
NORTHERN IRELAND ASSEMBLY

MINISTERIAL STATEMENT

British-Irish Council Summit Meeting

Tuesday 17 November 2009

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. On a point of order, Mr Deputy Speaker. On reading the Official Report of yesterday's sitting, I noted Mr Storey's remarks about Ms Caitríona Ruane, the Minister of Education. I noted that he said that he was speaking as a private Member, but he described Caitríona Ruane as a blatant hypocrite. He said that she was:

"one of the most blatant hypocrites in the House". — [Official Report, Vol 45, No 5, p252, col 2].

I would like the Hansard report to be reviewed and a ruling to be made, because that language is totally unparliamentary.

Mr Deputy Speaker: The Speaker will review the Hansard report, and I will draw his attention to that matter.

Mr Deputy Speaker: The Speaker has received notice from the Office of the First Minister and deputy First Minister that junior Minister Newton wishes to make a statement regarding the British-Irish Council summit meeting.

Mr Storey: *[Interruption.]*

Mr Deputy Speaker: Order. Has the Member finished?

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): In compliance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the thirteenth summit meeting of the British-Irish Council, which was held in St Helier, Jersey, on 13 November 2009. All Northern Ireland Ministers who attended the summit have agreed that I will make the statement to the Assembly on their behalf and that it will be based closely on the communiqué from the meeting.

The States of Jersey hosted the summit in the Radisson SAS Waterfront Hotel, St Helier, Jersey. The heads of delegations were welcomed by the Chief Minister for Jersey, Senator Terry Le Sueur. The Irish Government delegation was led by the Taoiseach, Brian Cowen. The British Government delegation was led by Rt Hon Peter Hain MP, Secretary of State for Wales. The Welsh Assembly Government was represented by the First Minister for Wales, Rt Hon Rhodri Morgan AM. The Scottish Government were led by the First Minister for Scotland, Rt Hon Alex Salmond MP MSP. The Guernsey Government delegation was represented by the Chief Minister, Deputy Lyndon Trott, and the Isle of Man Government were represented by the Chief Minister, the honourable Tony Brown MHK. In addition to the First Minister, the deputy First Minister and me, the Northern Ireland delegation comprised the Minister of Education and the Minister of Culture, Arts and Leisure. A full list of participants is attached to the statement that was provided to Members.

It was the fifth BIC summit since the restoration of the institutions in May 2007. The Chief Minister of Jersey, Senator Terry Le Sueur, chaired the meeting, which focused on economic issues; indigenous, minority and lesser-used languages issues; an update on the strategic review of BIC; and a report on progress in the various BIC work sectors.

The economy was discussed at the last BIC summit in Cardiff in February 2009, and it was agreed that the forum should be used to review the current status of the global economic downturn and its impact on each of our representative Administrations. Ministers from each of the member Administrations discussed the

impact of the economic downturn, ongoing pressure on public expenditure, measures to ameliorate unemployment and efforts to ensure the resumption of bank lending to small businesses.

The Council explored what immediate steps could be taken to ensure that member Administrations are well placed to take advantage of any future global economic recovery. The Council also acknowledged the serious challenges that are faced by all member Administrations and agreed that sharing knowledge and information on best practice was invaluable. The Council noted the conclusions of the independently commissioned report from Michael Foot CBE, which stated that the Crown dependencies — Guernsey, Jersey and the Isle of Man — provide a significant net economic contribution to the City of London and, ultimately, to the broader UK economy.

The main focus of the discussions about indigenous, minority and lesser-used languages was on language planning. The Council had an extended discussion about the four key areas of adult education, family support, young people, and local language initiatives and resource centres. The Council noted that the availability and expansion of adult education provision for the teaching and learning of indigenous, minority and lesser-used languages is an important element of the process of acquisition language planning. It also noted that adult education had an important role to play in improving and expanding the skills base.

Member Administrations discussed and a number committed to developing their capacity to provide bilingual public services and encouraging other organisations to work and provide services through their respective minority, indigenous or lesser-used languages as well as through the medium of English. The Council considered encouraging individuals who move into communities to learn the indigenous language and putting in place effective adult education delivery mechanisms, both of which are essential components of arresting the decline in usage at community level.

The Council considered language transmission in the family to be a key issue in enabling indigenous, minority or lesser-used languages to flourish. Ensuring the intergenerational transmission of a language is a crucial element in the process of its development and maintenance. However, the Council noted that the home, family and community were not easily accessible to social planners and that families in indigenous or minority language situations needed advice and guidance on how to raise their children as balanced bilinguals.

The Council further noted that, for a language to flourish and survive, it must be spoken by young people, who need to develop a sense of ownership of the language. The Council discussed the importance of providing young people with the relevant support and

social opportunities to enable them to use their language in all aspects of life. Ministers further discussed ways of promoting the use of indigenous, minority and lesser-used languages among young people. Further analysis of the economic benefits that are associated with minority languages was proposed, and Ministers agreed to take forward that work in the minority languages work stream.

The Council examined the threats surrounding communities with a high density of indigenous, minority and lesser-used language speakers. Halting the decline in such communities is a crucial target in various national strategies tasked with language planning at community level. The Council explored the benefits that can be delivered by dedicated resource centres and local language initiatives in preserving indigenous, minority and lesser-used languages.

The Council noted and acknowledged the benefits of sharing knowledge, ideas and best practice, and the diversity in communities' approaches to language planning. The Council encouraged the use of languages in communities through projects that reflect their varying linguistic nature.

The Council tasked the indigenous, minority and lesser-used languages working group to explore areas of possible co-operation with the European Network to Promote Linguistic Diversity and other organisations to learn from experiences elsewhere. The Council endorsed new work on themes such as legislation, where appropriate, and on immersion, education and strategic planning in the group's work programme.

The Council considered an update on the strategic review of BIC, commissioned at the Belfast summit in July 2007. The paper set out the progress that has been made on arrangements to establish the Council's standing secretariat. It was agreed at the Cardiff summit in February that the Chief Minister of Jersey would take informal soundings from Ministers of the Council, with a view to achieving consensus on the standing secretariat's location. The Council thanked the Chief Minister of Jersey for his sterling efforts, noted that it has not yet been possible to reach such a consensus and acknowledged the need for a further round of consultations. However, the Council approved a legal framework for the standing secretariat that would achieve the desired result of strengthening BIC's administrative identity and support. It was noted that co-ordinators have identified possible cost-sharing models, but final agreement would emerge only after the standing secretariat's location is decided. On foot of that agreement, exact costs will be identified.

The Council heard that the collaborative spatial planning group held its inaugural meeting in Belfast in June 2009 and a second meeting in Dublin in October, where it considered papers on likely themes and a work

programme. The work stream brings together officials responsible for regional development strategies, national planning strategies and frameworks in each of the Council's member regions. The group is considering how member Administrations can work together to their mutual benefit by adopting a more collaborative approach to strategic spatial planning on cross-boundary issues.

