
NORTHERN IRELAND ASSEMBLY

Tuesday 3 November 2009

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

Members observed two minutes' silence.

EXECUTIVE COMMITTEE BUSINESS

Financial Provisions Bill

Consideration Stage

Mr Speaker: Members have a copy of the Marshalled List of amendments, which details the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list. There are two groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on amendment Nos 1, 2 and 3, which deal with the power to incur expenditure for purposes of, first, children and young persons and, secondly, sustainable development. The debate will also deal with the potential change to the long title of the Bill. The second debate will be on the Minister of Finance and Personnel's opposition to clause 4 standing part of the Bill.

I remind Members who intend to speak that, during the debates on the two groups of amendments, they should also address all the amendments in each group on which they wish to comment. Once the initial debate on each group is completed, any subsequent amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on clauses to stand part will be put at the appropriate points. If that is clear, we shall proceed.

Clauses 1 to 3 ordered to stand part of the Bill.

Mr O'Loan: On a point of order, Mr Speaker. Where are we in relation to the debate? Are we debating the first group of amendments?

Mr Speaker: We are just about to move to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 and 3. Those amendments deal with powers to incur expenditure for purposes of children and young

persons and for purposes of sustainable development. The group also deals with the potential change to the long title of the Bill.

As amendment No 3 is consequential to amendment Nos 1 and 2 being made and clause 4 not standing part of the Bill, I will call amendment No 3 only if those conditions are met.

New Clause

The Minister of Finance and Personnel (Mr S Wilson): I beg to move amendment No 1: After clause 3 insert

“Expenditure for purposes of children and young persons

3A.—(1) The Office of the First Minister and deputy First Minister may incur expenditure for the purpose of assisting activities which that Office considers promote the interests of, or are otherwise of benefit to, children or young persons.

(2) In particular that Office may provide financial assistance to any person for the purpose mentioned in subsection (1).

(3) In this section—

‘financial assistance’ means assistance by way of grants or loans on such conditions (including conditions as to repayment) as that Office may determine;

‘child or young person’ has the meaning given by Article 3 of the Commissioner for Children and Young Persons Order (Northern Ireland) 2003 (NI 11).”

The following amendments stood on the Marshalled List:

No 2: After clause 3 insert

“Expenditure for purposes of sustainable development

3B.—(1) The Office of the First Minister and deputy First Minister may incur expenditure for any purpose calculated to contribute to the achievement of sustainable development.

(2) In particular that Office may provide financial assistance to bodies which have among their objectives the promotion of sustainable development.

(3) In subsection (2) ‘financial assistance’ means assistance by way of grants or loans on such conditions (including conditions as to repayment) as that Office may determine.” — [*The Minister of Finance and Personnel (Mr S Wilson).*]

No 3: In the long title leave out from “to provide” to “to the Department of Finance and Personnel” and insert

“to enable the Office of the First Minister and deputy First Minister to incur expenditure for certain purposes” — [*The Minister of Finance and Personnel (Mr S Wilson).*]

I thank the Assembly for the ringing endorsement that it gave to clauses 1 to 3. We just about got them through and no more.

With amendment No 1, I will speak to amendment No 2, as both amendments deal with the power to incur expenditure. Amendment No 3 is consequential to amendment Nos 1 and 2 having been made and my opposition to clause 4 having been accepted. I hope that that is clear to everybody.

I have tabled amendment Nos 1 and 2 on the basis that they are solely to regularise OFMDFM's current position on expenditure that relates to children and young persons and sustainable development, which is covered under the sole authority of the Budget Act (Northern Ireland) 2009. I stress that OFMDFM has confirmed that the proposed amendments are not an extension of powers.

As regards amendment No 1, OFMDFM has secured the necessary funding for expenditure relating to children and young persons until March 2011. The money that has been allocated for 2009-2010 is £729,000; for 2010-11, it is £1.6 million. Types of expenditure that relate to amendment No 1 include projects that support data collection and evaluation of exemplar pilot projects to evidence the economic and social benefits of early intervention in tackling issues that affect children's well-being and achievements. Other examples are support of the participation network and the progressing of a play and leisure policy for Northern Ireland.

The work that has been carried out does not duplicate the work of any other Department; rather, it is designed to act as a catalyst to encourage the promotion of children's rights and to improve co-ordination on cross-cutting issues.

Amendment No 2 creates specific statutory powers for OFMDFM to incur expenditure to contribute to sustainable development and to provide financial assistance to bodies that have the promotion of sustainable development among their objectives. OFMDFM has also secured necessary funding for amendment No 2 of approximately £120,000 for 2010-11.

In July 2006, responsibility for sustainable development was transferred from DOE to OFMDFM on the instruction of the then Secretary of State, Peter Hain. Sustainable development is a cross-cutting theme with many component parts. As such, delivery of policy aims cannot be singularly allocated and attributed to single Departments. It is often required that several Departments collaborate to deliver a single outcome. That is why it is important that OFMDFM has a detached and neutral overarching strategic role in the promotion and administration of the sustainable development policy.

As part of its strategic oversight role relating to sustainable development, OFMDFM will regularly and closely monitor the work of other Departments to ensure that, wherever possible, schemes remain complementary to one another and to avoid duplication.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a Cheann Comhairle. In addressing the first group of amendments, I want to refer briefly to the Committee's scrutiny of the Bill. A financial provisions Bill is normally required every two to three years to tidy up routine

financial matters, such as adjustments to statutory limits and various technical and non-controversial issues. Prior to the formal introduction of the Bill to the Assembly, the Committee was advised that its provisions would be of interest to the Committee for Enterprise, Trade and Investment, the Public Accounts Committee and the Audit Committee. The Committee, therefore, sought the views of those Committees at an early stage; however, no issues were raised.

The Committee received a pre-introductory briefing from DFP officials on 4 February 2009. During the briefing, the officials provided an explanation of the repeal of the requirement to prepare finance accounts in clause 5, and they subsequently provided the Committee with a detailed written briefing on the issue. Members were content that the issue had been adequately addressed and recognised that the removal of the requirement to produce finance accounts that are identical to the public income and expenditure accounts will avoid duplication in the preparation of future government accounts.

The Bill was referred to the Committee on completion of its Second Stage on 3 March 2009, and the Committee issued a public notice inviting written evidence on the provisions of the Bill. No written evidence was received during that public consultation, and no other issues were raised during the Committee's clause-by-clause scrutiny of the Bill.

I now turn to proposed amendment Nos 1 and 2, which create statutory powers for OFMDFM to incur expenditure for purposes of children and young persons and for sustainable development. The Minister wrote to advise the Committee of the proposed amendments on 9 September. During a subsequent briefing session on 23 September, his officials clarified that the amendments were to regularise expenditure in those areas that is already being carried out under the Budget Act 2009. Although Committee members were concerned at the delay in bringing those amendments forward, they accepted the explanations given. That said, members queried whether there is a need to create a similar statutory power for OFMDFM to incur expenditure for assisting activities for the benefit of older persons.

On 24 September, the Committee wrote to the Committee for OFMDFM to raise that matter and to seek assurance that it was content with proposed amendment Nos 1 and 2. I understand that the Committee for OFMDFM wrote to its Department in that regard but that a response from OFMDFM is still outstanding.

Notwithstanding that, I confirm that the Committee for Finance and Personnel is content with amendment Nos 1 and 2. I also note the consequential amendment in respect of the long title of the Bill.

Mr Weir: I support the first group of amendments. This process is fairly complex, and, when it was explained to me yesterday, I felt more like a competitor in 'The

Krypton Factor' than someone who is trying to pass legislation. The amendments are quite technical, so it is unlikely that we will hit the front page of today's 'Belfast Telegraph' because of their importance. I am reminded of the remarks of my colleague Mr Wells, who often talks about speaking to a hushed and rapt Assembly, because there does not appear to be a great deal of interest in these amendments.

As the Minister indicated, these are worthy amendments. They are technical, but they tidy up and regularise positions that have already been adopted. They deal with the two issues of young people and sustainable development. It is appropriate that there be focus on the power and role of OFMDFM in respect of young people. Various projects involving the Participation Network have been mentioned. It is important that we get this on the right legal basis.

As the Minister indicated, OFMDFM has confirmed that this is an issue of regularisation, not of additional powers. If the latter were the case, the House would be more sceptical of the amendments.

I shall wear my Environment Committee hat for a moment: when that Committee looked at the issue of climate change — I hope that the Minister does not keel over at this point — we centred on the need for joined-up government and a cross-cutting approach. Sustainable development is cross-cutting in nature; the various impacts on different Departments can be seen. Given that sustainable development is a cross-cutting issue, it is important for one Department to have some sort of co-ordinating role in government. Consequently, the regularisation of funding through OFMDFM seems to be a fairly sensible way forward.

I am always happy to be surprised by the ingenuity of Members in finding controversy where there is none. However, amendment Nos 1 and 2 are, essentially, technical, and the Bill will be better for them.

10.45 am

Mr McNarry: I see that the DUP Benches are packed with four MLAs. That sums up the DUP's interest in supporting its Minister. It makes us look good, as we have five MLAs on our Benches.

Mr Weir: Us?

Mr McNarry: The Ulster Unionists. The SDLP is represented by one MLA. It will be interesting to see who speaks for whom.

Mrs I Robinson: It is about quality.

Mr McNarry: Is the Member talking handbags, pens, quality of life or quality of numbers? Perhaps Mrs Robinson will intervene during the debate.

I thank the Minister for bringing forward the Bill, and I recognise that, in doing so, he is largely doing technical work for other Ministers. However, I query

the introduction of substantial and significant amendments that effectively result in new proposals by different Departments. As the Chairperson of the Committee said, the Bill has already gone through Committee, and the Committee for Finance and Personnel has reported on it. Although the Committee received a short briefing from the Department of Finance and Personnel on 23 September 2009, I am sure that the Minister appreciates that that is not an ideal scenario. Nevertheless, the Bill was accepted, and I recognise the efforts being made to ensure that it is effective and that it is as correct as possible.

As the Minister said, amendment No 1 allows for OFMDFM to:

“incur expenditure for the purpose of assisting activities which that Office considers promote the interests of, or are otherwise of benefit to, children or young persons.”

The Commissioner for Children and Young People (Northern Ireland) Order 2003 defines a “child or young person” as anyone “under the age of 18”. My understanding is that OFMDFM has a co-ordinating role with regard to children and young people and that it is OFMDFM's responsibility to ensure that the Executive's children and young people's strategy is implemented. Although I am all for co-ordinated and joined-up government, I ask the Minister to clarify when such a spending power will be used. Given OFMDFM's intended role, will the Minister explain how OFMDFM envisages spending the money? How will OFMDFM ensure that it does not, perhaps — it is an extended “perhaps” — step on the toes of other Ministers? Does the formalisation of that spending power herald the reintroduction of a cross-cutting departmental children's fund? I would be grateful for the Minister's clarification of those points.

I welcome the introduction of the provision for OFMDFM to incur expenditure that is:

“calculated to contribute to the achievement of sustainable development.”

However, I suggest to OFMDFM that the publication of a sustainable development strategy is necessary. Given the perceived co-ordinating role of OFMDFM, I seek further clarification from the Minister on what that funding is intended for.

Mr O'Loan: Peter Weir feared that Members might raise unnecessary controversy, and I do not wish to do that. However, there are matters that need to be raised and that demand answers from the Minister, so that we can have assurances on the proposed amendments.

First, I am surprised that significant amendments to the Bill have been tabled so late in the day; Mr McNarry rightly referred to that. We are told that, when a financial provisions Bill is created, as happens every so often, all Departments are consulted and asked whether they want to include any financial measures. The amendments

relating to OFMDFM are being tabled only now at the Bill's Consideration Stage rather than when it was drafted. That is disappointing and merits an explanation from the Minister.

When departmental officials gave evidence to the Committee on 23 September, they told us that the expenditure in proposed clauses 3A and 3B, which deal with activities that benefit children and young people and sustainable development respectively, could be covered under the Budget Act (Northern Ireland) 2009. If that is correct, why is it necessary to have specific legislation on those aspects? The Committee was told that such expenditure could be conducted temporarily under the Budget Act (Northern Ireland) 2009, which I found strange. Surely, something is permissible under the Act or it is not. If it is permissible, why are these specific clauses being introduced?

I want to ask about the scope of the proposed clauses. At face value, they are wide-ranging and will permit OFMDFM to spend an unspecified sum of money on activities that benefit children and young people and sustainable development. During one Committee session, Mr McNarry correctly asked about the budgets for those activities and was told:

"In 2009-2010, the budget for children and young people is about £729,000 and for 2010-2011 it is £1.6 million. The sustainable development budget for those years is around £120,000 per annum."

Those figures are fairly small. I want absolute confirmation from the Minister that the seemingly sweeping powers in the proposed clauses will be used only at the budgetary levels about which we were told. I want to make sure that a Trojan Horse is not being created that will give extremely broad powers to OFMDFM that could be used for purposes that the Assembly has not been apprised of and may have concerns about. If the Minister can give me those assurances, I will be comforted.

I ask the Minister to make it clear that the powers for sustainable development will be used for activities ordinarily understood to be covered by the term, such as environmental protection and sustainability. Will he assure me that the activities will not be broadened to include those that pertain to economic development? Should we establish any link in our minds between the measures being created in the Bill and the provisions in the Financial Assistance Act (Northern Ireland) 2009?

Finally, we were told that Executive programme funds for schemes such as those involving children and young people were not a good route, and they were abandoned. Is something equivalent to those funds being created via the back door? If so, is that an admission of failure? That also relates to my question about the scale and the scope of the new clauses.

Dr Farry: It is a pleasure to contribute to this debate. Although the debate is largely technical in nature, it is worth reflecting that it is the only Executive business in the Chamber this week. Therefore, we should make best use of our limited opportunities.

The Alliance Party is happy to support the amendments that have been proposed by the Minister of Finance and Personnel. We have some concerns about the process that led to this point. However, we regard the amendments as innocuous and, unlike Declan O'Loan, we do not believe in a mass conspiracy or the use of Trojan Horses. That said, I share some of Declan O'Loan's concerns about the process. If the amendments are accepted, the legislation that is passed will, in effect, be much different from that which the Minister originally introduced. Members should note that all the amendments are being driven by the Minister and the Executive. The Bill's nature will potentially be changed by an unprecedented 30% to 40%.

I am concerned about the reasons why a clause on social economy was initially included in the Bill but is no longer considered necessary. It has been removed, and, all of a sudden, the need for clauses on older people and sustainable development has been identified. I will not second-guess the assertion of the Minister and the relevant Department that those powers are necessary. Although they may well be necessary, there is some confusion in the House about why the authority from the Budget legislation is not sufficient to take such powers forward.

The trawl system for legislation in Departments needs to be tidied up. I want the Minister to assure the House that we can have confidence in the integrity of that process because, on the first trawl, we were told that we need powers for the social economy. Subsequently, we were told that we did not need those powers. Thereafter, subsequent to the introduction of the legislation and well past the midnight hour, OFMDFM proposed two additional clauses. That should raise questions about how well officials are tuned in, within their own remit, to the powers that need to be clarified.

I note that a bottom-up approach has been taken whereby the ball is very much in the court of individual Departments to identify necessary changes. There could be merit in complementing that with a top-down approach whereby we consider the cross-cutting responsibilities that are led by Departments and ask whether the authorities are in place. I am not sure if any individual in government has the role of policing the system to ensure that everything is in order and up to speed.

We have two issues before us in relation to OFMDFM. There are, potentially, other cross-cutting issues for which that Department has lead authority. That begs the question as to why it was not considered necessary to enhance

or clarify those powers as well. Good relations is a prime example of an area for which OFMDFM has the lead but which cuts across a range of Departments. Some Members support the introduction of a cross-cutting action plan that holds other Departments to account and ensures that OFMDFM is in a position to take the lead and invest resources as appropriate. I accept that, although powers are in place, their use is constrained by budgetary resources, and Ministers cannot spend money that they do not have or that has not been allocated through budget headings. We have that safeguard.

Finally, I ask the Minister whether the definition of sustainable development in the Bill is linked formally to the sustainable development strategy, which is in draft at the moment but will, hopefully, become a formal document in the near future.

That said, despite our concerns about the process, we will take it at face value that the powers are necessary, and we will support the amendments.

11.00 am

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. My party supports the purposes of the Bill and the proposed amendment Nos 1 and 2. Other Committee members spoke about the manner in which the amendments were tabled and recorded their concerns. I will not labour that point, which I think has been well taken.

I want to address a particular point. During the briefing on 23 September 2009, I asked officials why, if there was a need to address the issue of children and young people, they had not also considered whether there was room to accommodate special measures for older people. The officials said that they had not thought of it. That is not meant to be a criticism, because their answer represented an unusual degree of candour and straightforwardness that is not always available at that level. I also asked them to take the matter back for further consideration, which they agreed to do. I note that the Chairperson's report says that there has been some correspondence between the Minister of Finance and Personnel and OFMDFM on the subject.

I want to share with Members why I believe that those concerns are important. There is an established acceptance that there is a considerable deficit in the take-up of benefit entitlements, particularly by older people, which amounts to many millions of pounds. That is no particular fault of Departments here; communicating the relevant information effectively has been a historical difficulty. There is a cultural resistance, particularly among older people, to dependence on the state or to drawing down financial assistance, even though they contributed to those funds throughout their working lives.

The A2B Access to Benefits organisation works to address the take-up deficit and has calculated that it could amount to as much as £50 million. That money does not come from the block grant; it is an addition, which returns to the Treasury each year because it goes unclaimed. For a fairly modest investment by the Minister of Finance and Personnel of some £150,000 that could be matched by a third-party contribution, Access to Benefits could continue to roll out its benefit take-up programme. The web-based advice that it provides could be available to every household that has a computer as well as every constituency office and advice centre. The advice is free, and Access to Benefits, which developed the software, could also provide training.

Such an initiative by the Minister —

Mr McNarry: On a point of order, Mr Speaker. Will you rule on the relevance of the speech, which is entertaining us, to the amendments that we are here to discuss?

Mr Speaker: I normally remind the House that when Members speak to a particular clause of a Bill, they should try, as far as possible, to keep to the subject. From time to time, all Members, including the Member who raised the point of order, have strayed from the subject when we are discussing a Bill. Once again, I remind all Members, as far as possible, to keep to discussion of the clauses of the Bill.

Mr McLaughlin: I can defend the position. The record of the Committee's discussion, at which Mr McNarry was present, indicates that this is an issue. The Chairperson's report notes that the Minister of Finance and Personnel has agreed to take up the matter. My point is that the issue is of great significance to older people across all sections of our community and could be resolved for a relatively modest investment. I appeal to the Minister because I believe that he is sensitive to those issues and has demonstrated a willingness to get involved. This is an issue that he could take forward. If he needs additional powers, perhaps, he should have included them in the proposals that are before us today. Nevertheless, it is a work in progress, and I hope that I have made the case for taking it further.

The Minister of Finance and Personnel: Despite my colleague Peter Weir commenting that we would be speaking to an empty House that is disinterested, uninterested in and uncomprehending of the proposals, contributions to the debate have shown that he was wrong. He tried to provoke me by introducing the topic of climate change and linking it to sustainable development. However, I will not rise to that bait at the moment. I could if I were provoked, but I will do my best not to.

I thank the Committee for its work. As the Chairperson indicated, the Bill was accepted by the Committee after

going through its Committee Stage without substantial comment. The Committee received no objections when it sought written submissions and information from other Departments. That shows that the Bill is relatively uncontroversial.

The Committee Chairperson asked whether powers similar to those proposed that would allow OFMDFM to deal with sustainable development and children and young people would be needed for older people. Indeed, other Members mentioned that. The amendments to include powers that deal with children and young people and sustainable development came about as a result of a request by OFMDFM. However, it did not seek such powers for older people.

Some Members asked why amendments were being proposed at this stage. That is because an internal review took place. The Department of Finance and Personnel asked other Departments whether they wanted any matters to be included in the Bill. Members will be aware that when Bills are presented, rather than taking forward legislation in their own right, sometimes Departments will ask for issues to be included in the legislation in question. Given that the Bill is a piece of financial provisions legislation, when OFMDFM reviewed its legislation internally, it concluded that the specified powers needed to be included. OFMDFM asked for the inclusion of those powers on 28 August 2009, hence the late amendments. Officials explained that to the Committee when they gave evidence.

I will address Mr McNarry's points. He questioned the relevance of Mr McLaughlin's speech. As you pointed out, Mr Speaker, when it comes to irrelevance, Mr McNarry is never shown to be wanting. He started off making the frivolous point that he had a team supporting him in the Assembly this morning while Mr O'Loan is the sole representative of the SDLP. I have a magnificent team behind me. However, when it came to Mr McNarry's contribution, I think I understood why he needed so many people backing him. It is clear that he needs someone to do the listening while he sits there. He always reminds me of the worst third-form pupil that a teacher could have on a Friday afternoon — he is there, but he is not paying attention.

Mr McNarry has a suspicion that the Bill is somehow trying to sneak in additional powers and money for OFMDFM. He asked me to clarify that, and I will do so.

I will repeat myself, because I made the purpose of the money quite clear in my opening speech. I said it in plain English, and, as far as I can remember, Mr McNarry was awake and in his place at the time. The money is not for projects. Rather, OFMDFM will use it to consider the work that is being done for children and young people.

I repeat: the money will be used to support data collection, which may inform spending on projects for

young people. The money will be used to evaluate exemplar projects, which will enable us to find out whether money is being spent well. If money is not being spent well, projects will have to be changed. The money will be spent to gather evidence on the economic and social benefits of early intervention to tackle issues. It will not be spent on early intervention projects but on an examination of the benefits of projects that will be taken on by other Departments. The money will be spent on considering examples to support the participation network and on progressing the development of a play and leisure policy for Northern Ireland.

Mr McNarry sought clarification on how the money will be spent, but I would not have had to repeat myself if he had been listening the first time.

Mr McNarry: It was worth repeating.

The Minister of Finance and Personnel: As Mr McNarry indicated, it was worth listening to the clarification.

Mr O'Loan has a conspiracy theory for everything that I say. He asked how we can be sure that the amendments will not blossom into massive expenditure. Mr O'Loan should know me well enough to be aware that I always try to ensure that Ministers, regardless of who they are, do not pillage the public purse for additional money as soon as they get their foot in the door. The amount of money being allocated to projects was laid out in the Budget that was agreed for 2008-2011. Any expansion in expenditure on the issues that we have authorised will be subject to Assembly scrutiny in a budgetary settlement or demand. However, the scope for that is limited, because the money will not be used for the delivery of projects. Rather, it will be used to support sustainable development, work for children and young people, and so on.

Mr O'Loan and every other Member will have an opportunity for a detailed examination of the money that is being requested in the amendments and the authority that is being given to OFMDFM to spend that money. It is not the "Trojan Horse" that Mr O'Loan suspected, and I hope that he is "comforted" by the assurances that I have given, although I am not sure about that.

Mr O'Loan: Perhaps the Minister will comfort me further. Amendment No 1 includes the following precise wording:

"The Office of the First Minister and deputy First Minister may incur expenditure for the purpose of assisting activities which that Office considers promote the interests of, or are otherwise of benefit to, children or young persons."

That seems to empower OFMDFM not only to research and analyse projects but to contribute to, and be the financial purveyor of, significant projects.

The Minister of Finance and Personnel: I have put it on record in the debate that the purpose of the bid, and the subsequent powers and money being made available, is to support the development policy. Should there be any request for moneys to expand that role, it would be totally transparent in any Budget bid that might be made, and that would be where the Assembly would have input. I hope that I have made clear the purpose of the amendment and the reason that was given by OFMDFM for seeking it. I hope that that gives the Member the comfort that he needs.

