they are a waste of time.

Ms J McCann: There was an upsurge in killings, including that of human rights lawyer Pat Finucane. For three years after the South African shipment, unionist death squads killed 224 citizens and wounded countless others. Even today, we are awaiting the final report on the Loughinisland murders.

Ms Ruane: Go raibh maith agat. Tá an fhírinne de dhíth ar gach teaghlach, agus go raibh maith agat as an idirghabháil sin. As the House will know, the murders at Loughinisland were a dreadful atrocity. The families of those killed were supposed to get the report into the incident on Wednesday but have now been informed that that will not happen. Let us look at that case.

[Interruption.]

Mr Deputy Speaker: I ask the Member to resume her seat. I must insist that all remarks be made through the Chair. If I do not do my job properly, I will rightly be criticised. I ask Members not to make remarks across the Floor.

Ms Ruane: That case shows the importance of treating all victims fairly. There was no proper investigation into the Loughinisland killings. The RUC destroyed key evidence and paid agents. In our society, we need to move forward —

Dr W McCrea: On a point of order, Mr Deputy Speaker. Is the Member making a speech or is she making an intervention?

Mr Deputy Speaker: That is not a point of order.

Ms Ruane: Each family deserves the truth — no family is more equal than others. Let us all move on and create a fair society and make sure that there is truth and justice for all families.

Mr Deputy Speaker: Interventions are supposed to relate to the subject under debate, and they are supposed to be short and to the point.

Ms J McCann: There are Members in the Chamber who shared platforms with notorious killers, such as Billy Wright, but that seems to have been forgotten as well. Members would be better representing the interests of all victims and asking the British Government for an independent and international truth inquiry so that all families can know the truth about what happened to their loved ones.

Mr Easton: The motion addresses one of the vilest human rights-abusing organisations that the world has ever known: the criminal terrorists of the Provisional IRA. The IRA stands judged at the bar of world opinion as a cowardly and ruthless terrorist organisation that perpetrated its evil on an innocent population. From the torture and mutilation of the innocent to the abduction and premeditated murder of a single mother of ten through to the murder of ordinary children, its human rights abuses knew no bounds.

5.00 pm

The Provisional IRA deliberately operated outside the democratic process, seeking to wreck democracy and the rule of law through the systematic destruction of the human rights of the innocent population. I suspect that, over the coming months, it will attempt to wreck democracy in the Northern Ireland Assembly. Thank God that it failed and that it will continue to fail. Its actions will continue to be subject to examination, and history will continue to be its harshest critic.

A special place has been reserved for the role of the IRA in the annals of shame. All right-thinking people celebrate the failure of terrorism, but we must not forget that many innocent victims still bear their loss, still carry their disability, and still live with the wounds of the IRA torture, mutilation and murder machine.

In part, the death squads of the Provisional IRA received their tools of evil from Libya, and it is from Libya that a response is so desperately required. Unfortunately, time does not allow me to document the suffering of the innocents at the hands of IRA equipment, or its missions of death with Libyan arms and Semtex. However, time will not run out for those who call for justice and reparations for the innocent victims. In a world that has respect for human rights, the shortcomings of the Gaddafi regime can no longer be concealed, and no longer can terrorists hide from their crimes. Let us not forget that although Tripoli supplied the tools, it was the rejectionists of democracy and the rule of law who used those tools in their futile murder machine.

I challenge the Prime Minister to come out fighting. It was British citizens who were brutalised by the Tripoli terror tools. It is entirely right and fitting that those people, without whom the IRA could not have perpetrated with such ferocity its terrorism against an

innocent population, take their responsibility and compensate the innocent. It is the only morally suitable response from the Gaddafi regime.

Some will fear this debate taking place, and some will be frightened at the spotlight being put on the cruelty of the IRA. Some will wish to hide from the human rights glare as it exposes the nakedness of the republican movement and leaves it having to own up to its systematic, inhuman and degrading treatment of the people of Northern Ireland.