The demography working group continues to be committed to the work plan that was endorsed at a ministerial meeting in March 2008. The main focus is on understanding migration and its impact. Northern Ireland commissioned research into the impact of migration. The outcome of that research was released at an event hosted in Belfast in June 2009 and included the following reports: 'The Experiences of Migrant Workers in Northern Ireland'; 'The Economic, Labour Market and Skills Impacts of Migrant Workers in Northern Ireland'; 'The Impact of Migration on the Labour Market in Britain'; and 'Recent Migration into Scotland: The Evidence Base'.

The demography work stream will take forward work on:

"understanding the impacts of migration and the implications of wider student flows amongst the BIC administrations."

Plans are being developed to identify appropriate policy leads in the Administrations, with a view to discussing them at the next British-Irish Council.

10.45 am

In September 2009, the digital inclusion working group held its inaugural meeting in the Isle of Man. That proved to be a useful opportunity for member Administrations to discover common themes and shared understandings in the work that they are doing individually on digital inclusion. The working group decided to focus on the following broad areas: content outcomes; trust; engagement; and skills and training. The group's focus is to deliver a report on sharing best practice on the maximisation of engagement in a knowledge society.

In 2009, officials from the early years policy work stream met on three occasions, and the working group remains committed to driving forward work on early years childcare, education and health. Interventions in those areas are key to improving children's life chances, particularly the opportunities of those from disadvantaged backgrounds, and to supporting families in challenging times.

The Council noted that the working group focused initially on the workforce, and significant common themes in that area emerged from the eight BIC Administrations. Those themes are the need to ensure a more child-centred approach with better integration across services, including the better integration of workforce planning; the need to assure the quality of provision across the sector when children receive care and/or education; the

need to promote appropriate recognition and career progression opportunities for the early years workforce, with suitable qualifications to accredit skills and knowledge; and the need to address issues of diversification, retention and sustainability, while recognising economic realities.

In June 2009, the Scottish Government-led marine renewables work stream held its inaugural meeting. At that meeting, member Administrations explored their marine renewable strategies and priorities. The group agreed that its initial focus would be on sharing updates on policy development experiences in marine spatial planning and related legislation, the development/ establishment of test facilities and issues that relate to grid access, capacity and investment. The group also intends to focus on raising the profile of marine renewables as an emerging and viable renewable energy resource in the European Union.

In June 2009, the first meeting of the UK Government-led electricity grid work stream was held. Participants gave presentations on the challenges that electricity networks in the British Isles are facing in accommodating significant amounts of new renewable and other generation energies in the system so that renewable energy targets can be met and supply security increased. Participants set out current and planned projects to meet those challenges, including proposals to increase significantly the capacity of the existing grid network through the use of new technology and by building new transmission lines. The discussion established a common understanding of issues throughout the British Isles, and the group acknowledged that the challenges that they face are common to them all.

The environment group continues to co-operate and to exchange information between member Administrations in areas such as understanding extreme weather events, integrated coastal zone management, fishing for litter and managing radioactive waste. In addition, the group submitted a discussion paper to the second European climate change programme to inform the development of the EU's Green Paper on adaptation.

In April 2009, the environment group's ninth ministerial meeting was held in Jersey. Ministers reflected briefly on the creation of the energy work stream, and they received a presentation from the Met Office Hadley Centre on extreme climate events.

In June 2009, the initial meeting of BIC housing officials took place in Belfast. The following issues were agreed as being pertinent across the jurisdictions: changing demographics; greening the housing stock; affordable housing; and investment in housing.

The Northern Ireland Department for Social Development is currently drafting papers on the above topics that will examine the issues, consider what lessons can be learnt from other areas and seek the approval of

BIC Housing Ministers to begin further work on these areas. The papers will be circulated to all BIC Housing Ministers in advance of the ministerial meeting which is planned for December 2009.

The indigenous, minority and lesser-used languages group continues to focus its discussions in the following priority fields: community development, young people, legislation, immersion education and strategic planning. The legislation subgroup intends to hold a seminar in February 2010 which will concentrate on language rights and legislation for practitioners. The indigenous, minority and lesser-used languages group intends to create a subgroup to examine and discuss the European Charter for Regional or Minority Languages in Dublin in December 2009.

The sectoral group on the misuse of drugs has held three senior official meetings in 2009 through the co-operation of the eight BIC member Administrations. In March, Guernsey representatives briefed the group on the introduction of their new legislation to ban the product called Spice and other psychoactive substances. The aim of this legislation is to disrupt the commercial importation and sale of such substances, as opposed to criminalising users. The issue of legal highs and Spice has now come to prominence at EU level. Given the ongoing developments, the BIC sectoral group is in agreement that the issue should remain as a standing agenda item for discussion in future meetings.

In May, Dr Suzi Lyons of the alcohol and drugs unit of the Health Research Board in Ireland gave a presentation to the group on the development and content of the country's national drug-related deaths index, which was launched in late 2008. The index gives Ireland an accurate picture of the levels of drug-related deaths, thus facilitating policy development in the drugs area. A meeting held in September focused on prevention and on the way in which Scotland is raising the awareness of the overall population of the dangers of drug use through its national Know the Score campaign. The next ministerial meeting will be held in 2010, and Ministers will discuss substance misuse in the prison setting and the responses necessary to address that issue, along with how best to provide effective treatment and rehabilitation options to that cohort.

The social inclusion group continues to focus on the theme of the contribution of the third sector to promoting social inclusion under the following main topics: responding to the effects of the economic downturn; developing the roles of the third sector; and broadening the appeal of volunteering and citizen involvement. Work is progressing well, with Administrations sharing information and lessons on best practice. The officials group has now met five times and has seen in operation a wide range of third-sector organisations. A final report, concluding the contribution of the third sector in promoting social inclusion theme, will be the subject of

discussion at a ministerial meeting to be held in March 2010.

Work in the transport sector has continued to focus on the mutual recognition of driving disqualifications, the mutual recognition of driving offences that attract a penalty less than disqualification and research into drugs and driving. The accessible transport subgroup continues in its work to improve the information provision for disabled people who wish to travel from one Administration area to another, through the development of a common webpage, sharing standards of disability training schemes, scoping the current level of concessionary travel across Administrations and examining the potential for their mutual recognition.

The Council noted the important work that has been taken forward by the knowledge economy group in the area of business continuity management of small businesses. That work stream, which Jersey led, specifically sought to promote and develop the sustainability of business in the face of potential serious threats, such as those arising as a result of terrorist attacks or natural disasters. The focus of that work was on small and medium-sized enterprises, which are believed to be most at risk. Possible preventative measures and business continuity planning were developed to strengthen business sustainability through a common set of best practice guidelines.