11.15 am

Dr Farry is not a conspiracist, I am glad to hear. Well, at least, he does not believe that there is any great conspiracy here. However, he raised a number of issues. He mentioned that OFMDFM might wish to have the same powers conferred upon it to deal with other issues. As I said in my responses to other Members' comments, no such requests have been made at this stage by OFMDFM. If such requests were to be made later, once OFMDFM has examined its legislative arrangements, it would be free to ask for those powers. However, at present, there is deemed to be no need for OFMDFM to have such powers. That is the picture that we have at present.

Dr Farry raised another issue about older people. I apologise, I have already dealt with that issue.

Mr McLaughlin made a point about benefit uptake and whether there is scope in this Bill for something to be done about that. There is a role to be played in promoting the uptake of benefits. The question is whether that is a role for OFMDFM or for some other Department. Only three weeks ago, the Assembly passed the Rates (Amendment) Bill, into which Mr McLaughlin had some input as the former Chairperson of the Committee for Finance and Personnel.

That legislation related to data collection that will help us to ensure an increase in the 24,000 elderly people who benefit from help with paying their rates, because we should be able to identify others who are eligible. However, there is still substantial under-representation of people who should receive that benefit but who currently do not.

Whether promotion of uptake should be an extended role for another Department; whether we would fund it through DSD, DFP or OFMDFM, which already has a role in dealing with older people; and whether there is some cross-cutting work that could be done are matters that can and should be explored in future.

Mr McLaughlin made the very good point that, apart from the work that must be done to promote it, improving benefit uptake will not impact on our Budget at all, because any increase in benefit uptake will be taken outside the block grant and will be, therefore, extra

money for the economy and extra money for people who find themselves at a disadvantage at present.

I thank Members for their contributions to this part of the debate.

Amendment No 1 agreed to.

New clause ordered to stand part of the Bill.

New Clause

Amendment No 2 made: After clause 3, insert the following new clause

“Expenditure for purposes of sustainable development

3B.—(1) The Office of the First Minister and deputy First Minister may incur expenditure for any purpose calculated to contribute to the achievement of sustainable development.

(2) In particular that Office may provide financial assistance to bodies which have among their objectives the promotion of sustainable development.

(3) In subsection (2) ‘financial assistance’ means assistance by way of grants or loans on such conditions (including conditions as to repayment) as that Office may determine.” — [*The Minister of Finance and Personnel (Mr S Wilson).*]

New clause ordered to stand part of the Bill.

Clause 4 (Costs of district rates collection)

Mr Speaker: We now come to the second group of amendments for debate, which concerns the Minister's opposition to clause 4 standing part of the Bill. Clause 4 deals with authorising the issue of money from the Northern Ireland Consolidated Fund to the Department of Finance and Personnel in order to cover the cost of collecting rates on behalf of district councils.

Question proposed, That the clause stand part of the Bill.

The Minister of Finance and Personnel: I object to the inclusion of clause 4 because, upon re-examination of the accounting implications of the proposed clause, it was concluded that the legislation as proposed would not enable the income to be recognised in accounts as had previously been understood. Effectively, therefore, the clause is redundant and should be removed.

The objective of the clause was to enable income that is associated with the cost of collecting rates on behalf of district councils to be recognised in the Department of Finance and Personnel accounts. That income is already recognised in the Department's budget, and DFP sought to increase the degree of transparency by reflecting it in the annual resource accounts. DFP officials have explored other options for achieving the objective of recognising the income in the Department's accounts and will receive the position in the context of anticipated changes to accounting policy. In the meantime, the Department is content to continue to recognise the income in budgets alone.

The clause is technical. It has no impact on district councils and, equally, the withdrawal of the clause has

no impact on district councils. I hope, therefore, that the House will agree with my decision and vote accordingly.

The Chairperson of the Committee for Finance and Personnel: Go raibh maith agat, a Cheann Comhairle. In his correspondence of 9 September, the Minister notified the Committee of his intention to oppose the Question that clause 4 stand part of the Bill. During the subsequent briefing by DFP officials on 23 September, the Committee heard that the intention of clause 4 had been to align the budgets of the Department with its estimates and accounts so that there would be fewer reconciliations. However, members were advised that it was considered that the clause, as drafted, did not provide for its intended objective. Members were assured that the Department is content to continue with the current situation, whereby the issue is dealt with as a reconciling item, and that DFP will consider making appropriate legislation provision at a later date.

On behalf of the Committee, therefore, I support the Minister's intention to oppose the Question that clause 4 stand part of the Bill.

Mr Weir: Obviously, I was wrong in the prediction that I made about the chastisement of the Minister. In the interests of the House, I shall make no such predictions for this set of amendments, save to say that we are dealing with the deletion of perhaps the second most famous clause 4 in British constitutional history. At the very least, the level of controversy over the deletion of this clause 4 may be a lot less than that for the other clause 4.

This is very much a technical amendment. As the Minister indicated, the matter is already recognised in the DFP accounts. Indeed, it is clear that clause 4, as it stands, does not really provide for the originally intended objective, so it is right that we look at deletion. I am also glad to hear that, in doing so, we will maintain a level of transparency in respect of the registration of rates collection. That is important, particularly for those of us who are involved in local government. It is important that that cost be kept separate. The Minister's assurance that that will not have any impact on district councils is also to be welcomed.

Essentially, these are technical amendments. Broadly speaking, the House should adopt them because that is a sensible way forward.

Mr McNarry: When I entered the Chamber, I thought that this would be a friendly debate, but apparently not on the part of a Minister who seems to delight in making things personal, especially when people question him or disagree with him. I have not yet disagreed with him this morning.

The Minister seems to take obvious delight in making an art form out of waffling; therefore, he needs to be heard twice just to ensure that what we heard the first

time was correct. I do not think that I can be faulted in saying that, particularly because the Minister seems to enjoy and delight in repeating himself and taunting Members at will. Of course, our court jester of a Minister cannot recognise a helping hand without seeing a conspiracy, and that seems to warp his thinking.

However, I will take no lessons from a double, even triple, jobber on listening when I should be listening, when he is clearly not listening to the public and the electorate.

Dr Farry: On a point of order, will the Speaker rule on whether this is relevant to the debate? *[Laughter.]*

Mr Speaker: Order. I have already issued a general reminder that Members should, as far as possible, restrict their remarks to the remit of the debate.

Mr McNarry: Thank you, Mr Speaker. Perhaps the smart alecs in this place might give me some recognition. *[Interruption.]*

Mr Speaker: Order.

Mr McNarry: They might give some recognition that I tested through the Speaker how far I might need to go to make some points that might rebound on me, and I am very grateful. I am sorry only that my colleague Mitchel McLaughlin happened to be someone whom I used to gain that ground.

Mr McLaughlin: I accept the Member's apology. *[Laughter.]*

Mr McNarry: I receive his acceptance of my apology very gracefully and thank him for it.

To return to the business in hand: the Minister's intention to oppose clause 4, which refers to his Department's authority to secure money from the Consolidated Fund in order to cover the cost of collecting rates on behalf of the district councils, is explainable, if somewhat bizarre. We were told at Committee Stage that the Department needed that technical change to recognise the cost of collection in its accounts because no cash transaction is involved. We can follow all of that.

However, we are now told that clause 4 is not needed. Will the Minister clarify for me, because I got a bit beyond third form, why there has been such a change of heart?

Mr O'Loan: When the matter was brought to the Committee's attention, I said that I was content with the removal of clause 4. I remain content with its removal. However, the removal will have a possible major implication about which I want to ask the Minister. He may not have the full answer here and now. If he does not, will he bring it to the Committee?

The Minister's letter to the Committee on 9 September described clause 4 as follows:

“The objective of this clause was to enable income associated with the cost of collecting rates on behalf of district councils to be recognised in the Department of Finance and Personnel’s accounts.”

I draw his attention to his Department’s efficiency delivery plan, which is closely connected to that matter. In respect of the Department of Finance and Personnel’s efficiency savings, one item is described in precisely the same terms. It states:

“Recognition of costs recovered in respect of rate collection.”

That, in fact, makes a big contribution to the overall amounts involved in the Department’s efficiency delivery plan: over the three-year period, the total to be saved is £15.1 million out of £30.8 million. In other words, it accounts for almost half the total efficiency savings of the Department. How half of the efficiency savings of a Department are to be created by a mere change in the way in which its accounts are rendered is a not-insignificant side issue.

However, if the Minister cannot alter how the accounts are rendered in the way that is proposed in clause 4, two questions arise. First, does it mean that those efficiency savings cannot be achieved? Secondly, how will the efficiency savings for the 2008-09 financial year, which has already passed, be affected? Even if clause 4 were necessary to achieve those efficiency savings, and it had gone through, it would only come into effect when the Bill becomes an Act. In 2008-09, £4.4 million out of the £5.7 million of efficiency savings were recovered in respect of rates collection. The Minister must address that significant point.

11.30 am

The Minister of Finance and Personnel: I shall deal with the Member’s final point first. I do not have the answer to his question, so, rather than waffle, which the Member for Strangford accused me of, I would prefer to give the Member a considered reply. I shall write to him with it. I hope that my reputation is for giving straight answers, rather than for waffling.

Both of the points that have been made are about why clause 4 is in the Bill and why I am proposing that it be removed. I really wish that Mr McNarry would listen when I speak. I think that the record will show that at no stage did I indicate that we believed that that power was “not needed” — Mr McNarry’s words. I made it clear that when we examined the provision in clause 4, it was clear that it would not enable us to identify the cost of collecting rates. Therefore, clause 4 did not fulfil the purpose for which it was designed, hence the reason for not pursuing it at this stage.

One Member asked what we intend to do. We intend to review clause 4 in the context of the wider work that is being carried out on the reporting and accounting statement of the rate levy and collection account. Clause 4 could be looked at in the context of any future rates legislation. I hope that, for the second time, I have cleared

up an issue that Mr McNarry seems to have been incapable of understanding the first time.

Clause 4 does not fulfil the function for which it was designed. Mr O’Loan highlighted one reason why it is useful to be able to identify the cost of rates collection, so it is important that the ongoing work on that be done. I will write to him about the point that he raised. In the meantime, I propose that clause 4 be removed.

Mr Speaker: I shall now put the Question on whether clause 4 should stand part of the Bill. I remind Members that if they wish to oppose clause 4 standing part of the Bill, they should say No, and if they wish it to stand part of the Bill they should call Aye.

Question put and negatived.

Clause 4 disagreed to.

Clauses 5 and 6 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Long Title

Amendment No 3 made: Leave out from “to provide” to

“to the Department of Finance and Personnel”

and insert

“to enable the Office of the First Minister and deputy First Minister to incur expenditure for certain purposes” — [*The Minister of Finance and Personnel (Mr S Wilson).*]

Long Title, as amended, agreed to.

Mr Speaker: That concludes the Consideration Stage of the Financial Provisions Bill. The Bill stands referred to the Speaker. I ask the House to take its ease before we move to the next item of business.

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

PRIVATE MEMBERS' BUSINESS

North-west Region

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

Ms Anderson: I beg to move:

That this Assembly recognises the impact that the economic recession has had on the north-west region; and calls on the Minister of Enterprise, Trade and Investment and the Minister for Employment and Learning to declare the north-west an area of special economic need and to take new and innovative measures to mitigate the economic crisis in the region.

Go raibh maith agat. Éirim leis an rún a mholadh.

I support the motion and the amendment. I am grateful for the opportunity to propose this motion, although it is also a source of deep regret that the economic crisis in the north-west makes it necessary to do so. Equally disturbing is the fact that the crisis in which my city and region find themselves, though exacerbated by the recession, is not new.

In 2003, in an attempt to secure an effective response from government, Derry City Council published a report entitled 'Economic Crisis in the North West'. That report, which had the support of all political parties and local stakeholders, made grim reading. It pointed out that the Derry City Council area had the highest rate of unemployment in the North, was the second-most deprived district in the North, and had one of the lowest levels of business creation. I could go on, but Members get the picture.

That paper proposed a number of interventions that government could take to mitigate the economic crisis in the north-west, such as decentralising public sector jobs to Derry and expanding the further and higher education sectors. Unfortunately, we have seen little progress on the initiatives proposed by Derry City Council in 2003. That failure to act has compounded underlying structural weaknesses in the city that have remained unaddressed for decades. DETI's 2009 statistics confirm that Derry now has the highest rate of income deprivation, with a rate of almost 35%. Its employment deprivation

rate is 21.9%, which is second only to our north-west neighbour, Strabane, which has a rate of 22.5%.

Investment is the key to infrastructure. That is required. The levels of unemployment and economic inactivity are the highest in the North and, in some wards, the highest in western Europe.

The econometric model that was published by Oxford Economics last month, and which was provided to Ilex, Derry City Council and a number of stakeholders last week, forecasts that the North will lose 37,360 new jobs in the recession and that Derry is expected to experience a faster decline in employment than the rest of the North up to 2011. The econometric model also showed evidence about how that could come about.

I also refer Members to the prophetic warning that was contained in Derry City Council's 2003 report on the economic crisis. It stated:

"The relative vulnerability of the North West economy means that while Northern Ireland as a whole will suffer in any global recession, the impact will be deeper and more persistent in the North West."

That report was published six years ago. The global recession has since come to pass, and, as predicted, it has hit Derry harder than anywhere else. That fact was recognised by the Minister for Employment and Learning in the wake of the Stream jobs crisis, when he stated unambiguously that the north-west had suffered more in the recession than any other region. The Minister's empathy with the north-west was warmly welcomed in Derry and across the north-west.

I also acknowledge the Minister of Enterprise, Trade and Investment's response to the crisis. She met representatives of the Stream workforce and MLAs from the city, and all of us appreciated her comments at that time and her ongoing efforts to try to save those jobs.

People in the north-west hoped that the reaction of both Ministers, particularly Minister Empey's words, would signal a change in how the Government treat the region, because we are all too aware that the people in our city are branded the Derry "whingers". Minister Empey might not have said stand up for Derry, but he publicly acknowledged that our plight is not a whinge. He acknowledged that the plight is not in our imaginations, and it is not down to the chip on our shoulders. The plight is as real as the evidence that shows that Derry still has the highest rate of unemployment, one of the highest rates of child poverty and the highest percentage of citizens living in deprived areas.

None of this is about Derry whingeing, and neither is it about Derry versus Belfast. A vibrant north-west and a vibrant Derry are good for the whole economy. For instance, we need the north-west to be marketed abroad so that the potential gains from Project Kelvin can be realised. There is huge potential in the north-west. My city of Derry is the second-largest city in the

North and the fourth-largest city on the island, and it could and should be a driving force for the whole economy and not an economic backwater.

Derry has a proven track record as the only significant strategic employment location outside the Belfast metropolitan area, and, as such, it can make a key contribution to the balanced regional development of the North and the whole of the island. That is evidenced by the fact that, during the 1990s, Derry had an actual growth rate in jobs that was closer to that of the Celtic tiger economy than the North's average. That is what our young, well-educated population was able to achieve, despite being failed by the policies and programmes of Stormont and direct rule Ministers. If this Administration were prepared to adopt new and innovative measures to assist the north-west, just think of what those young people could achieve not only for the north-west but for the entire economy.

We are not proposing anything revolutionary. The Programme for Government has a commitment to redress regional disparities and inequalities. Plans and commitments are in place for the expansion of the University of Ulster's Magee campus, but we need the political will to make that happen and the Minister for Employment and Learning's assistance to make it achievable.

In calling for the north-west to be declared an area of special economic need, we are following examples of best practice that we have seen elsewhere. I want the Minister to consider and research those models of best practice.

11.45 am

The Welsh Assembly has reacted to a similar economic crisis in the western valleys region of south Wales by declaring it a strategic regeneration area. The same could be done in the north-west, which would tie in with the work that the cross-party, cross-community stakeholder and residents groups are involved in across Derry. We are working extremely hard on the Ilex mark II regeneration plan, which will produce targeted proposals that must demonstrate how they will make a difference to the most deprived groups.

The work that the Welsh Assembly is doing allows it to focus investment in a number of key towns, which would have the greatest impact on the area as a whole. A dedicated team of experts from a range of disciplines was also set up to co-ordinate activities in the area. That team works in partnership with local authorities and other agencies and organisations, and the Welsh Assembly also plan to prepare a budget and draw up an action plan in partnership with local authorities and other stakeholders. Crucially, such designations are also recognised by Europe, and the Welsh Assembly believes that that will assist them in accessing European

convergence funding as a potential source of match funding.

If the Welsh can do that, then so can we. I almost feel like Barack Obama when he gave his "Yes, we can" speech. If we adopt a can-do attitude, we can make a difference to the entire north-west region. We should at least investigate and explore what the Welsh are doing and examine whether that model could be replicated here.

This is an opportunity to build on the words of empathy that both Ministers have expressed with respect to the north-west and to do something tangible to assist the economy and the economic recovery of the north-west region. By doing that, we will address the economic recovery of the North as a whole, because a successful north-west is good for the entire region and for the island of Ireland, and the north-west gateway initiative can contribute to that. It is for that reason that I sincerely hope that all Members will support the motion.

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

"; and also calls for the north-west gateway initiative to be renewed under the authority of the North/South Ministerial Council with reports to plenary and other formats."

The SDLP commends the motion that has been tabled. It is clearly very timely, and the party also welcomes the comments of my colleague in the Foyle constituency Martina Anderson. However, the SDLP is concerned that the motion is too prescriptive and limited. Given the problems of the region, two Departments on their own cannot make the difference that is needed in Derry.

Derry should be a city of high wealth creation, but it is not. That situation can and should be changed. The north-west region has the highest levels of deprivation of any region on these islands. Derry city is at the centre of that region; it is its main economic driver and its role in the north-west is similar to the role of Belfast in the east. However, where Belfast has a solid economic infrastructure in its university presence, its transport infrastructure and the location of all government Departments nearby, Derry is out on a limb. Its university campus has 3,800 students, roughly one tenth of the student population of Belfast. It is 55 miles from the nearest motorway, and no government Departments are headquartered in Derry or the north-west.

I want to talk specifically about my constituency. Derry is a victim of decades of underinvestment in regional and transport infrastructure, government Departments and university education by the old unionist establishment. I do not make that point as an accusation against my unionist colleagues in the House, because they are not responsible for historical decisions.

However, that point must be made to put the economic problem into context.

That neglect was followed by three decades of economic sabotage by the IRA, which viewed the economy as a legitimate target. It destroyed businesses and killed businesspeople. Given the neglect and that deliberate undermining of its people and economy, it is no wonder that the north-west and Derry are struggling.

During the time of the previous Executive there was some hope for the city. Investment was made in the gas pipeline and the power station. There was major investment in Altnagelvin Hospital, in new trains and in our schools. Furthermore, military bases were handed over, the north-west gateway initiative, which the SDLP's amendment focuses on, was set up, and we had the announcement of a 10,000 student target at the University of Ulster at Magee.

We are seeing the benefits of the integrated development fund, which has made a considerable difference in my constituency. We heard the announcement that investment was to be made in the road from Aughnacloy to Derry, giving Derry and the north-west a good connection to Dublin. Some improvements have been made to the road to Belfast, notably at Toome. We also saw the beginning of decentralisation.

Since the previous Executive were formed, the target for student numbers has reduced from 10,000 to 5,000. Sinn Féin representatives welcomed that revised figure. However, that new figure is only an aspiration, and no money has been identified by the Department or the university to meet it. The Minister of Finance and Personnel argues that the Bain report cannot be implemented, and that is causing deep worry and concern, and not just in Derry.

We have seen the slow progress on the development of the military bases. We have not exploited the presence of a 12.5% corporation tax zone that is two and a half miles from Derry city centre, and there is no strategy in place to do so. We have very poor road and rail links to Belfast.

However, it has not all been bad, and credit should be given where it is appropriate. The people of Derry are looking forward to the development of a major milestone in the city centre through the Department for Social Development's (DSD) public realm plan investment. There will also be investment in the walls and some of our historic buildings as part of the tourism plans. I note that the Minister for Enterprise, Trade and Development is in the Chamber, and we must commend her Department for the considerable contribution that it has made to upgrading and modernising our built heritage as a tourism product for the future.

We have the telehouse investment and Project Kelvin, but that came only after a struggle. Those welcome

investments will improve the look and feel of our city centre and will give it connectivity. However, on their own they will have limited impact.

I mentioned earlier that Derry should be a thriving city. Other regional and peripheral cities on this island have enjoyed sustained economic and social growth over the past two decades as a result of planned investment from government, followed by private sector investments and jobs.

Derry could do that if it had the proper investment. We give a good return on investment. Even though the Magee campus is the smallest, the science park in the University of Ulster is the most successful, given the number of jobs and new companies that are being created. We have attracted and retained major IT giants, including Seagate, Fujitsu and Northbrook Technology. We have also Allstate and HML. As Martina Anderson said, we have Stream, and, with our Minister's help, we hope that the jobs that are under pressure there can be saved. We also have the chemical giant Invista, formerly DuPont, and we are very good at growing locally owned companies in software development, engineering and creative industries.

We have good, highly skilled people. We have excellent schools with committed parents, teachers and children. We have highly creative people, a superb environment and quality of life, and we are prepared to invest in ourselves. For example, ratepayers contribute significantly to the running costs of City of Derry Airport. However, we need to get another 10,000 people in our city into employment, which would just bring the employment levels up to the Northern Ireland average. Derry cannot do that by itself. We need determined and sustained investment in our regional infrastructure. If the Executive are serious, they need a subregional plan that involves all the Departments, as well as strong cross-border work. That is why the SDLP tabled its amendment to the Sinn Féin motion.

Key investments should and could be made. For example, there could be substantial growth in university education and research that is related to current and future industries for the region. That is the most important long-term investment that the Executive could make to the north-west. We need decentralisation of Departments and a rethink by the Department of Finance and Personnel of its concerns about the costs of doing that. There was great hope and expectation in the north-west, particularly in Derry, that we would get a good, thriving Department.

We also need increased investment in motorways and dual carriageway links to Belfast. I made the point earlier that the nearest motorway to Derry is 55 miles from there. That is not acceptable. Around those investments we need to ensure that we have a proper marketing package for foreign investment and tourism

and that there is development of local enterprise, and we need to exploit our cross-border location and the attractive corporation tax regime in the South. An all-island — North and South — approach to the north-west would maximise the potential of both jurisdictions and turn a barrier into a powerful advantage.

The SDLP wants to see a planned, comprehensive and sustained approach to the development of the north-west, incorporating all government Departments with an economic remit — North and South — that will address the economic legacy issues and get Derry moving. We support the motion with the incorporation of our amendment.

Mr Campbell: I rise to speak on the motion and to note the amendment. There is no doubt that, in the past three years in particular, Northern Ireland as a whole has suffered a downturn that is not virtually unprecedented, but actually unprecedented. Across almost every sector people are reporting drops that they have not seen previously in their working lives.

I and others have lobbied Invest Northern Ireland (INI) intensively over many years. I do not expect to be on Invest NI's Christmas card list, because I have lobbied it substantially to try to ensure that it increases the number of potential inward investment visits. I understand the problem; neither Invest Northern Ireland nor anyone else can direct, dictate or instruct inward investors on where they should go. I suspect that, if she could, the Minister — given the constituency that she represents and the unemployment that it suffers — would say that perhaps investors should go there. That is evidence that private sector investors will go where they wish to go. However, Invest Northern Ireland can give assistance and advice.

In the past I have christened the organisation “invest greater Belfast” because I think that that was its mindset. Having said that, I have known the new chief executive, Mr Hamilton, for some considerable time. He comes from the private sector, and I am impressed with his commitment to ensuring that areas of high unemployment are targeted and that potential inward investors be directed to that realm. He also holds the view that the small and medium-sized enterprises — the indigenous local companies — are the way to go. That is potentially very good for the future.

As I have said, the issue of the last three years is one that cannot simply be removed from the equation. The downturn is unprecedented, and has defied almost anyone's belief or expectation. With that in mind, at the beginning of last month I tabled a question for written answer to the Minister of Enterprise, Trade and Investment regarding the changes in unemployment in every council area over the past three years, from July 2006 to July 2009. The statistics contained in the answer make for remarkable and horrendous reading.