Mrs Foster: Does the Member agree that one of the most appalling human rights abuses of the past 35 to 40 years was the systematic ethnic cleansing that took place along the border, where Protestants were forced out of their homes by the IRA? Does he agree that the human rights abuses that were perpetrated then should be brought to account and that the truth should be given to all those people?

Mr Easton: I thank my colleague for her intervention, and I totally agree with her comments. There is a lot of hypocrisy coming from the Benches across the way: on the one hand, they go on about their human rights, but on the other hand, they were the ones who were involved in abusing human rights in the first place.

This is not the time to listen to the arguments of the republican movement, however morally incontinent. They may as well attempt to push water up a hill as seek to prevent the innocent victims of its terrorists getting compensated by those who supplied the tools. American victims of terrorism are rightly compensated as they live with the loss and the brutality inflicted by terrorism. Are we saying that British victims are to be treated less well because they are British? As we rightly acknowledge the evil of the 9/11 terrorist attack and the suffering and loss felt by families as a result of that evil, let us not morally equivocate the terrorism of the IRA using the Tripoli terror tools. It is every bit as wrong, every bit as evil, and the impact on the innocent is just as hurtful. The only difference is one of scale.

Let us face facts; Tripoli terror tools aided and abetted the IRA in perpetrating its evil campaign. Without the Tripoli terror tools, that campaign could not have been sustained with such cruel vigour for the 35 years that it was. Put bluntly, people would be alive today had it not been for the Tripoli terror tools. Whether it be the slaughtered innocent parents and children on the Shankill Road in 1993, who were deprived of the most fundamental human right of all, namely, the right to life, or the many other innocents, not least at the Baltic Exchange in London, an unstoppable momentum for justice is gathering pace, and the people across the way need to recognise that. There is a moral principle that determines the fairness

of action; it is known as justice. World opinion, I dare to suggest, has already determined and judged that compensation is a fair treatment for the innocent.

Mr Deputy Speaker: Again, I remind Members to please make all remarks through the Chair and not across the Floor; otherwise, I may have to name someone.

Mr Elliott: Thank you, Mr Deputy Speaker. First, I thank those who proposed the motion. Secondly, I thank those in the campaign groups who have continued to seek restoration or compensation from Libya.

The connection with Libya started in 1972 when Gaddafi praised the IRA as allies in a struggle against Western imperialism. He embraced the IRA at that time. I wonder whether today's debate is about Libya; I hear some people across the Chamber exclaim that it is about the British Government. Part of the debate is that the British Government did not support the real victims of the Province enough. We need to return to the real debate: Libya providing arms and explosives for the IRA and for terrorist organisations in the Province. If Members want to debate issues of the British Government at another time, they can propose such a motion.

We want to concentrate on the real issues, which Members on the opposite side of the Chamber have not mentioned. I have not heard any of them mention the Enniskillen bomb or the Ballygawley bomb that killed a number of soldiers on a bus. I have not heard them mention the Warrenpoint bomb — the anniversary of which took place recently — that killed so many soldiers or the murder of Lord Mountbatten, who was a member of the Royal Family, in the Irish Republic. I have not heard people on that side of the Chamber mention those atrocities, which can be directly linked to arms and explosives brought from Libya. Although others want to hark back to other issues, those are the real issues that we should be discussing today.

I would have thought that it would be incumbent on Sinn Féin today to try to strike a blow against their former colleagues in the dissident republican groups and show the party's stance on devolution in Northern Ireland and support for law and order in the Province. If Sinn Féin has moved on, it is time for it to recognise that and to tell Members on this side of the Chamber. We want to hear that; we want to hear that those people have moved on in society. We want to hear that they have left those bad old days behind them and that they support policing and law and order.

A colleague from my constituency, Arlene Foster, mentioned ethnic cleansing of people around the border, not only in Fermanagh and south Tyrone, but in other places such as Newry and Armagh, south Down, west Tyrone and Foyle. That happened on a systematic basis, and I want to hear some Members say that it was

wrong. We must support those real victims; Sinn Féin now has the opportunity to support the real victims of the Province. I want to hear it do that. Unfortunately, if it does not, it will be hard for many of us to continue or to build any trust in society. Our party wants to build trust in the community. However, unless others are willing to stand up and accept the wrongs of the past, that will be difficult.