After consultation with the Business Continuity Institute, the institute asked the knowledge economy group for assistance in making recommendations for an updated copy of its 'Pocket Sized Good Practice Guidelines', which has been completed. With the completion of the final copy for the BIC website and the hard copy of 'Business Continuity Management for Small Businesses', the group's work has concluded. The Council agreed that 'Business Continuity Management for Small Businesses' should be published on the BIC website and agreed that the best practice guidelines could be used in the eight member Administrations.

The next BIC summit will be held in June 2010 and will be hosted by the Government of Guernsey. The Isle of Man offered to host the subsequent summit.

Under "Any other business", the Council considered the relationship between the British-Irish Council and the British-Irish Parliamentary Assembly and requested the preparation of a report for its consideration at the next meeting in Guernsey.

Mr Deputy Speaker: Before we proceed with questions to the junior Minister, I remind Members to switch off their mobile phones, because their operation interferes with the recording equipment. I also remind Members that their questions must relate to Mr Newton's statement.

Mr Storey: I thank the junior Minister for coming to the House to make his statement. Does he agree that the current period of devolution has been characterised by what Members on this side of the House would describe as a proper focus on east-west relationships? Previously, an unnecessary emphasis was placed on North/South structures, but we have gone a considerable way to redressing that imbalance.

The junior Minister (Mr Newton): We have strong links with other regions in the United Kingdom. The British-Irish Council is playing an important role in promoting and developing those links by having positive, practical relationships and by providing a forum for consultation and co-operation. The Council has taken forward an extensive programme of work since it was established. In my statement, I attempted to cover everything that happened at just one meeting. That was the first British-Irish Council meeting that I had the privilege of attending, and one could not fail to be impressed by the amount of work that the various work streams are undertaking.

The British-Irish Council has met on 13 occasions since it was established. I was nervous about the occasion of its thirteenth meeting falling on the thirteenth day of the month, which was last Friday, but that is a fact of life. There have been eight BIC meetings since the restoration of the Northern Ireland Assembly in 2007, and, since 2007, there have been 10 BIC ministerial meetings, including five summits. The first four summits were held in Belfast, Dublin, Cardiff and Edinburgh, and the latest, to which my statement relates, was held in Guernsey last Friday.

In addition to the BIC ministerial meetings, officials from each of the BIC member Administrations meet regularly to progress work in each of the BIC work streams and to prepare for ministerial summit meetings. There have been 70 meetings of BIC officials since the restoration of the Assembly.

There are 11 live BIC work streams. Northern Ireland leads three and is ready to lead in a fourth when the legal issues surrounding the Baby P case are concluded. It is worthy of note that BIC dispenses with a work stream once the task that the Council has set for it has been concluded.

When work has been completed, the report is produced and made available as soon as possible. Therefore, there is no need to continue that work stream. That has occurred on three occasions so far, and, in direct response to Mr Storey's point, perhaps the North/South institutions could learn something from that approach.

11.00 am

I have addressed Mr Storey's point, given a full report on the BIC summit and referred to the various work streams that are ongoing.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá mé buíoch den Aire as ucht a ráitis. I

thank the junior Minister for his detailed and comprehensive statement.

I note that the promotion of Irish, Welsh, Scottish Gaelic, Ulster Scots, Manx and other languages featured prominently on the agenda — the *clár* — of the summit in Jersey. I also note that, in promoting an enhanced language, other Administrations have adopted a proactive and progressive approach to legislation and strategy. One need only read the detail of today's statement to appreciate that.

Does the Minister have any concerns about the snail's pace approach of Minister McCausland and his Department in developing a strategy to promote an enhanced language? The Minister and his Department are only at the stage of preparing high-level principles on which such a strategy could be based. Gregory Campbell was at the same stage two years ago when he was the Minister.

Will the Minister also detail the Minister of Culture, Arts and Leisure's exact input into the BIC summit on language? He appears to be at odds with the other Administrations.

The junior Minister (Mr Newton): I thank the Member for his question. However, I do not agree that Minister McCausland and his Department are approaching the issue at "a snail's pace". We must ensure that we get the evolution absolutely right. As Minister McCausland pointed out during the meeting, the strategy is critical to that process.

The BIC's minority languages group is concentrating on the following priority areas: the use of information and communication technology to promote languages; data research and language use surveys; legislation, policies and strategies; and community development. I covered all those areas in my statement to the House today.

At the meeting in Cardiff on 22 September 2009, new areas of work dealing with minority languages and young people and minority languages in primary education were discussed, and that discussion concluded at the Jersey summit. Moreover, the BIC's minority languages group plans to organise a seminar in Edinburgh in 2010 that will concentrate on language legislation. However, that seminar will have a wide remit and will also address policies and strategies.

My understanding is that, as outlined to the Committee for Culture, Arts and Leisure, the Minister intends to introduce a strategy for indigenous or regional minority languages, which aims to:

"enhance, develop and protect the Irish language and the Ulster Scots language, culture and heritage."

I have given a comprehensive report on the BIC meeting to the House. I hope that the Member feels

that my answer to his question was equally comprehensive.

Mr McCallister: I welcome the junior Minister's statement to the House. I am sure that he shares my disappointment that agreement was not secured at the BIC summit on where the Council's standing secretariat will be based. What actions has this Administration taken to facilitate a speedier agreement on that issue?

Will the junior Minister also inform the House how the Council's work stream on marine renewables will inform policy and practice in Northern Ireland?

The junior Minister (Mr Newton): Am I answering one question or two, Mr Deputy Speaker?

Mr Deputy Speaker: Your choice.

The junior Minister (Mr Newton): I will take the first question first, which I suspect was about why no decision was made on the location of the BIC secretariat.

There was considerable discussion about that matter, and the council considered and endorsed an update paper that was presented to the Cardiff summit. The paper contained a number of key principles and details about the establishment of the standing secretariat. It agreed core functions, staffing profiles and secondment arrangements and endorsed, in principle, the sharing of the costs of the standing secretariat among all member Administrations. It tasked the secretariat and co-ordinators to examine the start-up and running costs of the standing secretariat, and asked that proposals on apportioning those costs be brought to the next summit.

It is now apparent that early identification of the location of the BIC standing secretariat is a prerequisite to calculating the running costs of that location. An early decision on location is required in order to establish those costs and to enable each member Administration to discuss and agree the apportioning of costs.

Scotland, Wales, the Isle of Man and Northern Ireland offered to host the standing secretariat. The Jersey summit host has taken soundings from each member Administration with a view to reaching a consensus decision on the location of the standing secretariat. In order to assist in reaching that consensus, Northern Ireland and the Isle of Man withdrew their offers once Edinburgh became the clear favourite.

The BIC memorandum on revised procedural guidance provides, at paragraph 6:

"It will be open to the BIC to agree common policies or common actions."