It is somewhat ironic that the largest percentage increase in unemployment — a 220% increase — is in the Minister's constituency, not in the north-west. Members represent areas throughout the Province that have been affected by unemployment. I represent a north-west constituency, and there are others who represent Fermanagh, Armagh, or mid-Ulster. In Cookstown, for example, there has been a 167% increase in unemployment. Therefore, the issue is not that we do not agree with identifying areas of high unemployment; that should continue to be done, and it must be ensured that the concentration of effort is increased in those areas. The problem is that, if the motion were passed, would Members from mid-Ulster say that their area should be identified as an area of special need, and would Members from Armagh and Fermanagh say that their areas should be similarly targeted?

12.00 noon

The DUP tried to table an amendment to say that those areas should be targeted. I am sure that the Minister will agree that that should be done. For example, in the next eight years, there will be more than £1 billion of public expenditure on road building in the west of the Province.

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

Mr Campbell: We should build on that for the future, target the areas and ensure that employment is brought to areas of very high unemployment.

Mr Cree: I thank the Members who tabled the motion. However, the proposers of the motion and the amendment seemed to confuse the north-west with Londonderry.

It is obvious that the north-west region has been hit hard by the recession. In the past 12 to 18 months, 2,500 jobs have been lost in the greater Londonderry area, and the workload of jobs and benefits offices in the city of Londonderry has increased by 60%. However, I caution against the premise in the motion that suggests that the north-west has been hit disproportionately harder than any other region in Northern Ireland. Job losses have been significant and concentrated in areas such as Antrim, Belfast and, as was mentioned by the previous Member who spoke, mid-Ulster.

The Ulster Unionist Party recognises that the north-west started the recession from a much weaker position, and the party is committed to addressing it. The north-west has some of the highest concentrations of long-term unemployment-related benefit claimants, with areas in Strabane District Council and Derry City Council having the greatest percentage of working-age claimants. The figures are particularly worrying for working-age men in those areas. Equally, job density

in the north-west is not as high as it should be, with Strabane disproportionately affected.

There is clear evidence that the north-west is suffering economically. Economic deprivation can lead to social breakdown, ill health and inequalities. We must do all in our power, in a modern society, to cultivate the elements necessary to create economic growth and employment. The question we must answer is: would declaring the north-west an area of special economic need deliver the results that we all wish? I believe that it would not.

We must look at the steps that have already been taken to address the immediate crisis of the recession. The Minister for Employment and Learning has been robust in his response to the recession, creating numerous workshops and doing all that he can through the benefit offices to assist people who have become redundant to get back to work. In the north-west region, the Minister for Employment and Learning, the Minister of Enterprise, Trade and Investment and the Minister for Regional Development have implemented many changes that are needed to facilitate economic growth and job creation as we head out of the recession.

The proposer referred to the paper that Derry City Council produced in 2003. The key aspects of the strategic areas of intervention that that paper calls for are now happening. The Minister for Regional Development has invested to improve the rail link between Londonderry and Coleraine. The A5 corridor will provide an excellent new opportunity to develop business with the Republic, including Dublin. The Minister has adjusted the regional development strategy to ensure that the needs of the north-west are adequately met.

Similarly, the Magee campus of the University of Ulster has received further investment. It is striving, and, hopefully, it will develop further in the future. Londonderry has been designated as a Northern Ireland signature tourism project, and Project Kelvin, which was referred to earlier, will bring millions of pounds of direct investment and countless business and communication opportunities. To date, progress has been good. However, there is, of course, much more to be done.

We face markedly different circumstances, not least of which are the north-west and Londonderry's natural and infrastructural assets, compared with those of the western valleys, for example, to which reference has been made. However, investment in the economy is not solely about investment in infrastructure or technology. First and foremost, it is about people. I suggest to Members that that is a cross-cutting Executive issue.

Education is also an extremely important element. I urge the Members who tabled the motion to persuade their Minister to introduce a strategy to address

educational underachievement and an early-years strategy.

Cultivating economic growth and employment is a wide-reaching and complex issue. Sinn Féin wants to narrow that process and merely find someone to blame.

Londonderry and the north-west have a key role to play in the economic future of Northern Ireland plc. That would be undermined by hiving off the north-west from the rest of Northern Ireland. I oppose the motion and, indeed, the amendment.

Mr Neeson: My party and I have always believed in equality of opportunity. We must remind ourselves that all areas of Northern Ireland have been adversely affected by the global downturn, as have all areas of the British Isles — the Republic of Ireland in particular. In recent times, my constituency has seen major job losses at Nortel, Ryobi and FG Wilson.

I have witnessed the impact of a major economic downturn before. During the 1970s and 1980s, there were factory closures at Courtaulds, ICI and Carreras, with the loss of more than 6,000 jobs in Carrickfergus. The local community's response was to establish Enterprise Carrick, one of the first local enterprise agencies in Northern Ireland. I recognise that excellent work has also been carried out by local enterprise agencies in the north-west.

In my constituency, there are three successful local enterprise agencies: Carrickfergus Enterprise, Larne Enterprise Development Company (Ledcom) and Mallusk Enterprise Park in Newtownabbey. My point is, therefore, that there is an onus on local communities to get involved to try to resolve the problems that the global economic downturn has created. In my area, those enterprises have shown the importance of local community involvement in local job creation.

Furthermore, in the Assembly, I have raised the importance of job mobility, which is particularly important in the Belfast area. I understand that the entire question of unemployment differs from one area to another. However, if the Assembly were to approve the motion, that would discriminate against the people of west Belfast. How would Sinn Féin and the SDLP justify that to their supporters in that area? The motion is discriminatory.

I agreed with Martina Anderson when she stressed the importance of training. That is why it must be encouraged. I know that Sir Reg Empey is committed to addressing that issue in the north-west.

Some confusion arises when the north-west is discussed. When Pat Ramsey spoke, all that he talked about was Derry city. I thought that the north-west extended beyond Derry. In East Londonderry, major job losses have occurred in Limavady. Are they to be ignored?

Mr Dallat: Will the Member give way?

Mr Neeson: I am sorry, but I will not. I do not have much time.

Are those job losses to be ignored? I say no. Therefore, the Member needs to be clear about what he means by the “north-west”.

Gregory Campbell was quite right to say that the Minister of Enterprise, Trade and Investment cannot simply force companies to invest in a particular area. They will invest in the areas in which they believe that they will be best serviced by a particular community.

I encourage and fully support Derry city's bid to become the European capital of culture. Pat Ramsey spoke about the importance of tourism, and the city's bid presents an opportunity to benefit from that.

I recognise the problems in the north-west and the recent job losses in the region. However, as I said, I believe that the motion is discriminatory and that it is not in the best interests of all the people of Northern Ireland. For that reason, our party will support neither the motion nor the amendment.

Mr G Robinson: I represent a constituency that has borne the brunt of the economic downturn, with more than 1,000 job losses. I therefore welcome this debate, which gives me the opportunity to acknowledge the efforts that the DETI and DEL Ministers have undertaken to try to encourage investment in the north-west and other areas of Northern Ireland.

I point to the great support that Minister Foster has given to Limavady Gear Company. She opened the new plant at the former Seagate site; it was like the phoenix rising from the ashes. Despite what some people may think, much has been done to ensure that potential investors know of the many benefits that the west has to offer. Chief among those benefits is a willing workforce that has the opportunity to retrain or upskill on a lifelong basis, thanks to the DEL Minister. That underpins the efforts that have already been made to attract investment. Employers need a highly qualified and motivated skills base from which to draw.

It must be remembered that companies that traditionally brought hundreds of jobs to an area are no longer able to fund such projects owing to the economic downturn. That adds another difficulty to the list for my colleague Mrs Foster, who travels the Province and much further afield in an attempt to attract employment to Northern Ireland in general and the west in particular. I thank the Minister for her perseverance. It is worth pointing out that no Minister can dictate to an employer in which area they should locate jobs. That is a decision for the investor, not the Minister.

We must also concentrate on other issues, such as infrastructure. The problems surrounding road access are well known and must be addressed. I acknowledge

what is planned in that respect, but I warn that much more needs to be done if we are to have the road network that twenty-first century employers demand.

I refer Members to page 23 of the ‘Independent Review of Economic Policy’. Paragraph 2.2 states:

“the performance of the NI economy depends on national and international influences, and hence on factors beyond the control of local policy”.

I hope that the critics of the Minister of Enterprise, Trade and Investment will pay attention to that. Northern Ireland is dependent on global economic conditions. Therefore, the options that are open to Mrs Foster are restricted. However, as I said before, that has not prevented her from trying.

Paragraph 2.3 of the review states:

“NI has achieved a rapid rate of economic growth relative to other parts of the UK.”

Those two quotations show that Minister Foster and her predecessor have helped to achieve economic growth, despite the downturn. However, the Members who tabled today's motion seem happy to overlook that very important fact.

Finally, I do not want the west of Northern Ireland to be classed as an area of special economic need. Such a label might do the area a great disservice in the medium to long term and will certainly create divisions among geographical areas in Northern Ireland, which I do not condone.

The Ministers referred to in the motion are doing their utmost for Northern Ireland, not just the west, and deserve the credit that the ‘Independent Review of Economic Policy’ gives them. I therefore support the Ministers but not the motion.

12.15 pm

Mr Brolly: Go raibh maith agat, a LeasCheann Comhairle. I support the motion.

As one who has lived in the north-west for a few years — it is recorded that my family has lived in the north-west for over 1,000 years — I have the abiding impression of a great people living in a condition that has ebbed and flowed, particularly since the establishment of this state. But, unlike the tides in the Foyle, unfortunately, that condition has ebbed rather more regularly than it has flowed.

In my lifetime, up to the present day, I have always been aware of uncertainty and poverty. In my childhood, Derry city was a mini-Third World, with large families depending largely on the income of women working in the shirt factories for Third World wages. Male employment was sparse; some men were dockers and some went to war, but most, as Phil Coulter's song says, walked the dog. When the manufacturers discovered an even lower-waged Third World economy, Tillie and Henderson

and the other factories made no more shirts. Tillie and Henderson's factory is now a hole in the ground.

In my rural area, farmers could afford to employ some labourers, many of whom — boys, girls, women and men — were hired for a half-yearly pittance. Children got potato-gathering holidays, which were an essential addition to the meagre family income. The better off were the tradesmen and professionals, but the north-west was a home for general poverty.

Ironically, World War II was a boon to the area. Although hundreds of our young men were being slaughtered on the battlefields, thousands were working on the urgent building of military aerodromes at Eglinton, Ballykelly, Aghanloo and Aghadowey. When the war was over, the aerodromes were abandoned in stages, bar one: the City of Derry airport, which contributes very little to the economy. The aerodromes resumed their role as wastelands — more holes in the ground.

The fly-by-night provision continued with the expensive wooing of manufacturers, mainly from America. That razed the unemployment seeds fleetingly and, in fairness, paid better wages. Where are those manufacturers now?

Urban and rural development was a solid contributor to employment and to the economy, reaching unprecedented heights in the past decade and providing wages beyond our dreams.

Mr Campbell: I do not know whether I misheard the Member, because I know that it has happened on previous occasions when people have misheard things. However, he indicated that Londonderry airport did not contribute anything to the local economy. All the information and evidence that I have seen indicates that the airport contributes millions of pounds to the economy. However, the Member said that it does not contribute to the local economy.

Mr Deputy Speaker: The Member has an extra minute.

Mr Brolly: We all understand that the City of Derry airport is subsidised by the ratepayers of the area. However, if the Member is right, I stand corrected, and I thank him for his intervention.

Another devastating ebbing — another great hole in the ground — was created when the American manufacturers, who came here and were paid well for doing so, left when their subsidies ran out.

The building trade, which proved to be very precocious, has left thousands of our people disillusioned, demoralised and facing debt, want and anxiety to a degree that would not have happened in what we might have considered to be the bad old days.

Development of the only real natural resource in the north-west — our physical, historical and cultural areas of beauty — is essential for the creation of a lasting bedrock. We should direct resources into beautiful areas, such as Limavady borough, which includes the potential offered by Magilligan Strand and Lough Foyle, and all the points northwards towards Coleraine, Portstewart and Portrush. Those places are hidden jewels and could form the bedrock of continuous support for our economy and employment. Resources must be used to deal with the present and with the legacy of a past that is marked by an often deliberate neglect of our area.

Mr Irwin: As a Member who serves Newry and Armagh, I cannot speak for the people of the north-west. However, I can relate to the pressures and the circumstances that affect the whole of Northern Ireland. Businesses and employees in Newry and Armagh are no different to those in any other area.

Last week in my constituency, Redrock Engineering Ltd, which is a local firm that employs 80 people, had to call in the administrators. That firm has a 33-year history in the Armagh area and has one of the most recognisable brand names in construction and agriculture circles in Ulster. I know that all the representatives for that region who are in the House hope that that firm can be saved, along with the significant number of jobs that it has provided.

There is no safeguard against recession, nor is there a guarantee of a safe future for any company, regardless of whether it is in Londonderry or Armagh. There is no immunity from the current economic climate, and the wording of the motion divides the country unfairly by referring to the north-west as being unique in its economic difficulties. The difficulties experienced by businesses in Londonderry are no different to those being experienced by businesses in my constituency and in the wider United Kingdom, of which the north-west is an important part.

The Enterprise Minister's efforts to alleviate the pressures felt during the economic downturn are proactive and sincere. It is not helpful to declare that one portion of the country is more susceptible to economic pressures than others. I urge the Minister to push on with her good work on a Province-wide basis without giving any region special status.

Mr McClarty: I thank the Members who tabled the motion for bringing it before the House. Like my colleagues, I recognise that there is a serious underlying problem of unemployment and economic inactivity in the region. I will not repeat statistics already mentioned by Members.

Historically, the economy of the north-west centred on the textile industry and on manufacturing. In the past 10 years, there has been a 20% reduction in

manufacturing jobs across Northern Ireland, and areas such as the north-west have been particularly hard hit. The reduction in historical industries has been one of the main causes of the long-term economic difficulties that the region faces.

We must be aware that economic inactivity and long-term unemployment have serious social and health ramifications. In areas of the north-west, deprivation has become cyclical and generational. That is a cycle that we must break.

I welcome the steps taken by the Minister for Employment and Learning, my colleague Sir Reg Empey, to alleviate the immediate impact of job losses, and I thank him for the personal interest that he has taken in the region.

However, as other Members mentioned, the problems in the north-west are more underlying and were not caused merely by the recession. The basic premise of the motion is, unfortunately, flawed. The north-west, including Londonderry, Limavady, Strabane and Coleraine must become more integrated into Northern Ireland's economy, not separated from it by a potentially divisive designation. I share my colleague Mr Cree's belief that the Minister for Regional Development is doing a great job in improving infrastructural and transport links with the north-west, the rest of Northern Ireland and, indeed, the Republic of Ireland.

Given Northern Ireland's size and population density, it is crucial to have adequate links that facilitate an integrated economy in which Londonderry is a driving force. It is obvious that more infrastructural developments need to be made, and we are, thankfully, making progress. The reduction in industry has created something of a mismatch between local skills and job opportunities. That issue must be addressed, and it must start with the education system. I reiterate my colleague's call for the Minister of Education to introduce an early-years strategy and an educational underachievement strategy.

Developments at the University of Ulster and the North West Regional College are improving the situation. The recent review of Invest Northern Ireland also provides an excellent opportunity to further co-ordinate our economic strategies to the benefit of Northern Ireland and the north-west. The review offers an opportunity for the Minister of Enterprise, Trade and Investment to provide a more dynamic economic vision that the Minister for Employment and Learning and other Executive Ministers can use as a basis for their strategies. However, the fundamental premise of a new economic vision must be that Northern Ireland works as one to drive economic growth. We must demand that the north-west becomes a key driving force in that vision, not a sideshow or an afterthought.

I suggest that Members urge their Executive colleagues to work more closely to create a genuine four-party

coalition that is capable of making the changes that we all want. The north-west, like all regions of Northern Ireland, has been hit hard by the recession. However, the answer to long-term and sustainable recovery lies in a co-ordinated approach across the entire region that recognises Londonderry's assets and seeks to utilise them in driving the localised economy and Northern Ireland's economy as a whole.

Mr Deputy Speaker: The Business Committee has arranged to meet during the lunchtime suspension. I propose, therefore, by leave of the Assembly to suspend the sitting until 2.00 pm, when John Dallat will be the first Member to speak.

The sitting was suspended at 12.28 pm.

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

2.00 pm

Mr Dallat: Mr Deputy Speaker, I am sure that Sean Neeson will be relieved to know that the SDLP has chosen me to represent east Derry.

When the Army base at Ballykelly became available, I wrote to the then First Minister, Dr Paisley, and the deputy First Minister, Martin McGuinness, asking them to make a case for gifting the 800-acre site for economic development, but I am afraid that the answer was no. A golden opportunity was missed in an area of the north-west that was about to lose 800 jobs at the Seagate factory and several hundreds of jobs in other places of employment in Coleraine and Limavady.

Not to give up, I wrote to the then Minister of Enterprise, Trade and Investment, calling for the setting up of a special economic task force, but, again, I got a Dear John letter. I have written and tabled questions to the Minister for Regional Development, Conor Murphy, on a number of occasions, believing that he was the person with the right credentials to come to the rescue of the north-west. I told him about the discrimination against the people of Dungiven, who have been waiting for a bypass for 30 years, but it was no good. There is to be no bypass for Dungiven during the life of this Assembly, nor, I fear, in the next one.

I told Conor Murphy about the clapped-out railway, the funding crisis that affected the Lough Foyle ferry service and other issues, but I am afraid that it was a case of eat horse and you will get grass. There is no decent intercity service on the horizon and there is more uncertainty about the ferry service. Infrastructure is, of course, essential to economic and social equality, but what has been decided to make it happen during the lifetime of this Assembly? We are being told today that there is no discrimination against the north-west. There is not a brass penny for the Lough Foyle ferry service, but the Strangford Lough service gets almost £1 million every year. Folks, is that not discrimination on a grand scale?

If the Assembly is serious about economic development, surely those issues are central to the expansion of our tourism industry on both sides of the border. I will not dwell on the future of the Belfast to Derry railway except to say that there is still no decision on a passing loop or, indeed, where to put it, so that we can have a decent intercity timetable. The terminus at Derry is no more than a shed, and there are no plans to construct a new facility that is fit for purpose. Indeed, the new footbridge across the River Foyle will not link up with the railway, and there are no plans to move the terminus for at least another five years.

I will move on to matters academic, or science-based, so to speak. Recently, I tabled a question for written

answer to the Minister of Enterprise, Trade and Investment enquiring about the £4.25 million that was set aside some years ago for investment in a science park development in Coleraine and Derry, only to be told that the cash had been returned. The Minister's reply of 30 October 2009 states:

"In 2003, within the Science Park's Phase 1 budget, £4.25 million was allocated for investment in the North West in association with the University of Ulster (UU). This was earmarked for the development of the Science Park at Magee and Coleraine, a total of 40,000 sq ft. The University of Ulster subsequently decided that it was unable to utilise the funding and it was returned ... in August 2005."

As I understand it, neither Coleraine Borough Council nor Derry City Council was told about that, despite the fact that both councils strongly supported the initiative. The pillars to the site are now lying in a recycling yard near Articlave — testimony to failure to support the project.

In the meantime, the University of Ulster is planning to spend £250 million in the centre of Belfast because it is popular with students and staff. Jordanstown is to be vacated, despite the fact that it is full to capacity, it is oversubscribed and its buildings are newer than those at Coleraine. Serious questions hang over the funding package that will leave future generations of students and staff to pay for failure.

I do not want to depress Members too much on this glorious autumn day, but the people of the north-west, many of whom have lost their jobs, will want more than fine speeches in the Assembly. Let no one tell me that the north-west has not been discriminated against. It is a special case: if the Assembly cannot accept that, and if it cannot acknowledge the injustices of the past and the need to redress poverty, social inequalities and the curse of centralisation, we are only stacking up further inequality for the future.

Mr Hamilton: I apologise for not being in the Chamber for the early part of the debate. Having examined the topic of the discussion, I am reminded of the famous baseball player Yogi Berra, who said: "It's like déjà vu all over again."

Only two weeks ago, many of us were present to hear an orchestrated whinge about west Belfast. Now, the caravan of constant complaining appears to have moved to the north-west. I wonder where the travelling circus of grumbling and complaining will move to next.

Ms Anderson: Will the Member give way?

Mr Hamilton: I will give way in a minute.

Although the previous contribution raised important issues about the Member's constituency, the use of terms such as "injustice" and "discrimination" do little or nothing to create a sensible and wise debate on any issue. The Member's complaint, without any grounds for justification, that his area has been discriminated

against and has suffered injustice was detrimental to his argument, which may have had its good points.

No one doubts that the recession has affected all parts of Northern Ireland. In the north-west, the Seagate closure and problems at the Stream International call centre grabbed the headlines. Equally, however, other parts of Northern Ireland have suffered in the downturn. The north-west is not my part of Northern Ireland, and I have no family roots there. However, rather than wanting to talk it down, I look for the positives in the area and can see that it has good things going for it. It is strange that people from outside the north-west want to talk it up and be positive, but those elected to the Chamber to represent the area and its interests do nothing but whine and complain.

The Ilex project is doing much good work, and Project Kelvin will give Londonderry and other parts of that region the advantage of direct connectivity to North America. The investment of around £9.5 million or £10 million in the Walled City signature project has also been positive for that part of Northern Ireland.

I commend the efforts of Minister Foster's Department and, in the current economic climate, Reg Empey's Department for Employment and Learning (DEL), in doing all that they feasibly can to arrest the problems in the north-west. My bone of contention is the call for the north-west to be designated as an area of special economic need. Why would anyone wish to have their area labelled as such, thereby doing it down?

Ms Anderson: The Member was not present for the early part of the debate; I accept that people are busy. As last week's figures from DETI show, the north-west has the highest level of income deprivation, one of the highest rates of child poverty and the highest level of unemployment. What we are asking for is not revolutionary. We are asking for the fulfilment of a Programme for Government commitment to tackling regional disparities.

We have studied best practice elsewhere, and the Welsh Assembly is able to designate areas of special need. The Member should take account of where that has worked in practice and try to apply it to the north-west.

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

Mr Hamilton: No one doubts that there are issues and problems in the north-west. Equally, however, I could go round every part of Northern Ireland and highlight various indicators of similar problems. I could go to parts of this city and point out socio-economic problems —

Mr Shannon: Will the Member give way?

Mr Hamilton: No, I have a lot of points to make.

Many areas in Northern Ireland are experiencing similar problems. I have been following the debate, and I have not heard any detail to flesh out what the designation of the north-west as an area of special economic need would achieve. If it could achieve something, it would be worthwhile.

Ms Anderson: *[Interruption.]*

Mr Deputy Speaker: Order. I ask all Members to make their remarks through the Chair.

Mr Hamilton: Other than acquiring a label as an area of special economic need, nothing has been put forward that would positively address the problems there. It would simply brand the north-west as some sort of economic basket case.

I could make a similar case on economic need for parts of mid-Ulster, such as Cookstown, Magherafelt and Dungannon. Statistics show that there have been much bigger rises in unemployment in those places than in the north-west of Northern Ireland. The figures in January — the situation has worsened since the start of the year — indicated that unemployment had increased by 161% in Dungannon, 186% in Magherafelt and 149% in Cookstown. Those three local authorities had the highest rises in unemployment in the entire United Kingdom, but no one bounced up to make a special case for that part of Northern Ireland. Indeed, that area was particularly adversely affected by the downturn in the construction sector.

I could also make a case for Ards or Strangford as areas of special economic need by comparing the level of investment that Invest Northern Ireland has made there with what it has invested in the north-west in the past 10 years, but I will not do that. I ask the Members on the Benches opposite to think seriously about why they wish to talk down their area. Why do they not want to talk up the positives of their area? Why do they always want to talk about injustice and discrimination?