Lord Morrow: I thank Mr Elliott for giving way. Some of us find it extremely difficult to understand Sinn Féin: on one hand, it says that it is time to move on, but its Members are standing in the Chamber today in stark denial. They cannot accept that they contributed to the events of the past. Does the Member agree that Libya supplied the Semtex that was the lifeline of the terrorists in the IRA who prolonged the campaign? Indeed, it supplied many more weapons of destruction that were imported by the Provisional IRA. If that lifeline had not been supplied, the war would have been over 20 years earlier.

Mr Elliott: I thank the Member for his contribution. It was not only about Semtex; it was about a much wider range of support and assistance. Libya breathed oxygen into the campaign for years on end.

I would like to hear Members on the opposite Benches support the call for the Prime Minister, Gordon Brown, to get behind us and do what he should do, which is demand of Libya the compensation that is the right of the real victims in this Province.

It is not only Libya, but the Irish Government that have a lot of questions to answer about this whole escapade and about the Troubles in general. Let us not forget that they were behind the times when our security forces in Northern Ireland were looking for co-operation from the Republic of Ireland. Let us be blunt about it: they often turned a blind eye to some of the goings-on when people were skirmishing across the border to a secure hideout after they had done their dirty deeds in Northern Ireland.

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

Mr Elliott: I support the motion.

Mr G Robinson: I support the motion. As other Members said, there is no doubt about the connections between Libya and the IRA. That numerous deaths, injuries and suffering were caused in Northern Ireland thanks to Libyan-supplied weaponry and explosives is apparent and accepted by most of us. I support fully those victims of IRA terrorism who have the courage to seek compensation from those who supplied that weaponry and who probably trained the perpetrators of those heinous and callous crimes. In that, I include unionist and nationalist victims.

I, therefore, urge the Prime Minister, Gordon Brown, to now stand by his word and to have no more U-turns on this issue so that justice can be done in favour of the victims and be seen to be done. The fact that compensation was paid to the relatives of the Lockerbie murder victims has set a precedent. There is no way that Libya can deny that. Libya should, therefore, further admit its involvement in the murders of many people in Northern Ireland by its desire to arm, and likely train, the cowards who carried out the murdering. There is no difference between bombing an aircraft full of civilians and bombing a street full of civilians: both are wrong.

The United Kingdom Government must now stand up and be counted. They must put pressure on the Libyan regime through diplomatic channels to ensure that the Northern Ireland victims of Libyan-supplied weapons and explosives are treated in the same manner as the victims of the Lockerbie bombing.

Mr A Maginness: Every death during the Troubles was wrong, whether they were caused by the IRA, the UDA, the UVF or, indeed, state forces. All those deaths were wrong. I condemned the deaths on Bloody Friday, I condemned the deaths on Bloody Sunday. There is no distinction between them, as far as we are concerned: all deaths are wrong. Violence was wrong. The IRA campaign was futile, counter-productive and morally and politically wrong. We paid a mighty price for that and for the campaigns of the UDA and the UVF. We want justice for all victims, and we do not adhere to any hierarchy of victims.

In the case of Libya, however, two points must be made. First, Libya has declared openly that it supplied arms and explosives to the IRA, and it accepts that what it did was wrong. Secondly, it is a fact that the United States of America obtained compensation from Libya for the victims of terrorism — terrorism that was instigated or supported by Libya. That was a remarkable concession. If the USA could get that, why could the families of victims here not get the same compensation? What is wrong with victims of violence here receiving that compensation as well? That is what distinguishes that situation from others.

5.15 pm

We talk of collusion, and there was massive collusion between state forces and loyalists, as well as some elements of the IRA and other republican organisations. We do not know the truth of that, but there is a story to be told there. That is different from the instant case, where the Libyans have accepted culpability and have given compensation to the Americans. What is good for them must equally be good for victims here. That is just, right and proper. How that might be carried out, whether as collective or individual compensation,

remains to be seen, but people should support the proposition.