In addition, paragraph 7 states:

"The BIC normally will operate by consensus. In relation to decisions on common policies or common actions, including their means of implementation, it will operate by agreement of all members participating in such policies or actions."

Members who opt not to participate in common policies or actions will not thereafter be involved or covered in any decision relating to them. Efforts will, therefore, be made to reach a consensus at summit meetings. If that is not possible, however, the decision can be deferred to the next summit or made via correspondence between summits. Consensus was not reached on the location of the standing secretariat, and the Chief Minister of Guernsey will undertake a further round of consultations. The issue will be considered again at the next summit in 2010.

The council approved a legal framework for the standing secretariat, which will achieve the desired result of strengthening the Council's administrative identity and the administrative support available to it. Establishing a permanent standing secretariat would be an important development, and would play a crucial role in positively managing, co-ordinating and promoting Council activities and the programme's overall direction. For that reason, the Northern Ireland Executive Ministers who were in Jersey were disappointed that a location could not be agreed, especially when a clear favourite location emerged.

With regard to reports that appeared in Scottish newspapers at the weekend — and I am sure that that is where the Member picked it up from — I agree with the Scottish First Minister's comment:

"The UK Government should go and reflect on the overwhelming decision of the Council."

I also note the reported comments of Scottish officials, who pointed out:

"they had even managed to unite Ireland, with the Democratic Unionists, Sinn Fein, and the Irish Republic all backing the Edinburgh decision."

Mr P Ramsey: I welcome the Minister's detailed statement and, in particular, I welcome the work that the collaborative spatial planning group has done to date. We look forward to any new themes and work programmes that that group may produce.

One of the most important issues discussed was the economic downturn, which affects so many communities and small businesses in particular. Have the Executive identified any new options, steps or measures to help those areas that have been badly affected in Northern Ireland, especially small businesses?

I also welcome the continued and most important work on the misuse of drugs. We have all seen how badly that problem affects communities; it has destroyed families and young people's lives. Do the Executive have any new proposals to identify and prevent the importation and sale of substances identified at the meeting?

The junior Minister (Mr Newton): In my statement, I referred to the ongoing work on drugs being led by

Guernsey and, if I may, I will leave that part of the drugs issue with the Member. However, I am happy to follow that up in writing if the Member wishes.

The first part of Mr Ramsey's question centred on the recession and the economic downturn. Obviously, that is of concern and it took up a fair bit of the discussion in Jersey. We all know that the credit crunch has adversely affected the local economy. Over the past year, employment has fallen, along with output in the construction industry, and manufacturing and the services sector have contracted. However, with regard to the unemployment situation, although I do not want to say that to some extent we are pleased, as that would be the wrong word, we have not fared as badly as other parts; for example, the Republic or other parts of the UK.

The public sector, which was put forward as a weakness in our economy, has become a strength. To some extent, that has saved us in a way that other Administrations have not been saved. Obviously, it is of concern that the number of unemployment benefit claimants has increased by more than 70% over the year, which compares with an increase of 62% over the year for the UK as a whole. The total number of people in employment has increased slightly over the quarter — by 60,000 — and decreased by 34,000 over the year. However, Northern Ireland has an impressive record for creating employment over the past decade, with London the only region experiencing more rapid employment growth. Northern Ireland's economic inactivity rate is 28.7%, which is the highest of all the UK regions. Ten years ago, Northern Ireland's economic activity rate was lower than the current rate of 27.7%.

Output in the service sector remained relatively constant over the quarter, and fell by 2% over 2009. By comparison, output in the UK service sector fell by 0.6% over the quarter and by 4.2% over the year. Nevertheless, the forecasts for the UK economy at best predict unemployment to continue to rise until the middle of 2010, and some forecasts predict an even worse outcome, with the peak of unemployment coming in 2011. The First Trust forecast for the local economy predicts that unemployment will continue to rise and employment will fall until the middle of 2010, when some stability may return. We may be dealing with the impacts and the costs of unemployment for some months to come.

In sharing information during the summit, we saw a great determination in all Administrations to share best practice. Indeed, in sharing best practice, we should try to protect each other, as it is in the interests of all the Administrations to support each other.

A downturn in Northern Ireland will have an impact on the Scottish economy, and a downturn in the Republic of Ireland will have an impact on England. There is obviously a great desire among all the nations

to share initiatives and best practice and to support each other in order that the entire community, including business, can survive the downturn as best as possible.

11.15 am

Ms Lo: I thank the junior Minister for his comprehensive statement. I also note that considerable time has been given to the discussion of indigenous, minority and lesser-used languages. For a long time in Northern Ireland, the focus on minority languages has only been on Irish and Ulster Scots, to the great disappointment of all ethnic minority communities here. As far as I am aware, there is no public funding available to any of those communities to run classes to teach young people their birth language, whether that be Chinese, Arabic, Hindi, Urdu, or any other minority language.

Given the opportunities at the Council to hear of the good practices in other jurisdictions and regions, will the Executive consider putting more effort into promoting community languages in Northern Ireland?

The junior Minister (Mr Newton): I thank the Member for her question. At the meeting, we were dealing with indigenous, minority and lesser-used languages. The Member has made a valuable point, and I am happy to ensure that it is raised. If the Member is content, I am willing to ensure that any information that becomes available to me on that issue is fed back to her.

Mr Bresland: I thank the junior Minister for his statement. I note that, yet again, no Ulster Unionist Minister attended the British-Irish Council summit. Will the junior Minister inform the House why some of his ministerial colleagues do not take their responsibilities to the east-west relationship seriously? [*Interruption.*]

The junior Minister (Mr Newton): I am being barracked from the other side of the Chamber.

I thank the Member for his question. He is right, in a sense. In addition to the First Minister and the deputy First Minister — as I suspect he has picked up from the report — Minister Ruane, Minister McCausland and I attended on behalf of the Northern Ireland Executive. I cannot explain why other Ministers made the decision not to attend.

It is obviously an important opportunity to share best practice, gain knowledge and strengthen the British Isles axis. All those are important initiatives. I was happy to stand in for Sir Reg Empey and deal with the demographic issues that arose on his behalf. I recollect that the last time I stood in for a Minister in the Chamber I got myself into some trouble for doing so.

I cannot answer for other Ministers. I found it a valuable exercise, as did the other Ministers who were there. Indeed, the British Government Ministers, the Taoiseach, and Rhodri Morgan, the First Minister of

Wales, found it an appropriate venue to be at. Others need to make up their minds about whether they regard it as a priority, and, if so, to be in attendance.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. If BIC is more robust than it has been before, and if, as Mervyn Storey suggested and the junior Minister somewhat confirmed, it now has teeth, the reports that emanate from it are not as easy to dismiss and their implementation will be more robust. In that context, and given the discussion on indigenous, minority and lesser-used languages and the progressive approach that is taken in Scotland and Wales, will the junior Minister outline the key areas where he believes the North can do more to promote the Irish language and Ulster Scots?