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

Mr Hamilton: Why do they not point to the positive things that their area has to offer Northern Ireland? The north-west has a positive contribution to make, and the people of that area are not helped by the negative, doom-merchant behaviour that we regularly witness in the House.

The Minister of Enterprise, Trade and Investment (Mrs Foster): I thank the proposers of the motion and the amendment for providing us with an opportunity to discuss some important issues. I have listened carefully to all the contributions and welcome much of what has been said in this important debate about developing the economy in the north-west. I acknowledge the impact that the economic downturn has had on the north-west

and, as many Members said, on the whole of Northern Ireland.

It is important to point out that, although the Londonderry city council area has the highest level of unemployment, it does not have the highest increase in unemployment. We must take account of that nuance, because Londonderry has, historically, had high unemployment; it has not happened as a result of the recession. Nevertheless, that problem must be dealt with, and strategies have been put in place to do that, to which I will refer later.

These are difficult times, but we must recognise that official statistics show some stabilisation in the pace of economic decline. The last quarter has seen modest growth in service sector output for the first time in two years, and we can perhaps take some encouragement from the fact that the recent increase in unemployment levels is the lowest in the past 15 months. However, that still means that job losses continue to increase, and they are likely to do so for some time to come. That is particularly true in the north-west, where the redundancies at Seagate and Stream have been a major blow.

We must never forget — I am sure that the House will never forget — that behind those unemployment statistics are real people whose lives have been dramatically affected by what has happened globally. I am in no way complacent about the issue, and, as many Members acknowledged, my Department, Invest Northern Ireland and the Department for Employment and Learning are working hard together to help those who have lost their jobs to find alternative employment or to consider starting their own businesses. That is an important measure that we should consider, and I will come to the relevant figures for the north-west in due course.

However, I do not support the call for the north-west to be defined as an area of special economic need. If I thought that such an initiative would make a difference, I would lay my full weight behind it. However, I have seen no evidence that indicates that that idea would make a difference to the people of the north-west. In a debate about west Belfast on 20 October 2009, we heard about the many strategies and the perceived, and often real, lack of delivery on those strategies. Do we really want to go down the road of having yet another strategy rather than considering how to deliver for the people of the north-west?

We should concentrate our efforts on seeing through the many and varied steps that we are already taking. I say to the Members on the Benches opposite that the people of the north-west need delivery rather than another strategy; I hope that they will agree with that. We should redouble our efforts to deliver the wide range of programmes and initiatives that contribute to the development of the north-west in its widest sense. Key high-level, cross-departmental initiatives are the

north-west gateway initiative, to which many Members referred, and the Ilex urban regeneration company.

The north-west gateway initiative provides a strategic, integrated and joined-up approach to economic growth across the council areas of Londonderry, Limavady, Strabane and, indeed, Donegal. It covers infrastructure; further and higher education; employment and skills development; science, technology and innovation; business development; strategic regeneration; and, importantly, tourism.

2.15 pm

At the moment, Ilex is developing proposals for taking forward its regeneration plan, which includes a strategy board to provide a single voice for the city, building on the current civic regeneration forum, and working relationships are being established with representatives from other councils, including Donegal County Council, to underpin the strategic approach of the north-west gateway.

I heard what the proposer of the motion had to say about the Welsh model. I listened very carefully, but surely the Member must recognise that Ilex is contributing greatly to regeneration in the city of Londonderry, and, therefore, the establishment of another regeneration area for the city would be duplication. Hopefully, she will be able to acknowledge the work that is going on in relation to Ilex.

Ms Anderson: On a point of information, the difference between Ilex and the Welsh initiative is that Ilex does not have a budget, but the National Assembly for Wales is looking at the area that it has designated so that it can put a budget towards the plan for implementation.

The Minister of Enterprise, Trade and Investment: I thank the Member for that. We are in constrained times, and she will recognise that public finances are at a premium. Ilex is working innovatively with the private sector and will be able to bring in funds that perhaps would not be available if it was a public sector-led initiative. Frankly, we will have to get real. There is not an unending amount of money available. We have to deal with the realities of our situation.

Invest Northern Ireland has been working through two phases of the north-west action plan, and it is very committed to working in partnership with local councils to identify the best way to deliver the necessary joint projects and initiatives going forward. Although I accept that it is only human nature to dwell on bad news, I want to repeat the point that was made by my colleague Simon Hamilton. There have been significant recent job losses in the north-west, but we should not obscure the fact that the region has much to offer as an investment location. We recently heard a welcome announcement that some retail companies, Next, Mothercare and Dreams, have all signed up as new

tenants of Londonderry's Crescent Link Retail Park. That shows that the retail sector, yet again, despite the downturn, is doing well in the north-west and along the border with the Republic of Ireland and in many of our towns.

The Limavady Gear Company, to which Mr George Robinson the Member for East Londonderry referred, is utilising the Seagate Limavady site. Singularity, Allpipe Engineering, Maydown Precision Engineering and 8over8 are all examples of companies that are forging ahead despite the economic difficulties that we all face. Despite our difficulties, we should celebrate those successes and learn from their achievements in order to build further growth and prosperity.

Invest NI has been making major efforts in the north-west, and I will give the House some figures. Since 2002, Invest NI has made almost 3,000 offers of support to client companies in the north-west. In the period from 2002-03 to 2008-09 the number of start-up companies per 10,000 adults in the north-west was 194, and that was higher than the Northern Ireland average of 154. We have also supplied £138 million of assistance, contributing to planned investment of £642 million. Furthermore, 43% of that assistance has been offered to locally owned companies, and £8.5 million has been used to support indigenous business, pre-start and start-up projects, with planned investment of £42 million.

If we take the north-west region's population as a percentage of the overall Northern Ireland figure, Invest Northern Ireland's assistance in the north-west averages at £634 a head, compared to £618 a head for Northern Ireland as a whole.

I recognise Mr Pat Ramsey's point that no Department has its headquarters in Londonderry city, and the Finance Minister will, undoubtedly, want to discuss that point with Executive colleagues in the near future.

However, he needs to recognise that there is a higher proportion of public servants in Londonderry than the Northern Ireland average. I think that if the people of the south-west, whom I represent, had as many civil servants as Londonderry, they would be very happy. However, I accept the point that he made. I am sure that he will continue to make that point with my colleague.

I am very pleased that a number of contributors made reference to the strong tourism offer in the north-west. It is a huge initiative for us. I am very pleased to be associated with initiatives such as the Walled City signature project, the tourism development strategy and the north-west destination marketing. They are all designed to make it a much better and more attractive place to visit.

Now that Belfast is out of the running for the UK city of culture, I presume that Londonderry will be the

sole city going forward from Northern Ireland. My Department will very much want to support that bid. It is a huge opportunity for the city, and I very much hope that Members will get behind that bid because it will put the city on the map and help its tourism offer. Tourism is a good news story for the city and the entire region, and I hope that people will recognise that.

Telecommunications is obviously vital for a modern economy. Building on private sector investment, the Department has a history of making significant investment in the telecoms infrastructure of the north-west. We will continue to invest heavily in that area. Telecommunications provision in the north-west, particularly in and around the city, is strong, with a full range of technologies available to meet the needs of the area.

Of course, the most notable current investment is being delivered under Project Kelvin, which is the north-west direct international connectivity project. I see why the title was shortened to Project Kelvin. It will provide Northern Ireland, for the first time, with a direct communications link with North America, as well as improved connectivity with the rest of the UK and Europe. It is a huge opportunity for the area, and, indeed, for the whole of Northern Ireland. I hope that we will work very hard to market the project. I know that Invest NI stands ready to help local companies in the north-west to take maximum advantage of the opportunities with Project Kelvin. Indeed, I am aware that Derry City Council is leading a group of stakeholders working to develop a marketing strategy and action plan for selling the north-west in an enhanced way because of the international connectivity. Invest Northern Ireland stands ready to help in relation to that exercise. I hope that Members will be encouraged by that.

I am running out of time, but I have indicated what my Department is doing in the north-west. Obviously, work is also being done by Invest NI and DEL. DEL is equally committed to the economic development and regeneration of the north-west, and has a range of programmes that are designed to increase the employability of people in the north-west. The Department works very closely with the further education and higher education sectors in that area and wants to help local businesses to make sure that they have the skills that they need to develop.

Mr Pat Ramsey mentioned that student numbers had, from an aspirational point of view, decreased from 10,000 to 5,000. I took the opportunity over lunchtime to check that out, and I was told that the figure of 10,000 included part-time students whereas the figure of 5,000 was just in relation to full-time students. Mr Campbell made a point that was taken up by a number of people: we cannot tell inward investment where to go, but if there are specific reasons why we should take people to a particular place, we can point out those issues to them. Leslie Cree acknowledged that

the north-west had been hit very hard — but not disproportionately, in his words — and he called on my Department, DEL and DRD to play their roles in relation to the north-west.

Sean Neeson, in a very considered contribution, pointed out that we needed to use all of our tools to deal with the economic recession. That is absolutely right. The local enterprise agencies have played a critical role in relation to a number of areas, including helping people to find work and to develop in their own ways.

Francie Brolly gave us his unique historical view on the city. At one stage, I did not know whether it was a pre-war or post-war view. In any event, I want to address the issue that he raised in relation to American companies walking away after being well-subsidised to come here. There is no doubt that there have been redundancies from large American companies, but it is important to consider the contribution made by those companies when they were here. Mr Brolly will recognise the amount of money put into the local economy by such firms.

Seagate put in £120 million of capital; £216 million in wages and salaries was made available to the local economy; £57 million in taxes; and £1.5 million a year on research and development activities. In 2007 alone, the Limavady plant purchased £10 million of goods and services from Northern Ireland companies. Therefore, although I understand Mr Brolly's point, the benefit and added value that those companies bring to our local economies must also be recognised.

In conclusion, although I accept that the north-west has been hit hard by the recession, I have not been persuaded by any arguments that I have heard in the debate that special designation as an area of economic need is the answer to its problems.

Mr Durkan: The debate has been very useful, and I thank Martina Anderson and her colleagues for tabling the motion. Unfortunately, it is a debate during which some Members may have mischaracterised the motion and the amendment. Some have sought to suggest that the motion is an attempt to state that economic need is unique to the north-west and Derry. Clearly, nobody speaking in support of the motion or the amendment was making that claim.

In proposing the motion, Martina Anderson spelt out very clearly some of the identifiable economic need that is particular to the north-west and that can be remedied and addressed if the specific means to do so are marshalled. The essence of the motion is a request for that to be done.

We tabled our amendment because we do not think that the motion goes far enough. I was interested to hear the Minister cite the north-west gateway initiative as one of the existing high-level commitments to the

north-west. Recently, many people have been asking where the north-west gateway initiative has gone. It was created back in the days of Peter Hain, who jointly launched it with Dermot Ahern to respond to a particular, visible, describable, identifiable need in the north-west, encompassing the Donegal County Council, Derry City Council, Strabane District Council and Limavady Borough Council areas. Therefore, if the Minister is prepared to accept that the gateway is a high-level initiative that recognises particular need in the area, I do not see the problem with designating an area as having distinct and particular needs. If the Minister identifies the north-west gateway initiative as an acceptable measure, maybe we need to develop and enhance that initiative's capacity, because, at present, it does not seem to be carrying out the sort of all-singing, all-dancing, cross-cutting, cross-sectoral roles that the Minister described. However, that was certainly in the prospectus for the gateway initiative, as we understood it.

Unfortunately, in this period of devolution, the gateway initiative has not been adopted by the North/South Ministerial Council. It should be and it could be, and we have suggested as much, in response to North/South Ministerial Council statements that have been made in the House. The north-west gateway initiative could be adopted, and it might then become a vehicle for ensuring that matters crossing Departments and jurisdictions in the wider north-west could be taken forward effectively. That is why we have tried to amplify the motion with that reference in the amendment.

Some Members have asked what designation would mean. The measures that we would like include something that would not be unique to the north-west: we have called for it before, and it is the restoration of the integrated development fund.

2.30 pm

The Minister rightly paid tribute to ILEX's good work and innovation. Some of its best work to address the needs of Derry and the wider north-west area has been in the context of putting together many of the bids to the integrated development fund. Many of the positive things that have happened in Derry, some of which were referred to by my colleague Pat Ramsey, including the public realm scheme in Guildhall Square and Waterloo Place, were funded entirely by the integrated development fund. The funding for the Intelligence Systems Research Centre at Magee College, which was badged as Invest NI funding, came, in fact, from the integrated development fund. Similarly, the money for the dualling of the A2 near Maydown came from the integrated development fund.

Restoring the integrated development fund would mean that ILEX and the strategy board would have a coherent fund to go to when they put forward cases for the north-west. They would not have to spend time

busking around various Departments trying to get money for this or that project. Those who supported dissolving the integrated development fund in the Executive's first Budget should look again at that decision, because restoring the fund would give every area in the region the capacity to move towards recovery and to make better use of the prospects that the Minister said exist. Everywhere, not least the north-west, could benefit from the opportunities that restoring the integrated development fund would afford.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank all Members who contributed to the debate. The diversity of views was interesting. Sinn Féin did not table the motion with the intention of being divisive, and I am disappointed that some Members implied that Sinn Féin wants something for the north-west that it is not entitled to. One Member even spoke about north-west whingers. I was glad to hear the Minister accept and acknowledge that the north-west has had difficulties. I am not sure whether she used the word "disadvantaged", but my party's view is that, historically, there has been underinvestment in the north-west.

Mr Cree said that my party colleague Martina Anderson and Pat Ramsey both spoke a lot about Derry. Although the motion refers to the north-west, it was Sinn Féin's intention that, although we would take in the scope of the motion, Martina Anderson would speak about Derry, Francie Broly would speak about Limavady, and I would speak about Strabane, so we would each speak about our own area. That is how we divided our response, and I make no apologies for defending Strabane. Furthermore, in a previous debate, my council colleague Allan Bresland MLA, spoke about the difficulties that west Tyrone is experiencing.

Mr Shannon: Will the Member give way?

Mrs McGill: I am not going to take any interventions, because I would lose my train of thought, which I do not wish to happen because this is a very important issue for us. Whether Members were here or not, many of them have had the opportunity to listen to the debate and, if they were in the Chamber, they would have had the opportunity to speak.

Before I come to Members' contributions, I shall make a couple of my own points. A number of issues are important to the north-west, one of which is tourism, and the Minister made the same point, both today and when she contributed to a debate in the Chamber the week before last.

She said that she was surprised that no Member mentioned tourism, but I will certainly mention it. The Minister referred to the Walled City signature project, and I have no difficulty with that. However, other areas have been neglected. I do not mean that they have been

discriminated against; I do not use that word, but they have been neglected for whatever reason.

In his contribution, Mr Campbell used the word "mindset". I could not agree with him more. I had the word "mindset" written in my notes, and I intended to use it specifically in reference to tourism. I heard Alan Clarke interviewed recently about the reopening of the Ulster Museum. Mr Clarke spoke of how the reopening would increase footfall and how Belfast would benefit. I listened to the whole interview, and Mr Clarke talked about Belfast for some considerable time. I was tempted to phone him to ask what about the rest of us —

Mr Shannon: In Strabane?

Mrs McGill: No; the rest of us in the North of Ireland. At the end of the interview, he mentioned the Causeway and Antrim, which redeemed him somewhat. However, the issue is about mindsets. There are tourist issues beyond Belfast and the Antrim area, and I mean no disrespect to the people from those areas. The potential of the Sperrins was not mentioned. I know that tourism in the Sperrins is encouraged, but a lot of work remains to be done.

I have two other points, the first of which is about higher and further education. Martina Anderson referred to the proposals for development at the Magee campus of the University of Ulster. The Committee for Employment and Learning was briefed by Professor Deirdre Heenan and Professor Barnett, and tomorrow, the Committee will receive a further briefing.

There is potential at the Magee campus for an amazing amount of good work. A number of members of the Committee talked about the scope for the development of a medical school. We hear about junior doctors not being attracted to the north-west, but, between Derry, Strabane, Limavady and Donegal, there is scope for an enhanced medical school. I know that there is a nursing faculty at Magee, but such a school would work wonders for the whole of the north-west, including Strabane. Health inequalities were mentioned, and I see a link between those issues. Such a medical school at Magee would have a positive knock-on effect, and medics would want to come to the area. The Barnett report focused on innovation and research and development, which, in the north-west, should start at Magee.

Last week, Minister Empey again visited Strabane, and he was most welcome. When we met him, we discussed further education and our plans for the Strabane campus of the North West Regional College. Minister Ritchie also visited, and DSD must be lobbied. Minister Foster is present for the debate. All those Departments have a contribution to make, and I am trying to make them see that.

In the time remaining, I will address regional disparity. A lot of Members said that the north-west is no worse off than anywhere else. The Minister did not

say that, and I am glad about that. Some Members may be unaware of the figures. The statistics that I have are from the information pack, and they were published in the 'Belfast Telegraph'. The September unemployment figures show that, in Derry, unemployment stood at 7.2%, which is the worst of the 26 council areas; in Strabane, it stood at 6.8%, which is second worst; and in Limavady, it stood at 6.5%, which is third worst. Therefore, that covers the whole north-west. I know that people sometimes do what they want with statistics, but those are fairly graphic.

I will not dispute what Mr McClarty said about his area of Coleraine, but I think that he wants the north-west to be more integrated into the North's economy. He rejected the motion, and I was disappointed about that.

In a recent Assembly debate on Invest NI, Mitchel McLaughlin said that that body did not have a remit to deal with regional disparity. If the motion falls, it would be an opportunity for Invest NI to deal with regional disparity.

A number of Members made different points, and I think that I have time to comment on a couple of them. Sean Neeson talked about the enterprise agencies, and he spoke quite a bit about Carrickfergus.

George Robinson complimented the Minister on the work that she did. I will compliment any Minister for any work that is done. However, I come back to the point that my council colleague Allan Bresland made, which was that we need jobs.

I thank all Members who contributed to the debate. Go raibh míle maith agat, a LeasCheann Comhairle.

Question put, That the amendment be made.

The Assembly divided: Ayes 40; Noes 48.

AYES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McKay, Mr McLaughlin, Mr Murphy, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

Tellers for the Ayes: Mr Attwood and Mr Burns.

NOES

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Dodds,

Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Ms Lo, Mr McCallister, Mr McCarthy, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr B Wilson.

Tellers for the Noes: Mr Bresland and Mr T Clarke.

Question accordingly negatived.

2.45 pm

Mr Deputy Speaker: As Question Time is at 3.00 pm, I suggest that Members take their ease until then. The vote on the motion will be taken immediately after Question Time.

3.00 pm

Oral Answers to Questions

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

ENTERPRISE, TRADE AND INVESTMENT

Economy

1. **Mrs M Bradley** asked the Minister of Enterprise, Trade and Investment for her assessment of whether the Northern Ireland economy is beginning to recover from recession, given that statistics indicate the lowest monthly rises in the rate of job losses for more than a year. (AQO 303/10)

The Minister of Enterprise, Trade and Investment (Mrs Foster): It is clear that the Northern Ireland economy is still experiencing difficulties as a result of the global recession, with unemployment continuing to rise. However, recent trends have revealed a slowdown in the rate of decline. The September increase in the unemployment claimant count was the smallest increase in the past 15 months. Additionally, output levels for the service sector stabilised in the second quarter of 2009, and revised figures for the first quarter of the year registered growth for the first time in two years.

It is also encouraging to note that forecasts that my Department commissioned suggest that the Northern Ireland economy is expected to return to marginal growth as we move into 2010. However, we must not be complacent, not least because, as the latest UK output figures indicate, the national economy continued to contract in the third quarter of 2009.

In summary, the growth prospects for the Northern Ireland economy remain subdued, and it is for that reason that I remain committed to doing all that I can to support businesses at this challenging time.

Mrs M Bradley: I agree with the Minister that there is no room for complacency. Given the situation, I ask the Minister to ask tax offices to go easy on our businesses until the economy has made a full recovery.

The Minister of Enterprise, Trade and Investment: I know the matter to which the Member refers, because I have encountered it in my constituency. As I recall, at the beginning of the recession, the Chancellor of the Exchequer announced that tax offices would work with companies. I have found that one sometimes has to go back to the local tax office and push it to deal with

those issues. If other Members have experienced a similar situation in their area, I am happy to take the matter up with their local tax office. Recently, I did some work with HM Revenue and Customs, which indicated that it was prepared to work with the local Administration. Therefore, I am happy to take up any specific instances with the local tax office.

Dr Farry: Will the Minister give her opinion on the risk of a so-called double-dip recession in Northern Ireland? Given our high dependence on the public sector and the looming reality of public sector cuts, is there a possibility that we may fall back down? If we were to be at risk of a double-dip recession, would that highlight the need to tackle the structural problems in the economy, such as the high dependence on public sector employment?

The Minister of Enterprise, Trade and Investment: The Member is correct: there is the prospect of a double-dip recession, and that concerns me. I listened carefully to the CEO of the Northern Bank's announcement this morning of the bank's latest results. He said that he was cautiously optimistic about the economy.

However, cuts are coming to the public sector, which makes up a third of the economy in Northern Ireland. We should be concerned about the implications that that will have, and we must remain vigilant. That is one of the reasons why Invest Northern Ireland and, indeed, the Executive in their Programme for Government stated clearly that the economy needs to move away from public sector dependence to having more private sector growth. It remains the case that we wish to grow the private sector. It is difficult to do that in the current circumstances, but we will continue to work with companies, not only to try to help them through the recession but to help them to grow.

Mr K Robinson: I thank the Minister for her answer. Given that we must always take into account all methods of developing the economy, does the Minister anticipate any new foreign direct investment as a result of the investment conference in May 2008?

The Minister of Enterprise, Trade and Investment: I am glad that the Member mentioned last year's US/NI investment conference. He will be aware of one of its very good outcomes, which was the recent announcement that the New York stock exchange is to make a considerable investment in the Northern Ireland economy. We sometimes overlook the significance of some announcements in the hubbub of politics. That was a hugely significant announcement, because other investors in that field will look at it and realise that, if an organisation that is as stellar and blue-chip as the New York stock exchange is investing in Northern Ireland, they should also be looking to Northern Ireland.

The New York stock exchange came here because NYSE Technologies had already acquired the indigenous

company Wombat Financial Software. It had, therefore, seen local people's skills and how they worked for the company. It also saw the technology that had been developed in Belfast. It saw an opportunity to grow here. It is a tremendous boost and vote of confidence in the Northern Ireland economy, which came about because of the investment conference that took place last year.

We continue to work with different prospects in the US and with other emerging economies. The Member will be aware that I visited India in September 2009. That was a profitable exchange, not only for me and the companies there, but for the 27 companies that I took with me on that occasion. I hope that there will be more foreign direct investment (FDI). Obviously, it will not be at the same rate as it was before the recession. However, the Department continues to work on the FDI pipeline.

Mr G Robinson: How does Northern Ireland's unemployment rate compare with that in other regions?

The Minister of Enterprise, Trade and Investment: The Member will be aware that, as with other United Kingdom regions, Northern Ireland's unemployment rate has increased. It currently stands at 7.1%, which represents 57,000 individuals. As I always say, and as I said during the previous debate on the north-west region, we get hung up on statistics sometimes and do not look at the people behind them. The figure is strikingly large.

Although Northern Ireland has a substantially higher-than-average economically inactive population, which concerns the Executive greatly, our unemployment rate is among the lowest — joint fourth lowest, I believe — of the UK regions. Indeed, Northern Ireland's unemployment rate is lower than the UK average of 7.9% and the Republic of Ireland's rate, which is currently 12.5%. Therefore, although difficulties remain in the Northern Ireland economy, we should rejoice in the fact that it is certainly not among the worst. Much work needs to be done.

Mr Deputy Speaker: I remind Members that, if they wish to be considered for supplementary questions, they must stand in their places.