If people seek redress in other ways, they can do so. They can sue the British Government for collusion; indeed, people have done so. People have sued the British Government and the Ministry of Defence for killings, deaths, injuries and damage, and they can still do that. People are right to do that when evidence exists: it is within their rights.

Equally, if one looks at the Omagh judgement, one can see that the defendants, although they were sued individually, were sued also as an unincorporated association that was identified as the Real Irish Republican Army. At least two of the defendants were sued on their own behalf and as representing that organisation. Therefore, theoretically, the option is open to people to sue the IRA. It is probably a practical impossibility, given that we do not know who members of the IRA were. If there were known representatives, they could be sued. In that sense, people could claim compensation if assets were forthcoming.

However, we are dealing with theoretical possibilities. It is right and proper that justice be shown to the victims of IRA, UDA —

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

Mr A Maginness: — and state violence. Therefore, it is right to support the motion.

Mr Donaldson: I thank Members who have contributed to the debate. I will not deal with all the comments that were made, but I will respond to some of them.

I am disappointed that Sinn Féin, even if it cannot support the motion, did not take the opportunity afforded by the debate to acknowledge, at least, wrongdoing against the victims who are taking the case — wrongdoing that they have suffered, and are seeking compensation for. That is regrettable, because it does not move us on, as the Member for Fermanagh and South Tyrone Mr Elliott and others pointed out.

Sinn Féin instead presented us with the usual “whataboutery”. We were quoted statistics about killings by the army, police and others. I did not want to reduce the debate to that level, but I will deal with it. In reality, the Provisional IRA killed considerably more people in the Troubles than the police and the army put together. They were responsible for almost 50% of all murders during the Troubles, including many murders of Roman Catholic civilians.

We heard a lot about what happened to Catholics from Sinn Féin Members. Ms McCann talked about the murder of Catholics by all and sundry, but she did not mention that the IRA murdered hundreds of Catholics — more so than some of the loyalist

paramilitary organisations. There was no recognition of that at all.

In fact, between them, the republican paramilitaries murdered almost 60% of all the people who were killed in the Troubles. The Member for Fermanagh and South Tyrone Mr Molloy mentioned the Ulster Defence Regiment (UDR), which I was proud to serve in. I remind the Member that the UDR was responsible for a total of eight deaths in the Troubles.

Mr Adams: Will the Member give way?

Mr Deputy Speaker: I think that it is clear that the Member does not wish to give way.

Mr Donaldson: Some of those eight people were members of paramilitary organisations. That is eight deaths compared to the 1,768 deaths for which the Provisional IRA was responsible, yet the Member seeks to make some kind of equivalence. Frankly, I am at a loss to understand where the Member —
[*Interruption.*]

Mr Deputy Speaker: Order. The rules apply to either side equally: there should be no shouting across the Chamber.

Mr Molloy: On a point of order, Mr Deputy Speaker. Perhaps Mr Donaldson will correct himself: I am not a Member for Fermanagh and South Tyrone.

Mr Donaldson: I am happy to correct that point for the record. I remove my disparaging comment from the Fermanagh and South Tyrone constituency and attribute it to the Mid Ulster constituency, although some very good people reside there.

If the Member wants to trade statistics, the facts speak for themselves. Those are not my facts but the facts of the historical record. We heard a lot about the truth today. It would be nice if the Members on the Benches opposite and the organisations that they represent told the truth about what happened to the victims of IRA terrorism.

Some Members: Hear, hear.

Mr Donaldson: In the Saville Inquiry, almost £200 million has been spent in an attempt to get to the truth. However, members of the party on the Benches opposite gave evidence to that inquiry but refused to tell the whole truth. Do not talk to us about the truth. Yes, we want the whole truth. However, when are we going to get the whole truth from Sinn Féin about what the IRA did and about the victims that it created in Northern Ireland? By all means, let us have the truth, and let us have it out in the open. Then we could examine and consider it for ourselves, but we do not get the truth.