The junior Minister (Mr Newton): I made my statement on behalf of the First Minister on the work that took place in Jersey. At that meeting, the Minister of Culture, Arts and Leisure spoke about the fact that he intends to introduce a strategy for indigenous or regional minority languages, with the aim of protecting, enhancing, and developing the Irish language and Ulster-Scots heritage and culture. I think that the Minister has already been to the Committee for Culture, Arts and Leisure to outline that.

It was good to learn from the language strategies that are being adopted in Scotland and Wales and to hear of the resurgence of interest in the indigenous language in Jersey. However, there is not going to be a one-size-fits-all approach. If we can learn from Scotland and Wales, that is excellent, but I am sure that the Minister feels that he needs to develop his own strategy and share that with the Committee and the House.

Mr Easton: As the junior Minister is aware, Members of the Assembly attend the British-Irish Parliamentary Assembly (BIPA). Did the recent summit meeting consider the possibility of more structured relationships between BIC and BIPA?

The junior Minister (Mr Newton): That was considered, and I covered that question to some extent in my reply to Mr McCallister.

The issue was brought up under “any other business” at the meeting. In 2002, the British-Irish Council wrote to the British-Irish Inter-Parliamentary Body, which has been renamed the British-Irish Parliamentary Assembly, to routinely exchange public documents, including communiqués that are issued following summits and ministerial meetings. In return, BIIPB was asked to provide copies of its relevant reports to BIC. In late 2003, the BIIPB secretariat raised the issue of sending delegates as observers to BIC meetings, and, following consultation with the BIC member Administrations, the BIC secretariat responded that BIC:

“acts as a forum in which the executive branch of government in the respective member administrations can meet to discuss, in confidence, matters of mutual interest within the competence of the relevant administrations. It is the agreed view of the BIC members that it would not therefore be appropriate for members of the BIIPB, representing the legislatures of individual BIC members to attend its meetings.”

However, on 13 July 2009, the Secretary of State for Wales, the Rt Hon Peter Hain, who is well known to the Member, wrote to each BIC member Administration, proposing that the relationship between BIPA and BIC should be deepened through the following actions: future meetings of the BIPA to be addressed by relevant Ministers from BIC, depending on the theme of the previous summit; reports from BIPA committees to be sent to the BIC; the BIPA co-chairpersons to have observer status at BIC summits; and suitable arrangements to be made for BIC members to observe BIPA’s meetings.

On 27 August 2009, a response stated that each BIC Administration will have a view on the issues that were raised and that any change to the current relationship between the Council and BIPA will, as is proper, be subject to a collective decision, taken through the normal process, involving the secretariat and all member Administrations. Mr Hain wrote to each member Administration to inform them of his intention to discuss those issues under “any other business” at the summit in Jersey, and he did so.

A report will be prepared on the relationship between the British-Irish Council and the British-Irish Parliamentary Association for consideration at the next summit in Guernsey. I do not want to pre-empt the outcome of those deliberations; that would be premature. I can see advantages in a properly defined relationship that recognises the different roles of the two bodies. I believe that Members would also wish to emphasise those differing roles.

Mr Kinahan: I thank the junior Minister for his statement, which described many excellent initiatives. Mindful of current financial constraints, does the Council, when it discusses best practice, costs and needs, examine how all or any of those initiatives will be funded when they come before the Administrations?

The junior Minister (Mr Newton): When I responded to Mr McCallister’s question about the establishment of the secretariat, I emphasised the fact that a budget and costs would need to be established and that costings would need to be taken into account when determining where the secretariat would function.

I am sure that, in all aspects of its work, BIC has the correct ethos. No one wants to operate a project for its own sake: it must offer value for money. Although it is never possible to guarantee the outcome of any work that is undertaken, particularly in these days of economic constraint, value for money will be the driving factor.

The benefits of each piece of research that is done flow into our economy and into that of the greater, collective Administrations' economy.

Mr A Maginness: I thank the Minister for his detailed and comprehensive statement, which shows the value of the British-Irish Council. There is no need for Members to pit BIC against the North/South Ministerial Council. The two bodies are not in competition; they work together. They dovetail in the political architecture of the Good Friday Agreement.

BIC is doing valuable work on drug misuse. Can the Minister report to the House what he hopes will arise from the concentrated efforts of all member jurisdictions to deal with drug misuse? How can that work be applied in Northern Ireland?

The junior Minister (Mr Newton): I thank the Member for his question. Obviously, that issue is of growing importance throughout the British Isles and further afield. It can only be welcome when work that is done in one jurisdiction is shared with others. That is another expression of the sharing of best practice. The important ongoing work on drug misuse offers the opportunity to discuss and debate issues in that area, which are of obvious mutual concern.

11.30 am

In June 2008, Northern Ireland hosted a most informative and positive seminar on the use of advances in prevention science to guide substance misuse prevention in communities. Discussions at official level about legal highs have been particularly useful.

Tackling the misuse of drugs is a challenge for all member Administrations of the Council, and the Republic of Ireland takes responsibility for advancing co-operation on that issue. Perhaps that is the political point that the Member was trying to make, while being nice about it of course. The Republic of Ireland leads the misuse of drugs sectoral group, and through the co-operation of the eight BIC member Administrations, it successfully carried out its work programme in 2008 and 2009.

During the tenth BIC summit meeting, which took place in Dublin in February 2008, it was agreed to include a renewed focus on the families of problem drug users in any future drugs strategy, with a view to providing increased support to those families and to better harness their potential to facilitate life improvements for problem drug users.

I agree with the Member about the usefulness of the BIC meetings and the whole ethos that results from them.

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

I welcome the junior Minister's statement, in which he referred to the electricity grid work stream and the

building of new transmission lines. Will he say whether the proposed 400-kilovolt overhead interconnector that is to run from Moy in Tyrone to Cavan then on to Meath was discussed? If it was not discussed, will he give an assurance that the issue will be on the agenda for the next meeting? There are serious concerns about that overhead interconnector in my own constituency.

The junior Minister (Mr Newton): I thank the Member for his question. Northern Ireland is working with the Republic of Ireland to develop thinking on grid infrastructure that can bring mutual benefits to the region. The Member is obviously aware that there have been a number of meetings between the energy Ministers at the BIC energy summit, and there will be more during the spring of 2010.

I do not think that the subject that the Member raised was specifically mentioned at the latest meeting, but I assure him that I will follow that issue up on his behalf, and I will get a written response to him.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Tugaim faoi deara óna ráiteas go bhfuil fo-ghrúpa le bunú i mí na Nollag leis an Chairt Eorpach ar Theangacha Réigiúnacha agus Mionlaigh a iniúchadh agus a phlé. Arbh fhéidir leis an Aire a dhearbhú go bhfoilséoidh a Roinn an tuairisc thánaisteach ar an tríú tuairisc thréimhseach de choiste na saineolaithe ar chur i bhfeidhm na cairte i dTuaisceart na hÉireann? Arbh fhéidir leis a rá fosta cad ina thaobh nach raibh cur isteach sa tuairisc óna Roinn ag an am chuí?