Gas Market

2. **Mr Durkan** asked the Minister of Enterprise, Trade and Investment to outline the time frame for the establishment of the all-island gas market, and if she envisages a consequential reduction in gas costs for consumers. (AQO 304/10)

The Minister of Enterprise, Trade and Investment: The time frame for an all-island gas market is dependent on the establishment of a common system for operation

of the two transmission networks. That includes agreement on system-operator arrangements that will give government and industry confidence that the transmission of gas across the two networks will be handled independently, efficiently and cost-effectively.

Primary legislation will be needed in both jurisdictions. It is unlikely that that legislation could be passed by the Northern Ireland Assembly before late 2011.

The quantifiable operational benefits of the project are modest. However, they could still help to combat any future increases in the cost of gas. Significant benefits for consumers could, however, come from enhanced security of supply, greater transparency, investor confidence and future opportunities to develop competition in the retail gas market.

Mr Durkan: I thank the Minister for her answer, which acknowledges the benefits of a potential single gas market.

Is there no room for improvement on the timetable, particularly with regard to legislation? To say that it will be the end of 2011 before legislation is passed through the House sends a signal to the sector that the Assembly is not serious and is not pushing the matter forward.

The Minister of Enterprise, Trade and Investment: From this jurisdiction's point of view, the reality is, actually, quite the contrary. On 22 October 2009, I met my counterpart, Minister Ryan, at the IBEC-CBI Joint Business Council energy summit in Edinburgh. We both confirmed our support for the development of common arrangements for the transmission and trading of gas based on the mutual benefits that regional co-operation on gas can bring.

There is an issue about the independence of the systems operator. Northern Ireland has an independent systems operator. However, the Republic of Ireland currently does not. It is carrying out work on the different models that it can adopt to satisfy its energy regulator. Frankly, until it does so, we cannot move forward on the issue. Therefore, the delay is not of Northern Ireland's making. There needs to be an independent operator in the Republic of Ireland, as well as in Northern Ireland. We must wait to hear from the Department of Communications, Energy and Natural Resources in the Republic before we can make progress.

Ms Anderson: Go raibh maith agat. Is the Minister engaging with her Executive colleagues to address the failure to make natural gas available in social housing? I am aware that the heating replacement programme for social housing has ground to a halt. I am also conscious that there is a pipeline outside Altnagelvin Hospital that could be used to serve the hospital and other public buildings. Is the Minister in discussion

with her ministerial colleagues about how the situation can best be improved?

The Minister of Enterprise, Trade and Investment: I am awaiting the results of a consultation on further roll-out of the natural gas network in Northern Ireland. The Member will not be surprised to hear that I believe that that would bring benefits to consumers other than those who currently have the advantage of a natural gas supply. I hope to receive the report very soon. When we know the outcome of the consultation, we will be able to speak more about engaging with other Departments.

Mr Moutray: Will the Minister indicate what can be done for gas customers who wish to change supplier?

The Minister of Enterprise, Trade and Investment: A lot of people wish to change to natural gas. I am encouraged by that, because we want to move away from high dependency on fossil fuels, including coal. The Belfast gas market has about 112,000 domestic consumers. That market has been fully open to supply competition since January 2007. The current switching system is capable of switching up to 50 customers a week. Significant investment in the customer switching system has not been justified, given the level of competition in the Belfast gas market. However, a number of companies hold gas supply licences in the greater Belfast area, and a number of business customers have switched supplier. However, as yet, no new gas supply licence holders are actively competing for business in the domestic gas market. Hence, the switching systems have not been developed to support anything more than a moderate level of domestic switching.

In order to obtain an independent assessment, the Utility Regulator intends to engage consultants to determine the exact capabilities and limitations of the existing gas switching systems and to conduct an assessment of the cost of the proposals. The Utility Regulator is discussing the optimal solution with Phoenix Natural Gas and potential suppliers with a view to reaching consensus on the way forward. I welcome the work that is being done on the issue of gas switching, and I look forward to the Utility Regulator's report.

Mr Cree: This issue is important. Is the Minister aware of any plans to create strategic gas storage on the island of Ireland and to provide for the importation of natural gas in a liquefied state?

The Minister of Enterprise, Trade and Investment: A number of companies have shown an interest in developing gas storage off the coast of Northern Ireland as well as on the land mass. To date, companies have concentrated on carrying out research to determine whether gas storage can be provided by creating caverns in underground salt strata in the east Antrim area. That is a very exciting prospect.

The Department has recently completed a study on the geology of the offshore area along the Antrim coast to determine whether the suitable geological formations exist to store energy such as natural gas and compressed air below the seabed. I know that the Members for East Antrim — Mr Neeson in particular — are interested in that issue. That work is continuing, and it is very exciting for the area and for Northern Ireland.

Mr Deputy Speaker: Mr Armstrong is not in his place for question 3.

Invest NI

4. **Mr Elliott** asked the Minister of Enterprise, Trade and Investment how Invest NI intends to encourage innovation and the development of incubators in small and medium sized enterprises. (AQO 306/10)

The Minister of Enterprise, Trade and Investment: Through its current corporate plan, Invest Northern Ireland is committed to increasing its focus on innovation and research and development activities, with its associated budget for R&D set to rise from £15 million to £42 million during the 2008-2011 corporate plan period. That work is being undertaken across a range of support programmes. In particular, the new grant for the R&D scheme has been developed to help address the R&D deficit in Northern Ireland by providing streamlined, transparent and accessible support for R&D and technical innovation at all stages of company development.

Since the scheme's launch last December, assistance totalling more than £13 million has been offered to businesses for research and development projects, and more than £9 million of that has been committed to SMEs.

3.15 pm

Invest Northern Ireland recognises the value of separating the provision of a business incubation process from the provision of incubator buildings. The development of high-quality managed workspace is recognised as a commercial matter and, with significant incubator space already available across Northern Ireland, Invest Northern Ireland does not believe that there is evidence of market failure in that respect.

Mr Elliott: Does the Minister believe that there is sufficient knowledge in Invest NI and other agencies about the operation and development of incubators and their spin-out from innovation in colleges and universities?

The Minister of Enterprise, Trade and Investment: Yes, I do. Through Northern Ireland Spin Out (NISPO), we are helping to facilitate some of the spin-outs from the universities. The NISPO funds allow companies to make the move from universities, where a lot of our innovation happens, into marketable competitive companies. The NISPO fund manager is required to

proactively help increase the volume and pace of development of spin-out companies emerging from Northern Ireland's research base and centres of excellence. I am content that that work is going well. Within NISPO is the proof-of-concept fund, which is specifically for universities. Through Invest Northern Ireland, we are keenly concentrating on R&D and innovation as we move forward. We believe that that is where the next big thing will come from.

Mr Butler: The Minister talked about new grants for research and development. However, given that the Barnett review recommended a new emphasis on innovation and research and development, does the Minister agree that there must be fundamental changes in Invest NI to bring that about?

The Minister of Enterprise, Trade and Investment: I welcome the comments that Richard Barnett made about R&D and innovation. Members need to remember that the Barnett report looks at Invest Northern Ireland historically, and it is acknowledged that, already, Invest Northern Ireland is making moves in relation to innovation and research and development. For example, in December last year, I announced a new grant for R&D. That grant cuts down on the paperwork, is a user-friendly way to apply for money, is streamlined and transparent and provides accessible support for research and development.

The new programme will help to underpin the delivery of the MATRIX imperatives, and I hope to say more about the MATRIX report and what we are doing on those issues. As we move forward, MATRIX will be key, and I hope that the Member agrees with that. Through MATRIX, science, academia and industry will work together, facilitated by us, to look for the next big thing and move it forward into the commercial field. I am very excited about what MATRIX can do for people in Northern Ireland, and part of that will be the work that Invest Northern Ireland is doing already.

Mr A Maginness: The Minister seems to be suggesting that the increases mean that funding for incubators has reached its ceiling. Will the Minister encourage more partnerships between North and South on incubator businesses so that we can exploit that potential for the good of both jurisdictions?

The Minister of Enterprise, Trade and Investment: As far as I am aware, that is, in part, happening through InterTradeIreland's Acumen programme. I hope that I have named the right programme; sometimes, between Invest NI and InterTradeIreland, there are so many programmes that one gets confused. However, I think that it is the Acumen programme in which work is done with the universities to help with initial ideas and then to exploit those ideas. For example, at the last NSMC meeting, a company in Monaghan made a

presentation to me and Minister Coughlan on the work that it had been able to carry out with the University of Ulster. Therefore, some of that work is already happening. Invest Northern Ireland and its chief executive have made it clear to me that they see their work being increasingly concentrated on research and development, innovation and looking to the future.

Mr Spratt: How will the innovation vouchers scheme help small and medium-sized enterprises?

The Minister of Enterprise, Trade and Investment: The innovation vouchers programme was run as a pilot project last year, and it exceeded all our expectations. Our target for the pilot was 50 participants, but 250 vouchers were issued, so we significantly exceeded our target. The scheme gives businesses £4,000 on an innovation voucher to work with higher education colleges, universities or the Agri-Food and Biosciences Institute to develop their ideas into commercial projects. Recently, I had the opportunity to visit Orchard County Foods in Craigavon to see its work. That small company had innovative ideas, and it was able to work with one of the agricultural colleges to help to develop them. The innovation vouchers scheme is working well. The scheme has been brought into the mainstream, and I hope that it will provide many small and medium-sized enterprises with the support that they require.

Credit Unions

5. **Mr Molloy** asked the Minister of Enterprise, Trade and Investment to outline the time frame for the introduction of the legislative framework for credit unions. (AQO 307/10)

The Minister of Enterprise, Trade and Investment: The Committee for Enterprise, Trade and Investment's report on its inquiry into the role and potential of credit unions in Northern Ireland was published in February 2009. HM Treasury published its independent review's report on the legislative framework for credit unions and industrial and provident societies in July 2009. I responded positively to the findings of both reports.

The reports include recommendations about credit unions in Northern Ireland that will require new legislation to be enacted in Northern Ireland and Great Britain to bring them into effect. Discussions to determine the most appropriate legislative options are under way with HM Treasury, but final decisions have not been made. When those decisions are made, a timetable setting out indicative timings for the implementation of the necessary legislation will be drawn up. If possible, the timetable will be included in a joint consultation document on credit union reform by the Treasury and DETI, which will be issued in Northern Ireland and Great Britain. Our best assessment is that the consultation

document will be issued at the end of the year or early next year.

Mr Molloy: Go raibh maith agat. I thank the Minister for her answer. Does she recognise the important role that the credit union movement has played? Does she agree that the new legislation will present an opportunity for credit unions to expand their roles and move into different areas such as social housing?

The Minister of Enterprise, Trade and Investment: I have always recognised the value of the credit union movement. Credit unions are vital, especially in such difficult times. Many people have turned to credit unions because they think that they are the safest place to deposit money. Credit unions are part of the community and part of who we are. I welcome the role of the credit union movement in Northern Ireland.

Before the proposals were published, the credit union movement told me that it wanted to extend its services to local communities. Therefore, the change in legislation will be a huge opportunity for credit unions that want to extend their services. The credit union movement mentioned child trust funds. Credit unions cannot currently provide that service, but, when they are regulated by the Financial Services Authority, they will be able to do much more. However, being able to offer more services will mean that credit unions will be further regulated, and many of them have realised the impact that that will have. Regulation will not be an issue for larger credit unions because they will be ready for it. My concern is that some smaller credit unions may find regulation a little burdensome, and we must be alert to that as we move forward.

Mr Dallat: I pay tribute to the Minister's Department for the excellent support that it provides to credit unions and the working relationship that it has with them.

Given current debt levels and the number of people who have got into financial difficulties with licensed and unlicensed loan sharks, expensive credit cards and other forms of borrowing, does the Minister have any plans to help the credit union movement to reach out to wider groups of people, particularly those who are socially disadvantaged and are, perhaps, not aware of the credit union movement and the enormous benefits that it can bring?

The Minister of Enterprise, Trade and Investment: My Department will continue to support the credit union movement, because we believe that is a force for good in Northern Ireland. I know that credit unions have great plans to be more proactive when they become regulated by the FSA. That will enable the bigger credit unions in particular to become more proactive. I understand that some have great plans for moving forward into their communities, and I welcome that very much. However, increased regulation is the price of being allowed to do that, and some of the smaller credit unions

have expressed concern about that. The Department is alert to that concern, and I will have to take it on board when I look at the legislation.

Mr Irwin: Given that credit unions and the Presbyterian Mutual Society are run on a similar basis and given the seriousness of the situation with the Presbyterian Mutual Society and the concern about that in the community, can the Minister provide an update on the current position of that body?

The Minister of Enterprise, Trade and Investment: That is still a huge issue in society, and we are reminded continually of the hardship that members of the Presbyterian Mutual Society face. On 14 October 2009, the First Minister and deputy First Minister, the Minister of Finance and Personnel and I met the ministerial working group, which is chaired by the Chief Secretary to the Treasury, to review progress on finding a solution to help members of the Presbyterian Mutual Society. Initial discussions have begun at official levels with some local banks. It was agreed that those talks should progress and that officials should, as a matter of urgency, continue discussions with local financial institutions to identify a satisfactory outcome for PMS members. When we know the outcome of those discussions, we plan to present a paper to the ministerial working group that outlines the full range of options that are open to resolve the PMS problem.

The administrator of the PMS is engaged fully with the process. He has advised PMS members that it is in their best interests to await the outcome of the Government assessment and the assistance that they can provide. I agree with him about that. I assure the House that I remain personally committed to doing all that I can to bring forward proposals to deal with the difficulties that PMS members are experiencing. The ministerial working group hopes to meet again soon to review the current situation.

Economic Policy

6. **Mr Doherty** asked the Minister of Enterprise, Trade and Investment when she plans to make a statement on the independent review of economic policy.

(AQO 308/10)

The Minister of Enterprise, Trade and Investment: I made a statement on the independent review of economic policy in the Assembly on 5 October 2009. At that time, I welcomed the publication of the independent panel's report and indicated that it will require the most careful consideration by everybody who plays a role in economic development. That is why I launched a six-week period of public consultation on the report and its recommendations. After the consultation period, which will conclude on 16 November 2009, I will

consider stakeholders' responses before detailing how I propose to act upon the report's findings.

Mr Doherty: I thank the Minister for her answer. In the light of Minister Wilson's recent comments in which he expressed opposition to the decentralisation of public jobs, will the Minister assess what impact that might have on her Department?

The Minister of Enterprise, Trade and Investment: The Minister said that he has reservations about decentralisation, or the Bain report as it is commonly known, because of the costs that it will incur on the block grant in the future. The Minister would most like to have a discussion around the Executive table on the implications of implementing the Bain report — or not, as the case may be. I would welcome such a discussion. It will not surprise the Member to learn that I have some concerns about the Bain report, which identified some places as being suitable for public sector jobs and others, such as Enniskillen, as not being suitable for those jobs. Therefore, I have concerns about the Bain report from a parochial point of view.

As I see it, our strongest infrastructure is that of our telecommunications system. It is my hope that, if we are looking to the future and being innovative about public sector jobs, we should consider telecommunications a way of delivering jobs as well as physical infrastructure. I have to take that up in the context of the Bain report.

Mr Deputy Speaker: Members should take their ease while we prepare for the Question to be put on the debate on the north-west region.

3.30 pm

PRIVATE MEMBERS' BUSINESS

North-west Region

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

Debate resumed on motion:

That this Assembly recognises the impact which the economic recession has had on the north-west region; and calls on the Minister of Enterprise Trade and Investment and the Minister for Employment and Learning to declare the north-west an area of special economic need; and to take new and innovative measures to mitigate the economic crisis in the region. — *[Ms Anderson.]*

Main Question put.

The Assembly divided: Ayes 42; Noes 47.

AYES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McKay, Mr McLaughlin, Mr Murphy, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

Tellers for the Ayes: Mr W Clarke and Mr McKay.

NOES

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Ms Lo, Mrs Long, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Neeson, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr K Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr B Wilson.

Tellers for the Noes: Mr Bresland and Mr T Clarke.

Main Question accordingly negatived.

PRIVATE MEMBERS' BUSINESS

Northern Ireland Human Rights Commission

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

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. A valid petition of concern in relation to the motion was presented on Monday 2 November. The effect of the petition is that any vote on the motion will be decided on a cross-community basis.

3.45 pm

Mr Kennedy: I beg to move

That this Assembly considers the Northern Ireland Human Rights Commission's advice to the Secretary of State 'A Bill of Rights for Northern Ireland' incompatible with the provisions of the Belfast Agreement; notes with concern that the proposals would undermine the democratic role and authority of this Assembly and the Parliament of the United Kingdom; and urges the Secretary of State not to implement the report's recommendations.

I wish to inform the House that, almost immediately after I make my speech, I will have to leave the Chamber to meet the Minister of Enterprise, Trade and Investment on a matter concerning jobs in my constituency. I intend no discourtesy to the House.

I wish to thank Members who signed the petition of concern, because they have, by their actions, made it explicit that there is no consensus in this House on a bill of rights for Northern Ireland. They have also confirmed their belief that a majority in the House opposes the recommendations made by the Northern Ireland Human Rights Commission. I am almost tempted to resume my seat at this stage —

Some Members: Go on.

Mr Kennedy: I am tempted, but not fully so.

The petition of concern demonstrates in the clearest possible terms that any attempt by the Northern Ireland Office to act on the basis of the Northern Ireland Human Rights Commission report would be to reject the democratically expressed will of the majority in this Assembly.

This is not the first time that this matter has been considered by the Northern Ireland Assembly. On 8 April 2008, a majority in the House supported a motion that expressed concern at the lack of cross-community

support for the report of the Bill of Rights Forum and urged the Human Rights Commission to ensure that it had cross-community support for its recommendations to the Secretary of State. It is obvious that the situation with the Human Rights Commission report is the same as that with the report of the Bill of Rights Forum.

Perhaps unsurprisingly and most disappointingly, the Northern Ireland Human Rights Commission arrogantly decided to ignore the views of the House and the need for cross-community support. That leaves me wondering where exactly the Northern Ireland Human Rights Commission and the political parties that support its report think we are now and what, precisely, has changed since 8 April 2008. Here we have another report that lacks cross-community support and cross-party support in the House. Nothing has changed.

That is why Members on the Benches opposite decided to sign a petition of concern. They know all too well that no serious attempt has been made to reach consensus. They know all too well that the Northern Ireland Human Rights Commission report does not have the necessary cross-community or cross-party support, and they know that, without such support, that report will never be acceptable to a majority in the House, hence their reliance on a petition of concern.

The lack of support for the Northern Ireland Human Rights Commission report is not limited to this House; it is found within the commission. It is startling that the chief commissioner allowed a situation to develop in which two commissioners who obviously identified with the unionist political tradition were forced to issue statements distancing themselves from the published report. They were unable to support that report. Clearly, the Northern Ireland Human Rights Commission's contempt for the need for cross-party and cross-community support runs very deep. It seems that ideological commitments and partisan agendas are more important to some in the commission than forging a shared future built on consensus and agreement.

What is now a decade-long debate started with an innocuous sentence in the Belfast Agreement:

"The new Northern Ireland Human Rights Commission ... will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland".

The agreement mandated the commission to engage in a modest task, not one of industrial proportions. The commission was merely invited to consult and advise on the scope for supplementary rights, nothing more. It was not mandated to devise a new bill of rights or to change our socio-economic context through the creation of numerous new rights; it was merely mandated to examine the scope for rights supplementary to the European Convention on Human Rights. Quite how we

got from that very modest, realistic task to a 189-page document from the Northern Ireland Human Rights Commission that proposes to hand over significant sections of public policy to the courts — taking them from democratically elected representatives — is something of a mystery.

That said, we should perhaps express our thanks to the chief commissioner and her commission because they have succeeded in producing a report that this Assembly will not support and that no Westminster Government would consider legislating on. That deserves an ironic “Well done”. Together with the Members opposite, the chief commissioner is responsible for the present state of affairs — for the whole process of a bill of rights ending in downright failure. That is what happens when narrow, partisan agendas and ideological dogma prevail over the need for consensus and agreement.

That leaves matters in the hands of the Secretary of State, whose preoccupation, frankly, lies elsewhere. One is almost moved to have some sympathy for him because he is attempting to manage the very delicate process of the possible devolution of policing and justice. On top of that, he has to deal with another flawed and utterly compromised report, namely the Eames/Bradley report. He now has the unwelcome distraction of the Northern Ireland Human Rights Commission report. Of course, he has to go through the motions of welcoming it and consulting on it, although it is somewhat strange that nearly a year has passed and nothing has happened in relation to consultation. We remind ourselves that the Eames/Bradley report was published on 23 January 2009 and the consultation was launched on 24 June, less than six months later. The Northern Human Rights Commission report was published on 10 December 2008, but, nearly a year on, consultation has yet to begin.

One could be forgiven for suggesting that the Northern Ireland Office regards the commission's report as damaged goods. What should our beleaguered Secretary of State do now? Should he consult on the basis of a report that lacks cross-community and cross-party support? Should he consult on such a report during the final days of his Government? Should he consult on a report that is so provocative and divisive that it has led to a petition of concern being put down in this House? Should he consult on a report that will not lead to legislation from Westminster before the next general election? I am quite sure that the Secretary of State is aware of the views of the likely next Government of the United Kingdom.

My party colleagues will address the other issues that are raised by this motion, including the manner in which the Northern Ireland Human Rights Commission report undermines the democratic authority of this House and of Parliament by seeking to transfer significant public policy decisions to the courts. My focus, at the

beginning of this debate, has been to emphasise that the commission has entirely disregarded the very modest mandate that was given to it by the Belfast Agreement. In so doing, it has abandoned any pretence of seeking cross-community or cross-party support for its proposals.

The commission's report is, therefore, unacceptable. It should not be regarded in any other way by the Secretary of State. I urge Members to support the motion.

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

“notes the Northern Ireland Human Rights Commission's advice to the Secretary of State, ‘A Bill of Rights for Northern Ireland,’ and calls on the Secretary of State to publish the consultation document as soon as possible.”

My amendment would modify the motion to encourage the Secretary of State to move forward with the public consultation, which is the next stage in determining the need and scope for a bill of rights specific to Northern Ireland.

The amendment is intended to ensure that the public have a chance to participate in the bill of rights process. This has been a long process, and there are important reasons for that. Defining the terms of a possible bill of rights for Northern Ireland is a massive undertaking and is not one without disagreement or conflicting views, as the motion illustrates clearly. However, that commitment is enshrined in the Good Friday Agreement and in the St Andrews Agreement, and it is a process that the parties in the Chamber have not only endorsed and participated in: it is one that they have created.

A rights instrument has been a fundamental part of the peace settlement here throughout. To seek now to derail that process, particularly at the stage at which the public have the chance to give their views, is unhelpful and unfair. Several arguments raised here in opposition to the Human Rights Commission's recommendations assert that they would shift policymaking powers on a number of social and economic issues from the legislature to the courts. Indeed, that is the assumption at the heart of the motion.

Many of the same objections were raised around the Human Rights Act 1998 and have proved unfounded. The courts can find that the provision of a law is incompatible with human rights standards, but the effect of such a finding is that Parliament is notified and encouraged to amend or repeal the law in question. Whether a Parliament acts is an entirely different matter, and responsibility for that remains wholly with the legislature.

There are protections in the recommendations for a Northern Ireland bill of rights to ensure that the Assembly and Westminster retain the primary role in legislating and policymaking in the Province. For example, amendments to a bill of rights would have to be approved by the Assembly, and the Human Rights Commission

has recommended that cross-community approval be required to validate any amendments.

The commission has also recommended the establishment of an Assembly Standing Committee on human rights and equality, which would review the compatibility of all legislation against relevant human rights and equality standards. Such a Committee would also be empowered to conduct inquiries into human rights issues, and that would go a long way to ensuring the primacy and pre-eminence of the Assembly in legislation for devolved matters.

Mr Weir: I thank the Member for giving way. I welcome the commitment in the proposals that amendments should require cross-community support in the Assembly. However, surely one of the things lacking is that the bill itself, rather than simply the amendments to it, should require cross-community support in the Assembly.