We also hear talk about a hierarchy of victims. The Member for North Belfast Mr Maginness, the Member for Upper Bann Mrs Kelly and others were absolutely

right in their explanation of how they regard that hierarchy. We are not talking about these victims being different from other victims of terrorism, but it is clear is that they have a strong legal case against the Libyan Government. That is why the motion is before the House today, and it simply asks Members to support the case of those victims.

Therefore, it is disappointing that Sinn Féin has not taken the opportunity to support the motion. It was an opportunity for Sinn Féin to demonstrate that it has moved on and that it is rising above what has happened in the past. It was an opportunity to acknowledge that there was wrongdoing and that there should be compensation for wrongdoing. I thought that Sinn Féin might have accepted and agreed to that principle and supported the case that is being taken against the Libyan Government.

I welcome the support of the SDLP, the Alliance Party and the Ulster Unionist Party for the motion. The SDLP especially has come to a measured judgement on the matter, and I welcome the comments that have been made by Members. I want to single out Mrs Kelly's comment that there should be no moral equivalence between perpetrators and their victims. That is absolutely right, and there is common ground across the Chamber that we must recognise that there is a difference between the people who sought to carry out acts of violence and engage in terrorist activity and those who suffered as a result of acts of terrorism. Let us hope that we will be able to build a consensus in the Chamber as to how we address that matter when we return to that issue in the future, because it is important to the victims of terrorism.

I endorse Sir Reg Empey's view that we should not raise the expectations of victims. We must not raise expectations, but today we should be supporting the victims in their quest for justice in this case. That is precisely what we ask the House to do this afternoon: give its support to a just cause.

Ms Ruane mentioned several cases in her constituency about which the truth must come out. I simply say to the Member that I could quote instances in South Down where people were murdered by the IRA. The truth about their deaths has never come out. One such instance was Warrenpoint where, on a bloody day some 30 years ago, 18 soldiers lost their lives. Are their families not entitled to the truth about what happened in that incident?

If we are going to go down the road of talking about the truth, let us talk about the truth, the whole truth and nothing but the truth in every case. Members who are not prepared to be honest about the circumstances behind more than half of the murders that occurred in Northern Ireland cannot talk about having an international truth commission. Republican

paramilitaries committed more than half the murders, and almost all those were carried out by a single organisation, namely the Provisional IRA.

Yes, let us talk about the truth, but let us also have the truth. Those who, in the past, supported the actions of the IRA now have a responsibility to say that that organisation should tell the truth. If only we had heard that today. Even if Sinn Féin cannot support the motion, if we had at least heard from the Benches opposite a willingness to tell the truth about what the IRA did, it would have offered something to the victims of IRA terrorism to indicate that there is a process worthy of taking forward.

I hope that in the days and weeks to come the Assembly can address those issues in a mature manner. Instead of getting into "whataboutery", of which much has been heard today, I hope that we can begin to examine the broad principles that must be addressed to determine how we handle the past. One such principle must surely be that the victims of terrorism are entitled to be compensated for their loss. Many people have not been properly compensated.

The compensation arrangements that were in place in the 1970s, during the early part of the Troubles, were totally inadequate. Many of those cases are not necessarily covered by the legal action against Libya. We must know what we are going to do for those victims and how we address that issue. It is not only a question of money but of the recognition of suffering, not just in the loss of a loved one but in single mothers having to struggle to bring up families.

I recognise that that suffering crosses the political divide in Northern Ireland. Therefore, as legislators and people seeking to build a better future for Northern Ireland, we have a duty and a responsibility to address that issue. However, we must also address what happened in the past. We must be honest with ourselves and the people and find a way of dealing with those issues.

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

Mr Donaldson: Today's debate did not encourage me that the political maturity yet exists for that to happen.

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

Mr Donaldson: I urge the House to support the motion.

Some Members: Hear, hear.

Question put and agreed to.

Resolved:

That this Assembly notes the decision by the Scottish Government to release the Lockerbie bomber from prison, and supports the case being taken by the victims of IRA terrorism to

claim compensation from the Libyan Government who supplied arms and Semtex explosives to the IRA; and further calls on the UK Government to apply diplomatic pressure on Libya to pay this compensation.

Adjourned at 5.29 pm.