I thank the junior Minister for his statement. I notice that a subgroup is to be established to examine and discuss the European Charter for Regional or Minority Languages, and that it will meet in Dublin in December. Will the junior Minister assure the House that, before that group meets, OFMDFM will publish the Northern Ireland supplementary report to the third periodic report of the committee of experts that oversees the implementation of the charter in Northern Ireland?

Will the junior Minister explain why the Northern Ireland contribution to that committee of experts was not made at the appropriate time and what actions his Department intends to take to comply with the charter? Go raibh maith agat.

The junior Minister (Mr Newton): It is not possible for me to guarantee anything that comes out of the total work of OFMDFM. However, I will certainly raise the Member's concerns and endeavour to get him a response before that subgroup meets.

MINISTERIAL STATEMENT

North/South Ministerial Council

Institutional Format

Mr Deputy Speaker: I have received notice from the Office of the First Minister and deputy First Minister that the deputy First Minister wishes to make a statement on the North/South Ministerial Council meeting in institutional format.

The deputy First Minister (Mr M McGuinness): Go raibh maith agat, a LeasCheann Comhairle. In compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make the following statement on the fifth meeting of the North/South Ministerial Council (NSMC) in institutional format, which was held in Stormont Castle on Wednesday 11 November 2009.

The Executive Ministers who attended the meeting have approved the report, and we make it on their behalf. The Executive delegation was led by the First Minister, Peter Robinson MP MLA, and me, and we also chaired the meeting. In addition, the following Executive Ministers were in attendance: Margaret Ritchie, Minister for Social Development, and junior Minister Robin Newton. The Irish Government delegation was led by Micheál Martin TD, Minister for Foreign Affairs.

During the meeting, we had a broad discussion with Minister Martin on practical, mutually beneficial co-operation in the context of the current economic and budgetary challenges facing each jurisdiction.

On obstacles to cross-border mobility, the Council noted and welcomed the continuing popularity of the Border People website — www.borderpeople.info — and the latest marketing strategy for the website that is targeting specific events in the border region.

The Council noted that a plan is in place to inform teachers about recent changes in pension arrangements for those who wish to transfer to work in the other jurisdiction. As a first step, an information seminar will be held with the main teachers' trade unions and the information provided will be circulated to other Departments.

The Council also noted that the NSMC joint secretariat has facilitated a meeting between relevant Departments to discuss access to welfare benefits for cross-border workers.

The Council considered a paper on EU matters that were raised in the NSMC and noted the work on EU-related matters in the relevant NSMC sectoral formats since April 2009. That included developments

in the agriculture, aquaculture and marine, and special EU programmes sectors.

Ministers considered a paper on North/South bodies, issues and discussed a range of issues relating to the North/South implementation bodies and Tourism Ireland Limited, including the implementation of cumulative efficiency savings in their 2009 and 2010 budgets, and they agreed other cost-saving measures. The Council approved the 2009 business plan for the Special EU Programmes Body (SEUPB). It also agreed a process to bring up to date specific non-pay terms and conditions for the bodies' staff.

The Council considered a paper on the NSMC joint secretariat's new accommodation and noted that construction work on the new permanent accommodation for the NSMC joint secretariat in Armagh is proceeding on target and that plans are being made for an official opening in 2010. The Council also agreed that, where practicable, future NSMC meetings will be held in the new accommodation, representing a more cost effective and efficient use of resources.

The Council noted that progress in all of the matters that were discussed at the institutional meeting will be reported to the next NSMC plenary meeting, and it agreed to meet again in institutional format as appropriate.

Mr Deputy Speaker: I again remind Members to ask questions on the statement and not to read out their own statements.

Mr Elliott: I thank the deputy First Minister for that statement. Some issues to do with agriculture have not been expanded on. Was there any discussion about last year's dioxin problem, and, if so, was there any indication of how compensation could be reached for the farmers in Northern Ireland who were affected by that?

The deputy First Minister: The short answer is no; there was no discussion on that matter. However, I will endeavour to get the Member an up to date assessment of where the situation sits, and I will write to him about that.

Mr O'Loan: I welcome the Minister's statement. He referred to a broad discussion having taken place with Minister Martin on practical, mutually beneficial co-operation in the context of the current economic and budgetary challenges facing each jurisdiction, and I welcome that. Will the Minister tell me what the tone and nature of that discussion was and whether it was a positive discussion? Were he and the First Minister of one mind in approaching those issues so that we can get mutually beneficial co-operation across the island?

The deputy First Minister: It was a very wide-ranging discussion. North and South, we are dealing with serious economic difficulties and pressures, and we are all very conscious of the need to work in a spirit of co-operation, where it is mutually beneficial. Micheál

Martin, the First Minister and I had a very useful discussion. It was obvious from the contributions that all three of us are equally determined, where there are mutually beneficial outcomes, to endeavour to continue to engage in a way that will allow us to position ourselves to come out of this time of grave economic difficulties in a way that enhances the spirit of co-operation. That spirit is clearly there, as demonstrated through the establishment of the North/South Ministerial Council.

Since InterTradeIreland came into being, we have seen a massive increase in co-operation, North and South, and the success of that body sends a very powerful message to all of us. We need to work in a spirit of co-operation to derive as much benefit as possible for all the people of this island.

Mr Neeson: I thank the deputy First Minister for his statement. Tourism Ireland was considered as part of the discussions. I am delighted that Carrickfergus Castle featured very prominently in a recent national advertisement from Tourism Ireland.

Mr Deputy Speaker: The Member must ask a question.

Mr Neeson: Will the Minister give more details on the cost-saving measures that were discussed at the meeting?

The deputy First Minister: We are all very conscious of the tremendous work that Tourism Ireland does. The North/South implementation bodies and Tourism Ireland are funded jointly by the Executive and the Irish Government. Budgets for those bodies are determined annually, based on agreed business plans which are approved by sponsor and finance Departments, Ministers in both jurisdictions, and by the NSMC.

Expenditure is monitored throughout the year, and each body, including Tourism Ireland, submits an annual statement of accounts to the Comptroller and Auditor General for the North and to the Irish Comptroller and Auditor General, who, in co-operation, examine and certify the accounts. Copies of audited accounts are laid in the Assembly and the Oireachtas.

We are all very conscious that this is a time of grave economic pressure; particularly, in the South. Anybody who has seen or heard the news recently will know of the Irish Government's very clear intention to bring in, what many people are describing as, fairly swingeing cuts to all sorts of budgets all over the place. None of us is under the illusion that we are going to remain unaffected by the approach adopted by the Irish Government.