Ms Purvis: That is why I am arguing for a public consultation to hear what the public have to say and to establish whether there is cross-community support for a bill of rights. A public consultation is the next step in the process, and it would allow for comments on those protections.

Concerns have also been expressed that the Human Rights Commission has exceeded its mandate — its intended scope of work — and engaged in a form of human rights expansion. That puzzles me. The purpose of the forum and the commission's work was to produce recommendations for a bill of rights that addressed the specific circumstances of Northern Ireland. Clearly, more than just the right to private ownership and the right to privacy have come up in that process.

Mr Hamilton: Will the Member give way?

Ms Purvis: No; the Member will have his chance to speak.

The commission cannot deny or ignore the fact that more issues have arisen. It is obliged to consider and to include all the issues that came before it. This was never to be just a meaningless paper exercise; all the commission's work has been about making specific recommendations for implementation.

As legislators, our job is to ensure that that process reaches its final stages. We need to support a public consultation to see whether the people of Northern Ireland think that the rights that are contained in the proposals need more recognition and protection.

4.00 pm

It is no secret that my unionist colleagues have not been as enthusiastic as other parties in the Chamber in their approach to human rights. Conspiracy theorists may find a convenient link between the new political alliance of the Ulster Unionist Party and the Conservative

Party and their recent more visceral distaste for the Human Rights Commission's recommendations.

Mr A Maginness: Will the Member give way?

Ms Purvis: The Member will have an opportunity to speak later. I want to develop my argument. I hope that those parties' response is sincerely based on policy issues and that it is not an exercise in alignment for the sake of political housekeeping and elections preparation. That would not only be unfortunate but misguided, because, as some of our unionist and Conservative brethren may have been interested to learn at the Tory Party conference, the foundations for the Human Rights Act 1998 were laid by none other than Sir Winston Churchill.

Unionists' relationship with human rights is worthy of further examination. It can be a confused and slightly duplicitous relationship. I understand that the DUP and its leader, the First Minister, have had a recent conversion and that, when it comes to marches and parades, they are looking for recognition for the rights of unionists. That is certainly an important step; the Protestant people of Northern Ireland have a right to enjoy a full and rich culture. However, human rights do not stop there. We have a right to much more than that.

The role that social and economic inequalities played in bringing about the Troubles and keeping them alive for more than 40 years is undeniable, and those enduring and remaining inequalities, including sectarianism, are the fault lines along which the potential for a return to violence sits. They are at the heart of the discontent, deprivation, anger and isolation that led to the conflict in the Province, and if they are not addressed with honesty and sincerity, they could be so again.

The lack of honesty from the other unionist parties in the Chamber is disheartening. Are they afraid that if the Protestant working class fully understand and recognise their rights that they will have expectations of a more equitable society? Are they afraid that they could not deliver such a society, or do they just not want to deliver such a society?

The duplicity continues. Every week, those parties come to the Chamber and wax lyrical about how hard they are working on the issues that they encounter in their constituency offices, including problems with housing, access to medication, inadequate care, mental-health services, post-primary transfer and the guarantee of a decent education. What exactly do they think those requirements are? They are rights for which people are seeking protection and assistance, so that they can exercise and enjoy them in full. They are rights that belong to nationalists, unionists and everyone else who lives in the Province.

Why do we respond to those rights when we think that it could help us to get re-elected, but, otherwise, we refuse to recognise them? This is a critical conversation

for unionism, and it is one that public consultation on the recommendation for a bill of rights could facilitate. Therefore, I encourage all Members to support the amendment. Let the public consultation process commence and proceed as outlined. Let us hear what the people have to say about the commission's recommendations.

Miss McIlveen: When the Belfast agreement was put to the people of Northern Ireland, I am not ashamed to say that I voted against it. I voted against it for a number of reasons, not because I did not want peace for Northern Ireland — despite the emotional blackmail of the “Yes” campaign that a vote for the agreement was a vote for peace, which in some way implied that those of us who voted against it were somehow against peace — but because of its content and the ramifications of that content. Should we really be surprised when people seek to push to their absolute maximum the boundaries of the terms of reference of something that was created under such vague terms and expressed in a hotchpotch agreement? I do not think so.

When I compare the words in the Agreement that were meant to guide the Northern Ireland Human Rights Commission with those in the document that it submitted to the Secretary of State, I have no hesitation in supporting the motion.

In essence, as the proposer has so aptly stated, matters turn on the definition of the phrase “particular circumstances of Northern Ireland”. Some have used that phrase as *carte blanche* to dismantle and rebuild as they wish and to introduce socio-economic and cultural rights to the fray.

However, that interpretation is wrong in a number of ways. First, the European Convention on Human Rights (ECHR) is essentially a civil- and political-rights document. Socio-economic rights flow from the sister document of the ECHR: the European Social Charter. If the Belfast Agreement mentions the Social Charter, I am at a loss to find it in the text. The agreement specifically states that the Commission will:

“advise on the scope for defining ... rights supplementary to those in the European Convention on Human Rights”.

That means that it will be added to those rights contained in the ECHR and, as I have said, since the ECHR is a civil- and political-rights document, rights supplementary to it should also be civil and political. I understand that the SDLP is keen to have socio-economic rights attached to any Northern Ireland bill of rights, so perhaps the absence of a reference to the Social Charter is a piece of poor negotiation on its part.

Secondly, the Belfast Agreement offers further guidance on the types of rights that the Commission should consider. It states:

“These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem”.

Those are the words that should be used to interpret the phrase “particular circumstances of Northern Ireland”. They do not open the door to economic, social and cultural rights. Sadly, the Commission and, to an even greater extent, the Bill of Rights Forum seem to believe that, in regard to the drafting of a bill of rights for Northern Ireland, the agreement mentions nothing after “particular circumstances of Northern Ireland”.

A further thing that I noted in the advice given by the Commission is that it is largely a cut-and-paste job, made up from various international instruments. Granted, the agreement allows the Commission to draw on international instruments, but does it not attach the caveat that that should be “as appropriate”? The implication is that it should always be done in relation to the “particular circumstances of Northern Ireland”.

Instead, we have a list of rights that are not contained in and are not supplementary to the ECHR, such as: the right to work; environmental rights; social security rights; the right to accommodation; the right to an adequate standard of living; the right to health; language rights; and the right to identity and culture. It truly says something when one of the main advocates of a bill of rights for Northern Ireland, Professor Brice Dickson, states that critics of the proposals for a bill of rights for Northern Ireland have a point.

Unfortunately, we do not have time to go into the intricacies of whether we should have a bill of rights for Northern Ireland, or indeed a UK bill of rights, or whether Northern Ireland or the UK needs one. Some of the countries with the most wonderfully worded human-rights-centred constitutions are the greatest abusers of international human rights. I invite everyone in the Chamber to read the constitution of Zimbabwe.

However, to involve ourselves in such discussions serves only to distract from what is an extremely pertinent motion. I am happy to support it.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. Tá mé ag labhairt in éadan an rúin agus ar son an leasaithe.

I support the motion, but I wish to speak in favour of the amendment. Sorry, I mean that I oppose the motion and wish to speak in favour of the amendment. Got it all wrong there.

Mr B McCrea: We are so disappointed.

Ms Anderson: I know, I know. I was just giving you some hope where there is none.

As a former member of the Bill of Rights Forum, I welcomed the handover document from the Human Rights Commission and the advice to the British Secretary of State last December. I want to see the consultation document published as soon as possible. Therefore, I agree with the amendment.

After many long years of waiting, the document represents considerable progress. Although I do not necessarily agree with everything that the Commission says, for example, on the issue of national security limitations, the advice constitutes a genuine and rigorous approach to the mandate it was given, despite what was said by the proposer of the motion.

The commission is to be commended for the work that it has done. The United Nations, Amnesty International and many other domestic and international human rights organisations have called on the British Government to enact the bill of rights. Unfortunately, it seems that there are still some people who do not want to extend permanent rights and superior protection to the most vulnerable in our society.

Of course, rights can be protected through ordinary law. There is nothing to prevent any Government from introducing protections in legislation that are additional to those that are enshrined in any bill of rights. However, the purpose of a bill of rights is to set down the limits for guaranteed minimum standards, below which legislation and legislative rights protection may fall. A further purpose of a bill of rights is to shield in many ways the particular subset of rights in ordinary legislation from the political whims and rulings at any time by any Government or Executive, regardless of whether they are unionist, nationalist or other. Therefore, the purpose of the bill of rights is to set the floor, not the ceiling, for the guaranteed rights in our society for future generations. Can Members imagine sending out that message and setting that context for the next generation?

The extent of the bill of rights does not stop any Government from introducing ordinary legislation or ordinary legislative protection. Those rights can be extended to make the ceiling as high as possible. However, at the same time, if proposals do not violate or otherwise undermine any of the rights that are subjected to a bill of rights guarantee, ordinary legislation will also be necessary. In so far as ordinary legislation is supplementary to a bill of rights, it serves an entirely different purpose. It is important to remember that the rights that are set out in ordinary law are not guaranteed, as we all know and as we have been subjected to. As such, they can be reversed at any time and be removed by a ruling party or coalition that is opposed to them.

Those who oppose the concept of the protection of fundamental rights consider the ability to reverse ordinary law as one of its most attractive features. Those people will prefer to use ordinary law, rather than permanent, law to set the rights.

Those who argue that we do not need a bill of rights are out of step with ordinary people, and I hope that the consultation will prove that. They are out of step with the ordinary people who remain convinced that it

will help cement the peace. For example, they are out of step with the young people in the lower Shankill who mounted a highly successful campaign recently on the right to play, as well as the many marginalised groups supported by the community foundation who are arguing that they are entitled to be treated with dignity and respect.

The fact that growing numbers of disadvantaged people from across the community feel more comfortable with the language of rights is, arguably, one of the greatest achievements of the peace process. It is also striking that there is such a high level of support across the community for the inclusion of social and economic rights. Do we not care that so many of our older population die every year because there is no bill of rights?

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

Ms Anderson: I am sure that the unionists will explain to their electorate why they rejected all the bill of rights protections that were discussed in the Bill of Rights Forum. Go raibh míle maith agat, a LeasCheann Comhairle.

Mr Attwood: The SDLP will support the amendment and oppose the motion.

I have three substantive points to make. I am trying to look at this debate in a positive light. During yesterday's debate on the rights of Christians in India, I talked about the visit to Belfast in December 2000 of the then UN High Commissioner for Human Rights, Mary Robinson. She said that the part of the Good Friday Agreement in which the world was most interested was our human rights provision. Given the conflict from which we were emerging and the abuses of rights by those who were opposed to the rights of individuals and those who were opposed to a democratic culture on our island, she said that the steps that we took to recognise those and to guarantee rights in the future could be shared with the rest of the world, especially those in areas that are in conflict or coming out of conflict.

It is in community minority rights and parity of esteem that this could shine through, more than in any other aspect of our rights experience. Therefore, I was surprised by Michelle McIlveen's comments, which were contradictory. On one hand, she and her party have beaten up on the Human Rights Commission because it has proposed rights on language, identity and culture. However, one minute earlier in her speech, she quoted favourably from the Good Friday Agreement, which specifically signposts issues of identity, ethos and parity of esteem. Michelle, you cannot have it both ways: you cannot rely on the Good Friday Agreement's promotion of identity, ethos and parity of esteem and then beat up on the Human Rights Commission for doing precisely what the Good Friday Agreement signposted it and others to do. It was a very revealing

inconsistency, and I look forward to other Members from the DUP reconciling that inconsistency.

4.15 pm

The second broader point is that we cannot bury our heads in the sand when it comes to the intentions of those who framed the Good Friday Agreement. Virtually every aspect of that agreement, which was endorsed by the people of Ireland, outlined proposals that were particular to the individual circumstances of Northern Ireland. For example, the part of the Good Friday Agreement that dealt with the commission on policing and justice highlighted that policing had had such a particular impact in the North that proposals dealing with our particular circumstances were required.

Furthermore, when the Good Friday Agreement dealt with arrangements between the North and South of Ireland and between Britain and Ireland, it proposed the political architecture that would be required to fit the particular circumstances of our experience. Moreover, when the Good Friday Agreement addressed the principle of inclusion, which is now to be abandoned, it did so because of the particular circumstances that affected this part of Ireland. In every other aspect of the Good Friday Agreement, models were proposed that reflected our particular experience and circumstances to ensure that we did not do to ourselves what had been done to us over the previous 40 years. Given that we threw the rulebook out —

Mr Weir: The Good Friday Agreement and, indeed, all of the other arrangements that have been set up in relation to the Assembly, are based on the notion of cross-community support for governance. Where is the community support for the proposals on the bill of rights for Northern Ireland?

Mr Attwood: I will come back to that.

At the heart of Human Rights Commission's proposals is the principle contained in the Good Friday Agreement that our particular circumstances mean that we have unique proposals and measures to guarantee the rights and identities of the people in this part of Ireland. However, the DUP and the UUP are telling us that that model does not fit when it comes to a bill of rights.

If we are to learn one thing from our experience it must be that denial of civil and political rights, denial of economic and social rights, and denial of cultural and community rights brought us into the situation where conflict, which had existed for decades, became a violent conflict that others imposed on our country against our will. If we do not learn from the fabric that gave rise to that and all the issues of rights that were at its heart, for all our people, we will not be fulfilling our duty to the people of Ireland.

The DUP Member for North Down Peter Weir made a point about consensus. I say to him that I seek consensus: it is clearly the preferred model. However,

he should not reinterpret the will of the people of Ireland in the Good Friday Agreement and he should not reinterpret what particular circumstances mean, and say that one cannot make progress without consensus.

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

Mr Attwood: Sometimes, one has to aim high and dream big so as not to return to the past.

Dr Farry: I have some sympathy for the Ulster Unionist Party's motion, given the content of the Human Rights Commission's draft report and the process that has led us to this point. However, the Alliance Party will not be supporting the motion, and I will explain why shortly. My party will be supporting the amendment, which is a neutral amendment, in that it reflects the fact that a draft bill of rights has been published and asks the NIO to follow through on a consultation. Despite differences over content, we should be able to unite around that.

The Alliance Party has always supported enhanced human rights protections for Northern Ireland. We believe that rights are inherent and universal, but different jurisdictions have the right to reflect different aspects of rights in their domestic law or to domesticate international conventions. Indeed, the debate on a bill of rights in this Chamber goes back to 1962 when one of my predecessors, the Liberal MP for Queen's University, Sheelagh Murnaghan, first proposed a bill of rights for Northern Ireland. To an extent, that was met by the Human Rights Act 1998, which brings into domestic law the European Convention on Human Rights. Of course, the Good Friday Agreement predates that Westminster Parliament Act. However, we recognise that the European Convention on Human Rights is deficient in a number of respects — two notably. The first is in dealing with the realities of a divided society, and the second relates to social and economic rights.

We also respect the right of the —

Mr Beggs: Will the Member give way?

Dr Farry: Yes.

Mr Beggs: Does the Member not accept that the fact that there is such division in the attitude of political parties and in communities to a consultation represents a flawed start and, therefore, means that any public consultation will be a complete waste of funding. Those who came up with a set of words should have put consensus at the heart of a bill of rights: we have to reach consensus in order to reach agreement. The Human Rights Commission's advice is flawed, so let us not waste any more public funding on the exercise.

Dr Farry: Many contentious issues have been consulted on, but I have some sympathy for Mr Beggs's comments. It is true in one sense that both unionist parties failed to engage in the process, going back to

the foundation of the Human Rights Commission. Equally, those who drafted and are lobbying —

Mr Kennedy: Will the Member give way?

Dr Farry: Yes.

Mr Kennedy: Does the Member not accept as a matter of factual record that the Ulster Unionist Party and other parties engaged positively in the Bill of Rights Forum? We worked very hard to find consensus but were unable to do so because others were obstructive or had a particular, narrow agenda.

Dr Farry: Mr Kennedy is a wee bit premature, and I may have some comfort for him in what I am about to say.

Equally, it is important to note that those who drafted and are now lobbying for a bill of rights have done so without considering the political reality of achieving cross-community support. In particular, I think that the Bill of Rights Forum was a complete waste of time, and people ploughed on, regardless of the need to ensure political buy-in from all quarters. That document was dead on arrival, because parties rejected it. It was not a neutral waste of time. We have, in some senses, missed a window of opportunity, given that we may be in the last days of a Labour Government. Even if the NIO publishes a consultation document, the prospects of any legislation in the lifetime of this Parliament are nil, so we are looking to the future.

However, I respect the right of the Human Rights Commission to produce a draft bill of rights. Doing so is consistent with the mandate given in the Good Friday Agreement. It is an enabling mandate, not one that is prescriptive in exactly how the advice is to come forward. Nevertheless, my party has major difficulties with the mandate for the terms of reference for a bill of rights, as we find it contradictory and sectarian.

Mrs D Kelly: Will the Member give way?

Dr Farry: I am afraid that I am running out of time.

The Alliance Party voted for the Good Friday Agreement, but we did so despite that element, rather than because of it. We are apprehensive about what a future Conservative Government would mean for a bill of rights. In one sense, we are open-minded about a UK bill of rights — one, perhaps, with a Northern Ireland chapter. Indeed, we in Northern Ireland are not a place apart but part of a wider UK and all-Ireland framework.

However, my concerns are twofold. First, I do not think that the Conservative Party appreciates the subtleties of Northern Ireland, and, secondly, I am extremely wary of any attempt to unpick the Human Rights Act 1998. That has to be the platform on which we build, and any attempt to undermine that would be extremely destructive. I urge caution in that regard.

In my last few seconds I will set out some of our concerns about the current draft bill of rights. The Alliance Party certainly respects the right to have a debate and for a consultation to occur, but, as a liberal party, we are concerned about the focus on collective rights at the expense of individual rights, and we see the potential for further sectarian divisions to be institutionalised in this society. We also have some concerns about how far socio-economic rights will go. We support them in principle, but we support rights based on equality of access and equality of treatment, and we are wary of measures that go towards equality of outcome and actually interfere with the rights of the Assembly.

Mr Hamilton: I am glad that Dr Farry corrected his comments about contributions to the Bill of Rights Forum, because, having spent a year on that body alongside him, I still bear the mental scars of trying to make a contribution to that.

I join Mr Kennedy in thanking those who have submitted a petition of concern for the way in which they have clearly illustrated the lack of cross-community support for the proposals put forward by the Human Rights Commission. I noted Mr Attwood's comments with some concern, though not surprise, and I think the cat is out of the bag. There is regular preaching from the Benches opposite about consensus and the need for cross-community support for everything, but he has let the cat out of the bag by hinting that, on the issue of a bill of rights, it does not matter what those of us on this side of the Chamber think, or what the people who we represent think: it will be forced on us anyway. That is an unfortunate line to take.

Mrs D Kelly: Will the Member give way?

Mr Hamilton: Yes, I will; perhaps you can tidy up the mess your colleague has made.

Mrs D Kelly: You said that it does not matter what the people who you represent think, but, as Ms Purvis said, we should allow the public to have their say by having the consultation. Do you not agree with that?

Mr Hamilton: I have no doubt that, if the public were consulted, the views expressed by my party and the Ulster Unionist Party would be prevalent within my community. I would not say that if I did not believe it. There is clear concern on this side of the House — indeed, there should be concern right across the House — about the lack of cross-community support for the proposals that have been put forward, but that does not seem to concern those who are desperate for a bill of rights to push their own political agenda.

“There is no pressing need for a Bill of Rights to supplement the European Convention in far-reaching ways in Northern Ireland. The human rights situation in Northern Ireland is not so bad, or so precarious, as to require a Bill of Rights that is more penetrative than any other such document in the world.”

Those are not my words, but the words of Professor Brice Dickson. I do not know whether he or I should be more worried that I am quoting his remarks so favourably, but he certainly encapsulated many of the concerns that there are about the draft proposals and advice that have been put forward by the Human Rights Commission.

I am concerned about the misrepresentation of the mandate of the Human Rights Commission. Mr Kennedy talked about the issue of scope, and other Members have referred to the fact that the mandate of the commission is to give advice on:

“the particular circumstances of Northern Ireland”.

It is not to give advice on the “specific” circumstances, as Dawn Purvis said. There is a distinct difference between the words “specific” and “particular”. “Specific circumstances” would allow for this wide over-extension of the mandate, but “particular circumstances” does not.

Many of us engaged positively in the process because we did not rule out the idea of a bill of rights per se. There may be scope for additional rights relating to particular circumstances for Northern Ireland. When thinking of particular circumstances, some of us might think of issues like parading, yet there is absolutely nothing in the advice about parading. We might think of things like the strong feeling in Northern Ireland about the right to life, particularly in relation to abortion, but there is nothing about that whatsoever.

Ms Ní Chuilín: Does the Member not agree that there is specific reference to parading? People have a right to live free from sectarian harassment; that is quite specific.

4.30 pm

Mr Hamilton: The Member misses the point that I am making. We would all agree that parading is a circumstance that is particular to Northern Ireland, certainly in the fashion in which we do it, yet the advice that the Human Rights Commission submitted makes no reference to it in any regard from one side of the argument or the other. It contains many references to issues such as how elections are to be run, which are not relevant or important to people, but it completely dismisses things that are important to many people in Northern Ireland. It also argues for provisions that are well catered for by existing laws in Northern Ireland.

Page 16 of the document contains a section entitled:

“Freedom from violence, exploitation and harassment”.

That section says that people should be free from all forms of violence or harassment, including domestic violence, sexual violence, gender-related violence, sectarian violence and violence or harassment motivated by hate. All those are abhorrent, and everyone opposes them, but every one of them is already outlawed by existing legislation in this country.

There is no need to introduce additional rights just for the sake of it.

I will finish by talking about social and economic rights. It should be in the domain of the Assembly, not the courts, to direct where our limited resources go. At times, I might have an argument with the Health Minister about his use of resources, but neither he nor any other Member would disagree that we all want the highest attainable standard of health for the citizens of Northern Ireland. However, I believe passionately that the decisions on where limited resources should go should lie with the Assembly and with other elected institutions; it should not be in the domain of unelected judges to make up laws and spend resources from the bench. I would oppose that very strongly.

If a bill of rights were put into the whole raft of health, environment, education, social security and accommodation policy —

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

Mr Hamilton: Some accommodation rights might be contrary to immigration law. As Lady Trimble said, a bill of rights would create the possibility of rights tourists travelling to Northern Ireland. There is much for us to be worried about, and a lack of cross-community support is the death knell for the commission’s advice.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Ní nach ionadh, tá mé ag labhairt in éadan an rúin agus i bhfabhar an leasaithe a thairg Dawn Purvis dúinn.

Sinn Féin opposes the motion and supports the amendment. It is difficult to comprehend how any Member or any political party could oppose the enshrinement of a bill of rights.

A bill of rights should be the cornerstone of this society as we emerge from conflict. It should be a charter of all that we wish for the future and a crucial building block for remaking and reshaping society for future generations so that everyone can be treated equally in a society where there are strong and effective mechanisms to protect against the discrimination upon which this state was founded. It would be a society that recognises the right to housing, adequate healthcare, education, freedom from sectarian violence and fear and equality before the law.

DUP and Ulster Unionist Party spokespersons in the Chamber often speak exclusively about the rights and entitlements of the unionist community, yet a bill of rights could be the very mechanism that guarantees the rights of the entire community and all traditions. Is any Member of the DUP or the Ulster Unionist Party prepared to admit that they do not want a future that is based on equality? Is one Member from either of those parties prepared to admit that they do not want to provide

people with equal access to healthcare or a future that is based on the rights of every man, woman and child to freedom, prosperity and happiness?

This is the time for our society to equip itself for the future, and, surely, that entails the institution of a strong and effective bill of rights. A strong and effective bill of rights will help to deliver and guarantee for everyone a decent standard of living, the highest possible standard of healthcare and social care, a decent home, jobs with fair wages and proper working conditions and a healthy and safe environment for people to live in. Surely, a bill of rights would enshrine that for everyone.

Hitherto in the debate, neither the DUP nor the UUP have been persuasive or convincing in their arguments for opposing those values. Members from those parties who remain to speak have the unenviable task of persuading the rest of the Assembly that there is something wrong with creating a legal framework to protect rights. That will do me.

Mr Weir: I will, perhaps, start from where the previous Member left off. He said that my party said nothing to persuade him of its case. I suspect that he and many Members on the opposite Benches are utterly unpersuadable. Before a word was even spoken in the debate, a petition of concern was presented to ensure that the motion would not be passed. Although the Member complains about the failure of members of my party to persuade him, he has, in fact, no interest in listening to our comments.

I also want to deal with a point that was made about ordinary people. I have no doubt that, if there were to be some level of consultation, synthetic concerns would be produced, and lobby groups would engineer responses. During the summer, I, in common with many other Members, spent several weeks knocking on ordinary people's doors to canvass for the European election. Many issues were raised with me, not least of which was a constant complaint about politicians' expenses. Despite the vast range of issues that were raised, not a single person that I canvassed in North Down or, indeed, in any of the other constituencies that I visited asked why there was not a bill of rights for Northern Ireland. I suspect that my experience was not unique.

Let us, therefore, kill the myth that there is an outcry from ordinary people. Synthetic concerns may be produced, and lobby groups may come forward. However, that does not reflect what people are saying on the doorsteps. I am sure that other Members share that experience.

The Assembly and structures of governance in Northern Ireland are based on the concept of cross-community votes, as outlined by the Members who oppose the motion. It is their right to call for a cross-community vote on the motion. The debate is presided over by a Deputy Speaker who was elected by a

cross-community vote. With respect to the Deputy Speaker, if his position in the Assembly is important enough to be decided in that way, why would a bill of rights that has the potential to be the most important piece of legislation for decades not be decided by a cross-community vote? Is it to provide for the imposition of a bill of rights on unionists, should they oppose it? That is how it comes across.

Before the Northern Ireland Human Rights Commission produced its report, it should have listened to the warning signals. The previous commission's report did not find cross-community support, and it simply ran into the sand.

Many genuine people will have raised genuine concerns at the Bill of Rights Forum. However, the forum did not adopt any cross-community voting procedures. The end result was that it produced a report that unleashed an entire stable of hobby horses. Few, if any, of its recommendations had that level of support.

When it came to the Human Rights Commission's draft report, two of its members, representing two of the main political parties in Northern Ireland, made it clear they had difficulties with it and could not sign up to it. Those members were Daphne Trimble of the Ulster Unionist Party and Jonathan Bell of the Democratic Unionist Party. By that stage, in normal circumstances, the alarm bells that were already ringing should have been deafening. Instead, the Human Rights Commission went ahead with its report.

I am no defender of the Belfast Agreement. However, the report drives a coach and horses through the remit given to the Human Rights Commission.

Other Members mentioned the scope to define, rather than simply to produce, a bill of rights. To seek rights that are supplementary to the European Convention on Human Rights would be to send out a message that we do not believe in equality. However, that is not the case. There is no blank legislative page: we have equality legislation and a raft of equality provisions. The European convention is part of this country's domestic laws. Every aspect of the European convention is not being supplemented; it is being incorporated directly into the bill of rights.

The particular circumstances in Northern Ireland have been mentioned. I acknowledge that accommodation, health, social security rights and a range of additional issues are important. However, are they particular to Northern Ireland? Is housing not an issue for someone in Birmingham? Is health not an important issue for someone in Dublin? Are social security rights not an important issue for someone in Glasgow? The reality is that those issues are not particular to Northern Ireland, and a coach and horses are being driven through them.

If a bill of rights were adopted, it would tie in the Assembly and Executive —

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

Mr Weir: It would tie in the Assembly and Executive to a range of issues that should ultimately be decided by the Assembly, not by judges. That is why we oppose a bill of rights and support the motion.

Mr Elliott: Given that Mr Weir started his contribution where Mr McElduff finished, I will start with the point that he finished on about the Government being so tied up in knots by rights that they cannot move. My point is that it would be worse to tie the economy up in knots and thereby ruin the prospect of creating more jobs.

Mr A Maginness: Will the Member give way?

Mr Elliott: I will give way in a moment. If the Member would let me start, I might have the opportunity to give way.

The difficulty that a bill of rights will present to the entire population of Northern Ireland, not just the Assembly — it is tied up in enough knots — has not been addressed. I am thinking of the wider economy.

Mr A Maginness: Does the Member not accept that the rights to which he refers are special in the sense that they deal with social and economic issues but that the law-making facility for them remains with the Assembly? Those rights are progressively realised. In other words, they are in a different category from other rights. That is the international practice. Therefore, there is nothing to fear, and government will not be tied up in knots because of those rights. This is common practice throughout the civilised world.

Mr Elliott: It is good to hear Mr Maginness argue against the report that he claims to support.

My colleague Danny Kennedy outlined the abject failure of the Northern Ireland Human Rights Commission to gain the cross-community and cross-party support that are required. Today's debate underlines that. Can any Member seriously imagine that it would be in the interests of the stability of the devolved institutions for the Secretary of State to even contemplate imposing the Northern Ireland Human Rights Commission's recommendations and their outworking on the House?

The fact that Members on the Benches opposite felt it necessary to table a petition of concern emphasises the utter lack of consensus and agreement. It would be foolhardy in the extreme for the Secretary of State to proceed in implementing the Northern Ireland Human Rights Commission's recommendations in any significant way.

I am interested to hear how Mr McElduff thinks that those recommendations would guarantee people good housing, because I cannot figure that out. Perhaps he will explain that to me. Devolution is meant to be about taking decisions at the level of government that

is closest to the people, and that is what we in the House are meant to be about. We are accountable to the people of Northern Ireland. Thankfully, that is what democratic governance and accountability are about. However, the Northern Ireland Human Rights Commission's recommendations fundamentally undermine that.

Instead of abiding by the mandate given to the commission in the agreement, the Northern Ireland Human Rights Commission report introduces a whole swathe of socio-economic rights that are unknown to the rest of the United Kingdom. Matters of public policy that spend taxpayers' hard-earned money are meant to be addressed by the democratically elected representatives of the House, but the Northern Ireland Human Rights Commission report wants them to be handed over to the courts.

Mr Beggs: Will the Member accept that much of our limited funds will end up being spent on lawyers' fees and that there will, therefore, be even less money to improve housing, health and education?

Mr Elliott: The Member makes a very valid point. That is just what I was trying to emphasise. It is the hard-working taxpayers of Northern Ireland and the rest of the United Kingdom who are going to suffer from the outworking of this matter. As my colleague said, the rights to health, an adequate standard of living, accommodation, work and social security would, therefore, be subject to the courts through that provision.

4.45 pm

The provision on social security matters poses a very interesting question. Such matters are settled at Westminster, with the House accepting the convention of parity. Social security is inextricably linked to taxation, and it is for Westminster to decide how to achieve the balance between taxation and social security provision. In other words, it is a matter for those elected by the people and not for unelected judges in courtrooms. Judges are meant to interpret the law, not make policy. It is that fundamental principle of the United Kingdom constitution that the Northern Ireland Human Rights Commission has blatantly disregarded. This, after all, is mainstream British politics.

In July 2007, the Government produced 'The Governance of Britain' Green Paper, which stated:

"some have argued for the incorporation of economic and social rights into British law. But this would involve a significant shift from Parliament to the judiciary in making decisions about public spending and, at least implicitly, levels of taxation."

The same principle works in the constitution of the Republic of Ireland. Article 45 of that state's constitution explicitly declares that the socio-economic rights set out in the constitution are merely to guide the Republic's Parliament and are not a matter for the courts.

Imagine if the Northern Ireland Human Rights Commission report was implemented here.

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

Mr Elliott: If that happened, not only would it be the case that one part of the United Kingdom — Northern Ireland — would labour under a regime of economic rights that applied nowhere else in the United Kingdom, but what would the Republic of Ireland do?

I support the motion.

Mr A Maginness: In his opening speech, Mr Kennedy completely misrepresented the bill of rights and the terms of the Good Friday Agreement. In relation to a bill of rights, the agreement is clear that the Northern Ireland Human Rights Commission will:

“be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and — taken together with the ECHR — to constitute a Bill of Rights for Northern Ireland.”

That is not, as the Member said, an “innocuous” sentence. It was deliberately designed to bring about a bill of rights in Northern Ireland, because those who signed the agreement were committed to creating a culture of rights here. For so long, rights in this jurisdiction were trampled upon, ignored or abused; we have to remedy that with a culture of rights. That is what a bill of rights is all about.

Members on the opposite side of the House said that those rights were extant. They may be extant in various pieces of legislation; however, the point of a bill of rights is to entrench those rights so that they cannot be taken away from the people of Northern Ireland. That is the important aspect of a bill of rights.

Mr B McCrea: Will the Member give way?

Mr Weir: Will the Member give way?

Mr A Maginness: I do not know who had first call, but I will give way.

Mr Weir: I thank the Member for giving way, and I thank my colleague across the way for letting me intervene.

Will the Member explain how those rights will be entrenched, given the fact that, presumably, a bill of rights would be included in a piece of Westminster legislation and, therefore, Westminster would be perfectly entitled to overturn it?

Mr A Maginness: Of course Parliament is sovereign. However, the point is that Parliament is committed to the process.

Mr Weir: A Parliament.

Mr A Maginness: A Parliament is committed to the process. Means of entrenchment, which have been identified in the advice to the Government, would be contained in the bill of rights. If the bill of rights were to be changed, the process for doing so would be very difficult. Therefore, it would be very difficult to remove those rights.

Given our past, the entrenchment of rights is important. For example, some Members said that housing should not be included in a bill of rights. Housing is one of the most important rights to be included, as the Troubles stemmed from the fact that people could not get houses. People who were destitute or homeless were deprived because of political patronage and prejudice. Therefore, it is important that we entrench people’s right to accommodation.

In that same way, the Parliament that pre-existed this institution took away people’s right to proportional representation. Had that right remained, the future of this jurisdiction could have been quite different. However, its removal destroyed proper representation in the House that preceded this one and meant that political change was frustrated.

Mr Kennedy: Will the Member give way?

Mr A Maginness: No. I am sorry; my time is running out.

Taking away the right to proportional representation meant that unionist hegemony was preserved in this jurisdiction. I believe that that was wrong. Had the right to proportional representation been entrenched, the history of this place might have been different. Some Members may say that rights are unimportant, but they are very important in our historical context.

Those who signed the agreement were committed to a bill of rights. Therefore, it is not right for those who signed it to try and change it. There is a mandate for a bill of rights. We can argue about its content, but we should not argue about the concept. That concept has been agreed, and the Government should therefore implement a bill of rights. The Government received advice on the matter some time ago, and it is unreasonable and quite wrong for them to have delayed acting on that advice for so long.

There is popular support for a bill of rights. Surveys have been conducted among the public, and I believe that unionist politicians are out of step with public opinion. Millward Brown Ulster, which is an independent market research company, conducted a poll of people across Northern Ireland and found that 83% of people regarded a bill of rights as quite important or very important. That was an increase from the 70% who answered the same question previously. Therefore, there has been a substantial increase in popular support for a bill of rights.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I support the amendment and oppose the motion.

Contrary to what the motion suggests, a bill of rights will not stop any Government from introducing legislation that is necessary to protect people's rights. The distinct difference between ordinary legislation and a bill of rights is that the former can be removed or overturned, depending on the party that is in power at any given time.

As other Members said, one only has to look at recent history in the North of Ireland to see how one ruling party denied civil rights to a substantial section of the community for years and how that resulted in conflict. That shows that the protection of everyone's rights is essential if we are to go forward. People listening to the debate must be concerned, because it has shown that there are still some people who do not want to extend rights and protections to everyone in society, including the most vulnerable. The debate has also shown that there are people who want to remove existing protections.

The motion is an attempt to cloud the issue by claiming that a bill of rights will negate the role and authority of the Assembly. That is not the case, because primary responsibility for the enforcement of a bill of rights will lie with elected representatives. If we had a bill of rights, laws that are introduced to Parliament would be assessed to see whether they were compatible with the bill.

What counts today is what we do next. We have built a peace process, we have built power-sharing institutions, and we are forging ahead with the new policing dispensation. We still have to undo some of the damage of the past. A bill of rights, as outlined in the Good Friday Agreement, to protect everybody's political, civil, economic and social rights is the way forward. It is not only possible but necessary.

It is essential to build economic growth on a new foundation of justice and equality. In a transitional society that is emerging from conflict, such as we have in Ireland today, economic growth that does not systematically promote equality is not sustainable in the long term. To make progress, all Governments must write the need to meet the social and economic needs of people into their economic and social objectives.

The bill of rights contains a number of protections: the right to live free from sectarianism and racism; the right to a decent standard of living; the right to the highest possible standard of health and social care; the right to a decent home that is safe and affordable; and the right to work for a decent wage in proper working conditions. It contains other safeguards, including the right to a sustainable, healthy and safe environment and the right to adequate social security and pensions.

It is worth remembering that those basic human rights are not directed at one or other section of the community; they are the rights of everyone in the community. Moreover, it is a fundamental commitment of the Good Friday Agreement and the St Andrews Agreement, and it offers an opportunity to make real change and a positive difference to the quality of life of everyone here.

As other Members said, it is important to consider the feelings of people in the local community whom we represent. We do not represent ourselves in the House; we represent people in the community. Alban Maginness outlined some figures. I want to repeat those figures and provide others. A survey asked people how important they consider a bill of rights to be for the North of Ireland: 83% believed it to be "quite important" or "very important". Support was almost equally split: 85% of Catholics and 81% of Protestants supported the notion. Those figures illustrate that support exists for a bill of rights.

I listened to today's contributions, and it is important to protect those who are most vulnerable in society. A bill of rights should not frighten anyone, because it is set out for all people in society, and we require public consultation on the matter now.

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

Ms J McCann: I oppose the motion and support the amendment.

Ms Purvis: The heart of today's debate can be summed up in a few words: to reflect the circumstances in Northern Ireland. That is the cause of most of the disagreement among parties in the Chamber, and it is the cause of conflict in Northern Ireland. What came first: stinking, polluted politics or bloody, awful violence?

I have some sympathy with the Ulster Unionists and Conservatives, because they pose an ideological argument on the justiciability of social and economic rights. However, there are absolutely no grounds for that argument, because responsibility for those rights and for law-making lies with the Assembly. As Alban Maginness said, social and economic rights are progressively realised over a period of time and according to available resources. What will change if they are restricted in any way? The autonomy of this parliament, not the courts, is responsible for those rights.

The DUP supports some human rights. During a debate at Westminster on 27 October 2009, the First Minister, Peter Robinson, spoke about parading in Northern Ireland. He said:

"The strategic review stressed, and we agree, that if progress is to be made on parading, it is imperative to address the existing lack of cultural understanding through an effective education programme that includes reconciliation, tolerance, mutual trust, and the protection and vindication of human rights for all."

Members can read more about the DUP's advocacy of human rights in that Westminster debate.

Mr A Maginness: That is when they are at Westminster.

5.00 pm

Ms Purvis: Yes; that is when they have their Westminster hats on. The DUP's arguments, and the basis of its opposition to human rights, rely on its blinkered view of the causes of the conflict in Northern Ireland. It denies that discrimination existed and that all working-class people, particularly Catholics, endured slums, squalor, poverty and unemployment to preserve the power of the political elite. That view is best summed up by the words of my colleague Gusty Spence, who said:

“You'd neither in you nor on you, but we were in power.”

By holding on to academic selection, the DUP continues to deny working-class children, Protestants in particular, the right to a decent education. The DUP must stop living in denial; it must examine what happened here and what caused the conflict, because it is doing a great disservice to working-class people — Protestant working-class people in particular — and to the most vulnerable people in society. My party supports the Good Friday Agreement and a bill of rights for Northern Ireland.

Mr Shannon: Will the Member give way?

Ms Purvis: No, I will not give way.

The purpose of a bill of rights is to entrench a culture of human rights in Northern Ireland. That was reflected in referenda that were held, North and South, and in successive public surveys, which have already been quoted.

It is up to us to support public consultation, not to deny people their right to be heard or to say that public consultation is not the way forward on this issue. It is the way forward; it works for every other policy or piece of legislation that comes out of this place. Let the public have its say; let the Secretary of State publish the consultation so that we can see what the public think about a bill of rights for Northern Ireland. I urge all Members to support the amendment.

Mr B McCrea: In making the winding-up speech on the motion, I declare an interest as a member of the Policing Board for Northern Ireland, and specifically as chairman of its human rights and professional standards committee. I do not speak in that capacity today, but I can inform the House that my membership of the Policing Board has brought certain issues to my attention.

Many Members talk in woolly terms, or in an ‘Alice in Wonderland’ way that has no basis in reality. However, many issues that come up when we talk about human

rights, such as attenuated energy projectiles (AEPs), plastic bullets, the use of Taser and the use of detention powers, are the same issues that are raised with members of the Policing Board's human rights and professional standards committee. Those who argue for public consultation do not understand the complexities involved. It is our role, as elected representatives, to know about and understand the issues.

As I listened to the proposer of the amendment, I was dismayed. I could use stronger language, but it is not appropriate to accuse elected representatives of being dishonest or of not taking into account what their electorate has to say. Unionists were accused of duplicity and of being confused. I say to the Member, who is present in the House, that I am not confused. I do not act in a duplicitous manner, nor do I act with any lack of honesty. The central issue is whether it is right to have a public consultation —

Mr A Maginness: Will the Member give way?

Mr B McCrea: I am sorry, but Members have had their chance to speak.

The issue is about having a public consultation on the Northern Ireland Human Rights Commission's advice when it is clear that at least two of the major parties in the Assembly do not support the commission's recommendations. It would, therefore, be a complete and utter waste of public money to go any further with that.

Martina Anderson said that we are out of step; that is not for her to judge. As I have heard her say before, we have a democratic mandate; we have an absolute right to be here. This Chamber has primacy; not some kangaroo court or any other form of court. The Assembly is the basis of democracy. This is where decisions are made, and we will not resile from that position.

Mr A Maginness: Will the Member give way?

Mr B McCrea: When the issue comes —

Mr A Maginness: Will the Member give way?

Mr Deputy Speaker: Order. Mr Maginness, the Member has said that he will not give way, so please resume your seat.

Mr B McCrea: Mr Attwood mentioned three things for which he thought that we were world-renowned. Those were our human rights position; our not being able to have it both ways; and our not being able to rewrite the Belfast Agreement, about which he challenged us. Although I listened to the arguments put forward by my colleague Miss McIlveen, I make no secret of the fact that I voted “yes”. I may be the only unionist left who will say that they voted “yes”, but I believe in the Belfast Agreement, and I take some cognisance that others on Benches to my left support some of the issues that we have put forward.

On the issue of rewriting things, I believe that the mandate that was given to the Human Rights Commission should not be rewritten. It should not be said that that mandate means something different now when it is quite clear that, as my colleague Mr Kennedy said, the particular circumstances for Northern Ireland and the responsibility in relation to supplementary rights are exactly as was originally outlined.

Simon Hamilton said that he understands and supports human rights, and mentioned specific issues such as parading.

Mr Shannon: Will the Member give way?

Mr B McCrea: Just one minute, Mr Shannon.

Do Members accept Article 11 of the European Convention on Human Rights, which relates to freedom of assembly and association?

Some Members: Yes.

Mr B McCrea: If that needs to be refined, so be it, but do not be duplicitous in how that is done.

I will now give way to Mr Shannon.

Mr Shannon: I thank the Member for giving way. I have not had a chance to speak.

Does the Member agree that a great concern is the number of people in the unionist community who are against what is being suggested? Members across the way do not seem to have grasped that. The Church of Ireland has published a document stating that a bill of rights would be divisive and would detract from the union. Legal specialists have also said that a separate bill of rights is not necessary as the rest of the UK is looking into that. That is why the unionist people are against it, and some Members have failed to accept that.

Mr B McCrea: I thank the Member for his intervention; I took it because I know that he has not had the chance to speak, unlike others who have had their chance to make their case.

In one way, I can answer the charge levelled at me by Ms Purvis, which was that I am confused; Dr Farry's argument confused me. He stated that he is sympathetic to our point of view; he talked about political reality not being taken on board; he used terms such as "ploughed on"; and he mentioned that he has major difficulties. In spite of all that, he stated that he would support the amendment and vote against the motion. What sort of 'Alice in Wonderland' world does he live in? Only four minutes and 45 seconds into his contribution did he mention problems, costs and other issues that his party does not like. He wasted the opportunity to argue his case, and that is why his argument does not convince me.

Barry McElduff challenged us by asking whether there was even one unionist here who was able to stand up and make an argument about why they are not supporting a bill of rights or why they resile from equality arguments

that I believe to be spurious. My reply to Mr McElduff is that I question any equality agenda that does not deliver for the very people for whom it should deliver.

Is it the right way forward to enact human rights legislation that will be a paradise for lawyers, bureaucrats and all sorts of jobsworths, enabling them to delay the implementation of measures that are badly needed? Ms Purvis is not the only person on the unionist Benches who cares about the Protestant working classes. How dare she make out that she is.

Our party argues for the social justice that all the people of Northern Ireland demand. We will not be browbeaten by Members, from whatever side of the House, who wish to rewrite history. Those who argue that the source of the Troubles was a socio-economic or housing problem miss the point that the terrorist activity that we experienced over the past 40 years was not about social deprivation but about a political aim for a united Ireland, and the terrorist activity was perpetrated by —

Mr A Maginness: Will the Member give way?

Mr B McCrea: I am sorry, but I have already made it clear that I will not give way.

The terrorist activity was perpetrated by people who believed that violence was the way forward. However, ladies and gentlemen, that is not the way forward. Mr Attwood mentioned moving forward without consensus. However, if we have learnt anything, surely it is that without agreement there cannot be progress. There is no way forward unless we all agree. As a democrat, I believe that this House, and this House alone, should have primacy in ensuring that we do what is right for all the people of Northern Ireland. Of the contributions made by my colleagues on the Benches to my left, I was particularly struck by that of Simon Hamilton, who quoted Brice Dickson.

No one here talks about responsibility or the cost of implementing a bill of rights.

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

Mr B McCrea: No one here talks about democracy, and, on that basis, those who support the creation of a bill of rights have failed as elected representatives and as democrats. If those people cannot convince us of their views and win the argument, they cannot win the peace.

Mr Deputy Speaker: The vote on the amendment will be taken on a simple majority basis.

Question put. That the amendment be made.

The Assembly divided: Ayes 46; Noes 39.

AYES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Dr Farry, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Mrs Long, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McElduff, Mrs McGill, Mr McGlone, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Mr Neeson, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms Purvis, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr A Maginness and Mr McCarthy.

NOES

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr K Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Kennedy and Mr B McCrea.

Question accordingly agreed to.

Mr Ford: On a point of order, Mr Deputy Speaker. Will you now invite Members to your left to withdraw the petition of concern?

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

Main Question, as amended, put.

The Assembly divided: Ayes 45; Noes 39.

AYES

NATIONALIST:

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mrs McGill, Mr McGlone, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

UNIONIST:

Ms Purvis.

OTHER:

Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Ayes: Mr A Maginness and Mr McCarthy.

NOES

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr K Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Kennedy and Mr B McCrea.

Total votes 84 Total Ayes 45 [53.6%]

Nationalist Votes 37 Nationalist Ayes 37 [100.0%]

Unionist Votes 40 Unionist Ayes 1 [2.5%]

Other Votes 7 Other Ayes 7 [100.0%]

Main Question, as amended, accordingly negatived (cross-community vote).

Motion made:

That the Assembly do now adjourn. — [*Mr Deputy Speaker.*]

ADJOURNMENT

Primary School Provision in Ballymena South

Mr Deputy Speaker: I remind Members that the proposer of the topic for debate will have 15 minutes in which to speak, and all other Members who are called to speak will have approximately eight minutes.