It is critically important that we are in a position to ensure that the bodies continue to deliver what they were established to deliver. The big challenge is whether those bodies can do that against a backdrop of the quite clear signals that are coming from the institutions in

the South, which we will find ourselves bound to by dint of the fact that much of the work of the North/South Ministerial Council on implementation bodies is done on a 50:50 basis.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. Will the joint First Minister detail discussions on the plans that are in place to inform teachers about recent changes in pension arrangements for those in the profession who wish to work in the North and the South?

11.45 am

The deputy First Minister: I made it clear in my statement that a considerable amount of work has been done on that matter. Much more information on the issue is now widely available, and that is of great benefit to those teachers in each jurisdiction who, on occasion, wish to change schools and work in a different jurisdiction. The trade unions are involved in the information seminars that are taking place, and those will be of tremendous benefit to teachers.

Dr McDonnell: On the issue of cross-border mobility, was there any mention of the INTERREG programme? I ask that with the east border region in mind. I have heard many complaints about issues being stalled for the past three or four years and that projects that should have been enacted are not moving forward. From what the deputy First Minister heard at the North/South Ministerial Council meeting, is he able to throw any light on that?

The deputy First Minister: As we go forward, INTERREG is of tremendous importance to all of us. The INTERREG IVa programme provides in the region of €256 million to encourage economic development. That is the only EU programme operating in the North that has increased its budget — a 40% increase on the budget for the INTERREG IIIa programme. To date, the programme has approved 34 projects worth €152.5 million. Approved projects include Project Kelvin, which is an ICT infrastructure initiative that has received €30 million.

The inclusion of areas of western Scotland in the eligible area has brought an important new dimension. Policy and planning expectation remains that the five local-authority based partnerships will play a significant role in the new programme as lead partners in strategic projects. INTERREG IVa remains primarily a North/South cross-border programme. All projects that involve Scotland must also involve the North and the South. Scottish eligibility derives from Scotland's maritime border with the South. Projects that purely involve the North of Ireland and Scotland are ineligible, because they do not involve an international border.

The SEUPB is confident that INTERREG IVa will meet its 2009 N+2 target of €14 million. The Member mentioned the slowness of the programme's projects. I

acknowledge that there have been delays, but I have been assured that things are moving forward with speed.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for the update on the new buildings in Armagh city. I ask the joint First Minister whether the NSMC has —

Mr Deputy Speaker: The Speaker has ruled that Ministers should be addressed by their proper title. In this case, the title “deputy First Minister” should be used.

Mr Boylan: I ask the Minister whether the NSMC has carried out a review of remuneration for board members? Go raibh maith agat, a LeasCheann Comhairle.

The deputy First Minister: A review has been carried out, and a 10% cut for board members was approved at the meeting.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister detail the work that has been done to increase the take-up of transnational and INTERREG inter-regional European programmes? At a future meeting of the North/South Ministerial Council, will he raise the issue of obstacles to cross-border mobility, specifically in respect of school-transport entitlement?

The deputy First Minister: Following the report of the European Commission task force, the Executive agreed to increase the North’s transitional and inter-regional participation. In 2009, we have already surpassed the number of successful projects that were achieved under those programmes in the entire 2000-06 programme period. There are 22 successful projects with partners here, and they will receive EU funding totalling approximately €4.5 million.

Our partners in those programmes are working with partners from 12 EU member states and other European countries. In the face of the likely decline in assistance from the EU structural funds in the future and in the current economic climate, it is important to build capacity so that the additional funding that is available under the programmes can be competed for.

The Member asked about transport in border regions. As a former Minister of Education, I know that that is a difficult area to deal with. I have no doubt that the Minister of Education in the North and the Minister for Education and Science in the South will continue to monitor that situation.

Mr Shannon: I thank the deputy First Minister for his statement. It mentions:

“developments in the agriculture, aquaculture and marine, and special EU programmes sectors.”

Unfortunately, the statement does not contain many details about that. I know that that is not the deputy First Minister’s fault. However, as elected representatives and Assembly Members, we need more details about

those issues so that we can, in turn, pass information about them to our constituents.

The statement mentioned “efficiency savings” and cost cutting in Tourism Ireland. Will the deputy First Minister confirm that, despite those measures, Tourism Ireland can still deliver tourism and attract tourists to our shores?

The deputy First Minister: As I said earlier, we are all conscious, North and South, that we face huge economic pressures and difficulties. We will hear the outcome of the Budget announcement that will, no doubt, come from Dublin in the next few weeks. That will outline the steps that they are prepared to take to try to pull the economic circumstances around to a satisfactory level.

No one is under any illusion whatever that we will remain unaffected by the approach that will be taken. The big challenge for the bodies that were established, particularly Tourism Ireland, which Mr Shannon mentioned, is to be in a position to deliver what they can in accordance with the challenges and proposals that have been set by the NSMC. As we go forward, we are conscious that those bodies will not remain unaffected by cuts. However, the big trick is to ensure that the bodies still deliver what they intended to deliver in the first place. In other words, they must cut the cloth to meet the challenges that they face. I have no doubt that all the bodies will be determined to ensure that services to citizens will continue to be delivered at the high level that they have been since the bodies were established.

Mr Shannon asked about agriculture. Farmers have great concern about the future of EU dairy farming. We have heard the debates on low milk prices over the past year. That situation has been of grave concern to many farmers and has placed many farms in a loss-making situation. Thankfully, world markets have improved as recent milk auction prices have shown a substantial increase. That should be reflected in producers’ milk prices in the next few months.

Developments in the past year have shown that the difficulties that are caused by the volatility in world markets have created huge problems for farmers. We need to consider how to reduce that volatility and enable farmers to better cope with market fluctuations in future. Under EU legislation, milk quotas will end in 2015. The EU Commissioner has stated firmly that the Commission will not propose an extension to the milk-quota regime. Given that, it is important for the industry to be able to make a smooth adjustment to a quota-free environment.

The proposed EU fund of €280 million for the dairy sector is welcome. However, that still requires the approval of EU Finance Ministers, who will meet on 19 November. If the British Government do not support the

measure and refuse to provide additional funds for it, they could disadvantage our dairy farmers in comparison with those in other EU countries. As Members know, the debate about agriculture in Europe is ongoing, and we seem to return to discussions on the matter almost every year.

Mr Kinahan: The deputy First Minister has touched on part of my question already, but will he outline what discussions took place on the types of practical and mutually beneficial co-operation that could address the severe budgetary challenges facing the Republic of Ireland and this part of the UK?

The deputy First Minister: During the meeting, we had a broad discussion with Minister Martin on practical and mutually beneficial co-operation in the context of the current economic and budgetary challenges facing each jurisdiction. Minister Martin outlined the challenges facing the Irish Government and the steps that they propose to take to meet those challenges. He said, for example, that the NAMA legislation is progressing, and he referred to the constructive discussions that have taken place between the two Finance Ministers, Minister Wilson and Minister Lenihan. We all recognise that it is still too early to talk about green shoots. We are all ultra-cautious about recovery, even though everyone around us is saying that we are beginning to emerge from the recession.