Mr Storey: I welcome the opportunity to speak on this topic. On such occasions, Members make speeches that are so moving that they end up clearing the Chamber. Members from North Antrim are present, along with a few from other constituencies. We welcome all who have an interest in this issue, because education impinges on all constituencies.

I welcome the Minister's presence. I wish to draw to her attention, and to that of the House, the needs of primary schools in south Ballymena, especially in the controlled sector. That sector is vital to my community. For that reason, we must always ensure that the controlled sector is given its proper place and has equality with other sectors. We must no longer have a system in which there are inequalities among the sectors.

Because of the nature of the communities of Ballee and Harryville in south Ballymena, the role of their primary schools is vital in holding those neighbourhoods together. That is especially so because of the low level of economic investment and community infrastructural support that has been given to those small but very significant communities in my North Antrim constituency.

A panoramic view of the input from the Government and its related agencies is one of relative neglect. In short, there is little likelihood that either of those communities, Ballee or Harryville, has been given the support that is necessary to contribute effectively to the Northern Ireland skills strategy, even if that contribution were based on a long-term or phased joined-up strategy on the part of any of the Departments. The result is communities that have been abandoned by government and controlled primary schools that have been neglected and overlooked by the education and library board. That is a sad commentary on an area of Northern Ireland.

Ballymena has huge retail potential. Major employers are situated in the surrounding area, but there are communities that are suffering serious problems and difficulties, and they cannot be ignored. The 2005 Northern Ireland index of multiple deprivation ranked Ballee ward 335 out of 582 with respect to proximity

of services. That is worrying, and it is a warning that should have been noticed and taken account of by all who have an interest in the community, not least the Department of Education.

The information gathered from the Northern Ireland Neighbourhood Information Service and the Ballymena neighbourhood renewal area partnership profile indicates the overall statistical picture for those living in the Ballee ward on the basis of education. The census information collected in 2001 indicated that 79.2% of the Ballee population aged 16 to 74 had no formal qualifications. The Northern Ireland average was around 58%. Historically, education attainment in the area has been poor. That is a travesty, and it is not acceptable. In 2007, only 10% of school leavers aged 16 and over had obtained at least five GCSEs, and the Northern Ireland average was 64.7%. Those are harrowing statistics, behind which are real lives and real people who make up those communities. It is a problem that should be checked at its source.

I am particularly concerned about the North Eastern Education and Library Board's innovative strategy to address the special educational needs of local Ballymena communities such as Ballee and Harryville. Almost 30% of children in those schools are deemed to have special educational needs. Around 30% and, in some cases, more than 30% of children are deemed to have special educational needs in Camphill Primary School and some of the other schools. My colleague Rev Coulter will have something to say on that matter, because we have an issue with the provision for building in Ballymena. I know that Robert will deal with that issue when he is called to speak.

The Ballymena neighbourhood renewal area partnership profile survey of 2007 also indicated that most of the residents of Ballee were aware of further learning opportunities. However, the level of interest remained low for a number of reasons, such as overall non-interest; lack of time; the inability of participants to afford the fees or other associated costs; lack of childcare; lack of self-confidence; and transport difficulties. If ever there was a need for joined-up thinking between the Department of Education, the Department for Social Development (DSD) and other agencies, this is a classic one. The sad reality is that we all aspire to having joined-up government and a proper system in which we work collectively and collaboratively, and I think that we have often said that in the House. In reality, however, that is not the case. The overall effects of poor education attainment affect employment opportunities and economic activity, and place a stronger reliance on social welfare.

The 2001 statistics revealed that of the population grouping aged 16 to 74, 55% were economically active; 45% were economically inactive; 6.9% were unemployed, and 51.9% of that group were classified

as being long-term unemployed because they had not been in employment since 1999. Those figures indicate that the inactivity levels are higher than the Northern Ireland average, and the figures for unemployment and long-term unemployment are higher than the average for Ballymena, which is 3.1%, and for Northern Ireland, which is 4.1%.

That is the picture that exists in Ballymena South, and the proposed closure of Ballee Primary School that has arisen following the most recent meeting of the North Eastern Education and Library Board will not help the situation; in fact, it will compound the problems.

The Minister lectures us on the importance of equality and the rights of children. In my community and in my constituency, however, she has shown inequality and confusion by presiding over a series of decisions to merge schools in one community that do not meet her Department's criteria, while the board does her bidding in the other community with a robust rigidity that contrasts with the flexibility already shown.

Of course, I am referring to the merger of two primary schools in Ahoghill. Let me remind the House that that amalgamation did not cost the Council for Catholic Maintained Schools (CCMS), the organisation that made the decision, a single penny. Instead, the North Eastern Education and Library Board picked up the tab of £500,000 for a decision made in a sector that wants to have all of the benefits but doesn't want to pick up the tab. That will not be acceptable in the future, and it is the reason why we have a long way to go as regards bringing in any new institutions for the governance of our education system.

5.45 pm

The Minister's twin-track approach has led to confusing inconsistencies, which are reflected in the board's preferred options decision to deconstruct the structure of controlled primary school provision in south Ballymena. In the process of that deconstruction, the board, as part of its phase-two proposals for the rationalisation of primary school provision, is attempting to meet the Department's criteria for the review of controlled primary school provision in the town. Unfortunately, the board has failed to take a comprehensive approach, or consider a range of original options, when determining proposals for closures before they go to consultation.

Although I welcome the fact that Harryville Primary School has been given a reprieve in the proposals, it is only a reprieve. I have no doubt that the Minister will tell the House later this evening that there are 500 spare places and a need for rationalisation. That is a clear indication that although a decision will be in preference for Harryville Primary School today, there will be no preference tomorrow, and, as a result, Ballee Primary School becomes the scapegoat. Indeed, I have

brought a copy of today's 'Ballymena Times' with me, just as the Minister brought another newspaper into the Chamber yesterday, and the word "scapegoat" has been used in the paper in relation to the school's closure.

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

We must listen to the community. The Minister often tells me that I have neglected my responsibilities to the Protestant working-class community. If the Minister is listening and paying attention to what has been said in the debate, we, the elected representatives of the Protestant and unionist community in North Antrim are telling her that there is a problem in a Protestant working-class community. We are telling her that that community needs help and assistance and proper education provision. It is up to the Minister to prove that she is able to do the right thing, and that she will listen and put in place structures to help those schools.

Both schools that have been earmarked for closure adequately meet the six criteria and the associated indicators that have been set out in the Department's 'Schools for the Future: A Policy for Sustainable Schools.' However, all of that flies in the face of good practice, because the board has not carried out an economic appraisal of any of the options. The North Eastern Education and Library Board has consulted on several options, but one option that was never considered was that of amalgamation. That is despite that option being open to the two schools in Ahoghill, and the two maintained schools in Ballymena that amalgamated several years ago. That option was never considered in any of the documents that were produced by the North Eastern Education and Library Board. Why was that the case?

Now, we have a situation in which, in respect of the proposal that was put on the table at the last meeting, the sums have not been done to justify the decision that is going to be made. I ask the Minister to clearly examine the issue of the economic appraisal and the way in which the money is going to be spent.

I come now to the issue of special education, which I referred to at the beginning. I welcome the fact that the consultation on special educational needs has been extended to the end of November. I went to a public meeting in Ballee Primary School a couple of weeks ago, which was difficult because there are problems and challenges in that community, especially around special education. When PricewaterhouseCoopers carried out its analysis in 2008, eight issues were identified for underachievement in working-class boys. I want the Minister to agree to, and I want to work with the Department and my colleagues to attain, the establishment of an academy for children with special needs in that Protestant working-class area. That would send out a clear signal to that community that it is not being

ignored, neglected or sidelined. Therefore, I urge the Minister to listen to the community that is crying out for help in a dire and desperate situation.

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

Mr Storey: I wait to hear what the Minister has to say, and I hope that it is not the usual rhetoric that we normally get.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for bringing this issue to the Floor, as it is of immense importance to that community.

The review of controlled primary school provision in Ballymena was carried out by the North Eastern Education and Library Board last year. The review recognised that Ballee Primary School and Harryville Primary School are based in socially and economically deprived areas; that should be taken into account when formulating any future development proposal.

There is significant surplus provision in the area, however, and there is no indication of a change in that pattern. These proposals were born out of that. There is a lot of strong feeling about the issue in Ballymena South, and I congratulate the parents, the children, the board of governors, the teachers and many others who have campaigned on the issue and have put across a strong argument to retain Ballee Primary School on behalf of the local community.

Of course, there have been other closures in the Ballymena area recently, mainly through amalgamations. Four other primary schools — St Louis' Primary School, St Joseph's Primary School, St Mary's Primary School and All Saints' Primary School — have been amalgamated into two. There have already been a number of reluctant closures in that area, which reflects the overall fall in enrolments that we have to deal with.

There is a requirement to publish a development proposal in the wake of the recommendation to close Ballee Primary School, and that will involve extensive local consultation with affected parties, including the school. That consultation must take into account the statistical picture that the Member outlined with regard to the socio-economic status of the area, as well as unemployment and other factors. I urge the Minister to ensure that children in that area continue to receive a first-class education, regardless of their background. The qualitative, rather than quantitative, value of the education received at Ballee Primary School should also be taken into consideration before a final decision is reached, and that should include the expertise that the school has in the provision of special needs education — as the Member said — and the social and economic impact that it will have on that area.

Rev Dr Robert Coulter: I declare an interest as I am the chairman of the board of Castle Tower School in Ballymena, which has an impact on the entire area of Ballymena.

I thank Mr Storey for bringing this Adjournment topic before the House. I approach it not from any sense of aggravation against the Minister, the board or the Department.

I come to the debate with a sense of sadness, because, living in that community, I have experienced the lowering of morale among its people. There is a sadness, which is creeping to despair. Mr Storey pointed out that special education needs in that area stand very high at 30%.

In my capacity as chairman of the board of Castle Tower School I will explain the background. There were three special schools in Ballymena covering the entire age range, from the beginning until the stage at which many young people, having gone through their school experience, are capable of work. We had the opportunity to bring those three schools together. It was an idea that would reach out to the entire community of Ballymena, especially to south Ballymena, with its special education requirements. The opportunity was given to us and we grasped it. We got a site to build a new school, but we have been struggling to move the project forward. Again and again, every effort to bring the project forward has come to nothing.

Special education needs heavily affect south Ballymena, yet schools have had their play areas closed because they are unsafe and their roofs leak, but there is no one to help them. One can walk through those schools and see the buckets on a wet day. That is the situation that special needs children have to live with — young people who are desperately in need of help.

Closing the schools in south Ballymena will create a transportation problem. Transportation difficulties lead inevitably to greater absenteeism, and absenteeism among young people with special needs cannot be overlooked.

There are rumours in the town that, even as those schools are being closed, officials are looking for sites for a new Irish-language school. People who see their schools being closed but who hear on the grapevine that a new school is to be built have reached the point of despair.

We ask that our children have the opportunity in south Ballymena to lay a good educational foundation so that when we build our new special education school we will be able to provide for all our children an educational foundation that will not only take them into the future with confidence but will give their families, and people in Ballymena generally, a confidence in the education system and its governance. Only an education strategy that puts our children first and considers their

needs can instil that confidence. We need a strategy that does not close schools because of statistics but that puts children first and gives them the equality of opportunity that children in other places have.

I plead with the Minister to take what we are saying seriously. Mr Storey has carefully laid out the issue, and we plead with the Minister to treat the matter carefully and help the children.

6.00 pm

Mr O'Loan: I thank the Member who secured the debate. It is a sensitive issue: when any proposal for significant school change is made, such as the proposal that we are discussing, it raises considerable emotions. Communities and parents invest much in their local schools, and changes in such matters are not at all easy.

I will review some of the history of the decision as it is known to me. In November 2007, the North Eastern Education and Library Board produced a large and important document, 'Review of Controlled Primary School Provision in Ballymena Town'. That document outlined the broad issues that affected the board's thinking at that time. It referred to the demographic downturn in the school population throughout Northern Ireland and the fact that Ballymena was also affected by that. One major and important issue that it raised is that of the rapidly deteriorating condition of Ballymena Primary School, which requires a newbuild solution. That raised questions about the size and location of that school, because its future would impact on the future of other schools.

The proper way to consider such issues is to take an area-based approach to planning for schools. The report referred to the Department's 'Schools for the Future: A Policy for Sustainable Schools', under which, quite rightly, the thinking on schools in a given area is based on certain criteria. The viability of a school is assessed on the basis of a number of such criteria: quality educational experience; stable enrolment trends; sound financial position; strong leadership and management; accessibility; and strong links with the community. Schools in Ballymena score highly on many of those criteria. Ballee Primary School scores highly on a number of those issues, and there are others with obvious difficulties.

'Schools for the Future: A Policy for Sustainable Schools', which is based on the Bain report, recommends minimum thresholds for schools of different types: for urban primary schools, that is set at 140 pupils. None of us sees that as an absolute requirement, but we recognise that, if a school were to go significantly below that threshold, its ability to deliver a broad curriculum would be threatened.

The board considered other contextual issues. Its report referred to the increasing enrolment at Braidside Integrated Primary School and said that a heavy demand for integrated education meant that it foresaw

an enrolment of 350 pupils, which represented an increase.

The report referred to the maintained sector, which Mr Storey mentioned. It states that developments in the maintained sector:

"led to a reduction of over 500 spare places in this sector."

I was involved in that issue, and, by way of correction, an amalgamation did not take place: four existing schools closed, and two new schools opened. Those two new schools — St Colmcille's Primary School and St Brigid's Primary School — are fine schools. They meet the best of modern building standards, and they are fine schools in every other respect.

Mr Storey: The Member mentioned the progress of the integrated sector. I worked with the newbuild for Braidside Integrated Primary School. There were alternatives to the amalgamation or, as Mr O'Loan put it, the closure of those schools in the maintained sector. Those schools were offered alternatives, but the only option for Ballee Primary School is closure and picking up the pieces. The problem is that the controlled sector is not being treated in a fair and equitable way.

Mr O'Loan: I will not comment on whether it is fair and equitable or identical treatment; the two situations are probably not the same in terms of the problems that are presented. However, I will say that all those situations are difficult and painful, and, sometimes, the accepting of the pain can lead to a good outcome. In the maintained sector, we got a very good outcome in two very fine, well-equipped schools that give great confidence, motivation and morale to parents, staff and the whole community. That is something that we should not lose sight of.

As for enrolments, I notice that Ballee Primary School has had a declining roll over the years, falling to 71 in 2006-07. I only have the newspaper information on this, but Ballee is quoted in one of the newspapers as having an enrolment of 45, so there seems to have been significant further leakage there. The board analysed the spare capacity in the controlled schools, and it has Ballee with a long-term enrolment estimate of 65. As I say, enrolment appears to have gone below that, if the newspaper figure is correct. Camphill Primary School, which is also in that area and also has a fine new building, is described as having a projected spare capacity of 64 — that must be a relevant factor. Harryville Primary School —

Mr T Clarke: This is not my area, but I am listening with interest because I have a particular interest in education. I have young children, and both are being educated in north Antrim. The Member gave some statistics in relation to Ballee Primary School, and he earlier mentioned other schools in Ahoghill. Can he remind us how many children were enrolled in the two primary schools in Ahoghill combined?

Mr O’Loan: I do not have the figures. I know that both had very small populations, but there was a need to provide education in the maintained sector in that area, and that need had to be addressed.

At that point, various options and mixes were proposed, with the potential closures of Dunclug, Ballee and Harryville primary schools. The board continued to work on and consult on these matters, and the next significant stage was when it got feedback. There was no absolute consensus on the outcome, but the board made recommendations in September 2008. For the north end of the town, which is served in part by the county primary, it deferred its decision until more clarity could be obtained on broader education issues. For the southern end of the town, it suggested not amalgamation but closure of one or both of Ballee and Harryville primary schools, with other specific recommendations about the nursery units, which are also important.

That led to a further consultation, which, in turn, has led to the eventual decision of the board to close Ballee Primary School — a painful decision, as I know. Mr Storey may be right that no economic rationale has been provided. I certainly do not know what the rationale is. I only know the outcome. I think that we all agree that the needs of this socially difficult and deprived area must be paramount, and deciding the best education solution for the area is a challenge for the board. Mr Storey made a particular proposal —

Mr Deputy Speaker: Bring your remarks to a close.

Mr O’Loan: He may be right; it may be a good solution. However, we need to be very careful that any proposed solution is truly in the best interests of the people. Sometimes, a solution that is painful is better in the long run.

The Minister of Education (Ms Ruane): Go raibh maith agat. Cuirim fáilte roimh an díospóireacht seo inniu, mar tugann sí comhthéacs do réimse polasaithe atá forbartha ag mo Roinn le heispéireas gach páiste a fheabhsú, beag beann ar an áit a bhfuil cónaí orthu nó ar an chineál scoile a bhfuil siad ag freastal uirthi.

I welcome today’s debate, as it will help to put into context a range of policies that my Department has brought forward to improve the education experience of all children, regardless of where they live, the type of school that they attend and which language they learn through.

The Member will know that I have visited Castle Tower school, and I had a wonderful morning there. An economic appraisal for its major capital works scheme is being revised by the North Eastern Education and Library Board. The board has advised us that that will be resubmitted shortly. Following approval of the appraisal, I have agreed that the project should progress immediately to project design and implementation stage.

The scheme will then be in a very strong position to compete for funding from a future capital funding announcement. I assure the House that my Department and I are treating the scheme as an urgent priority.

I know that the Member is not saying —

Mr O’Loan: Will the Minister give way?

The Minister of Education: No.

I hope that the Member is not saying that Irish speakers should not get the rights that they deserve, because they should.

Mr Storey: Will the Minister give way?

The Minister of Education: The Minister will not give way. I listened to the Member, and now it is my turn to speak.

It is very important that children in Ballymena are taught through their native language.

I share Declan O’Loan’s sentiment that change can be difficult, and that was my experience when I visited primary schools in Ballymena. Some of the teachers, groundspeople and parents to whom I spoke said that they had vociferously opposed the amalgamations in the maintained sector but that they were actually the best thing to happen. They said that they are wonderful schools and are doing very good work. Sometimes difficult decisions must be made.

Comments were made about the deficit cost of the amalgamation of two primary schools in Ahoghill. However, the costs not only of amalgamations but of closures must be met by the education and library board. The Department’s cost analysis indicated that there were no significant differences in cost between amalgamation and closure in that case.

The debate focuses on primary school provision in south Ballymena. I wish to highlight the fact that the Department has provided considerable capital investment for that area. There have been new schools for Camphill controlled primary school and St Brigid’s maintained primary school, which were completed in 2007 at a cost of almost £11.5 million and provide state-of-the-art, twenty-first-century facilities for almost 700 children. A major capital works scheme for the expanding Braidside Integrated Primary School is also at economic appraisal stage. In the 2009-2010 financial year, primary schools in south Ballymena received just over £4.6 million in common funding formula allocations, which is a per capita increase of more than 8% from the 2008-09 funding levels.

Harryville, Ballykeel, Camphill and Ballee primary schools work together in partnership as members of the same Ballymena extended schools cluster by providing services or activities outside the traditional school day to help to meet the needs of pupils, their families and the wider community. Since the programme was

launched in May 2006, those schools have received more than £300,000 in funding to improve the life chances of children and young people from deprived and disadvantaged areas.

I have listened to the arguments made today on behalf of Ballee Primary School. I understand that, following two years of phased local consultation on the future of controlled primary provision in Ballymena town, the North Eastern Education and Library Board has recommended the closure of Ballee Primary School. The school has been experiencing falling enrolments, primarily as a result of demographic changes in the area. Ballee Primary School has an approved enrolment of 220 places. Fifteen years ago, its enrolment was 198 pupils; today, its enrolment has fallen to 42 pupils, which is a further reduction of 19 pupils since last year.

6.15 pm

Nuair a mholtar gur chóir scoil a dhúnadh tá ceanglas reachtúil ann moladh forbartha a fhoilsiú, agus ba mhaith liom aird na gComhaltaí a tharraingt air sin.

I want to highlight that, when it is recommended that a school should be closed, there is a statutory requirement for a development proposal to be published. The development proposal process provides the opportunity for extensive local consultation. Before a proposal is published, there is a statutory requirement on boards, and, soon, on the ESA, to consult any schools that may be affected by that proposal. There is also a statutory duty on the proposer to consult governors, parents and teachers from the school or schools that are subject to the proposal.

The publication of the development proposal initiates a statutory two-month period during which representations, including objections, can be made directly to the Department. At the end of that period, I take into account all the information pertinent to the development proposal, including the representations that are received as part of the decision-making process. As I have a responsibility to consider and make a decision on all development proposals, I cannot and will not comment on a specific proposal in advance of that process. However, I assure the Assembly that in examining each proposal I consider the local circumstances on a case-by-case basis.

Since the institutions were re-established in May 2007, there have been 41 school closures, encompassing 25 primary schools, two Irish-medium units, two nursery units, two special schools and 10 post-primary schools. Of the 25 primary schools that were closed, 23 had fewer than 50 pupils at the date of closure, and nine of the 10 secondary schools that were closed had fewer than 100 pupils.

From 2004 to 2008, 47 schools have been involved in amalgamations, creating 21 new schools. Those

amalgamations involved 33 primary schools, five special schools and nine post-primary schools.

Tá ról rithábhachtach ag an bpolasaí do scoileanna inbhuanaithe chun an córas a fheabhsú do gach páiste. In ainneoin ár n-iarrachtaí ar fad, tá an córas oideachais ag teip ar an iomarca páistí.

I assure the Assembly that any proposal will be assessed thoroughly against the criteria outlined in the sustainable schools policy. That policy is crucial to improving the system for all children, because, despite our best efforts, the education system is letting down too many of our children. The policy will help to ensure that all children get a first-class education, regardless of background or where they live, and it recognises that we should maximise the impact of the resources that are available for education.

The policy sets out six criteria, both quantitative and qualitative, to help to assess the viability of schools. Consideration will be given to the education experience of the children, the financial position of the school, leadership and management of the school, accessibility, enrolments and links with the community. Above all, the provision of a quality education must be the overriding consideration.

The rural nature of the North of Ireland means that there will always be a significant number of small rural schools. I commend the contribution that some small schools make to educational attainment and community cohesion. However, I recognise that many small schools encounter difficulties in delivering the curriculum and find it difficult to operate within their budget.

In primary schools, the challenges become greater when there are composite classes with more than two age groups. The smaller numbers of children in each year group can limit opportunities for working alongside peers, for social interaction and challenge and for participation in extra-curricular activities. Teachers in small schools also face the problem of unduly demanding workloads and have less scope for professional interaction and mutual support.

The revised curriculum is now in place in all year groups. It focuses on raising standards in reading, writing and maths and on preparing young people for all aspects of life and work. Recently, I introduced 'Every School a Good School', a policy of school improvement to raise standards in all schools in the North of Ireland.

Good schools are already doing the things that are advocated in the strategy. However, there are still too many schools in which pupils are not reaching their full potential. I believe that all schools are capable of improvement, even good schools.

The school improvement policy is part of an overall focus on improving performance, and it must be

complemented and supported by the wider educational
— *[Interruption.]*

Mr Deputy Speaker: I ask Members to allow the Minister right of reply. She has 10 minutes in which to reply, and the Member who proposed the Adjournment topic had 15 minutes.

Mr Storey: I thought that she had mixed up her script, that is all.

Mr Deputy Speaker: The Minister has the Floor, and I ask Members to respect that.

The Minister of Education: Go raibh maith agat, a LeasCheann Comhairle. It is interesting to hear Members across the way talking to themselves.

We are in a period of significant change and have many new policies, such as transfer 2010, the sustainable schools policy and ‘Every School a Good School’. We are building a world-class education system based on equality, social justice and academic excellence.

Adjourned at 6.20 pm.