We outlined the work of the cross-sector advisory forum and of the various subgroups that are under consideration. We also discussed the importance of house building, from an economic point of view and on the basis of need. We agreed that it will be important in future to look for innovative ways in which to finance housing. With the forecast pace of public expenditure slowing, we will have difficult choices to make in the near future as we determine our priorities for budgets that are already very tight.

At the meeting, Minister Martin outlined some fairly serious proposals from his Government to produce savings in public expenditure, and no doubt we will hear about those proposals shortly. We agreed that it is important that our public spending be as efficient and effective as possible, and, in that context, we agreed that it would be useful for our officials to explore with Irish Government officials opportunities for efficiency savings through co-operation.

There has been a big debate about the NAMA legislation. The Minister of Finance and Personnel had a very constructive meeting with his counterpart, Minister Lenihan, on 8 September 2009 to discuss NAMA's possible impact in this jurisdiction. The size of the portfolio of loans residing here is critical to the impact on our local economy. At that meeting, Minister Lenihan indicated that some €4.8 billion in loans here are to be transferred from participating banks to NAMA. I hasten

to add that that is a much lower figure than the earlier estimates of approximately €20 billion. However, even €4.8 billion in exposed local assets has considerable implications for our economy. That figure is the equivalent of approximately 15% of the entire economy's output. Our key concern is that there should be no fire sale of those assets, because that would have a deflationary effect on the local property market and the wider economy. Minister Lenihan confirmed that it was in no one's interests to see such a sale happen. We took considerable comfort from that.

Mr A Maginness: I thank the deputy First Minister for his statement. Along with the Assembly, the British-Irish Council and the North/South Ministerial Council form a major part of the institutions established under the Good Friday Agreement and have played a significant role in bringing about reconciliation in Ireland. I welcome the fact that the North/South Ministerial Council and its secretariat will have a new home in the primate city of Armagh — no better place for it. Will the deputy First Minister give an indicative date for the opening of the new headquarters of the North/South Ministerial Council's secretariat?

The deputy First Minister: I said in my statement that we expect the new building to be ready for occupation early next year. We received a progress report, and I am told that the builders are up to the roof and that progress has been astonishing. We recognise the symbolism of the establishment of the North/South Ministerial Council alongside the power-sharing arrangements. I also compliment the work done by the British-Irish Council, which we attended in Jersey last week.

All those institutions are very important. We all recognise that it is critical that we work together, particularly in the context of current economic circumstances. Mutual benefit is derived through recognising the need for businesspeople, North and South, to work collaboratively to build their businesses. The work of InterTradeIreland has also been a huge success, as has the work of Tourism Ireland, although it has been affected by the strength of sterling and associated pressures.

12.00 noon

Those institutions are clearly invaluable. They have a very powerful role to play in the restoration of our economy, as well as in the context of national reconciliation. It is vital that people, North and South, meet on an ongoing and consistent basis. It is equally important for those people to see that their politicians, North and South, have the ability to come together and make decisions in their interest.

We have agreed that, where practicable, future NSMC meetings will be held in the new accommodation in Armagh. That will represent a more cost-effective and efficient use of resources. Armagh City and District Council will be responsible for all construction costs,

and it will lease the building to the NSMC joint secretariat. Maintenance, running costs and the tenant's fit-out will be the tenant's responsibility. The tenant's fit-out costs, including furniture, fittings, glazing, doors, wall, floor and ceiling finishes, and professional fees were originally estimated at around £1.5 million. However, that estimate has recently been downscaled to £1.1 million following discussions and negotiations with the developer.

Those costs will be shared on a 50:50 basis with the Government in Dublin. A single lump-sum payment will be required, probably in March 2010. Our contribution will be £550,000. The total cost of the lease as well as the running costs will be shared on a 50:50 basis with the Irish Government. The estimated cost of the lease to OFMDFM will be £115,000, subject to final contract. That is an increase of £85,000 on the current lease.

The design reflects the highest environmental and energy-saving standards and will complement the existing architecture of Armagh city. It will enhance the positive image and standing of Armagh as an important centre for public administration and cross-border activity, and it will act as an important catalyst in the regeneration of a disadvantaged area of Armagh city.

MINISTERIAL STATEMENT

North/South Ministerial Council:

Transport Sectoral Format

Mr Deputy Speaker: I have been informed that the Speaker has received notice from the Minister for Regional Development that he wishes to make a statement on the North/South Ministerial Council meeting in transport sectoral format.

The Minister for Regional Development (Mr Murphy): A LeasCheann Comhairle, in compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the seventh North/South Ministerial Council meeting in transport sectoral format, which was held in Dublin on Wednesday 4 November 2009. The Minister of the Environment, Edwin Poots, has approved the report, and I make the statement on his behalf.

The Executive were represented by the Minister of the Environment and me. The Irish Government were represented by Noel Dempsey TD, Minister for Transport, who chaired the meeting. The Council noted progress made since the last meeting in April 2009 and welcomed the chance to meet to discuss opportunities for cross-border co-operation on strategic transport planning and road safety.

Ministers discussed progress on the Dublin to Belfast rail link. They noted the updated position on the Malahide bridge collapse and agreed that both rail companies will continue to work to recover passenger numbers after the relaunch of the service. They also agreed that the financial implications of the proposals to improve the reliability of trains on that line should be reviewed with a view to putting a reconfigured fleet in place as soon as possible.

Ministers noted that the new train station at Newry has been fully operational since 7 September 2009. They also discussed the position on the development of integrated ticketing systems and the long-term aspiration to develop integrated ticketing for North/South services.

The Council noted that both the A5 north-west gateway from Derry to Aghnacloy and the A8 Belfast to Larne road projects had achieved the second significant milestone — the preparation of a preferred options report — on target and that work is progressing to meet the third significant milestone — the publication of the draft Orders — by late 2010 or early 2011.

Ministers noted that the contractors and designers for both projects are expected to be appointed by late autumn 2009. The Minister for Transport will make a payment of €9 million to the NI Consolidated Fund before the end of 2009 in accordance with agreed

procedures. Ministers also noted the signing of PPP contracts for two service stations on the M1, which are due to open in late 2010.

The current position on road deaths in each jurisdiction was discussed, and Ministers noted the declaration that was recently made to the EU in relation to bilateral application of the convention on the mutual recognition of driving disqualifications. Once the mutual recognition of driving disqualifications is in place, a project plan will be developed to pursue the mutual recognition of penalty points. That will be a complex and longer-term process, because, currently, the penalty point systems are different in each jurisdiction.

Ministers reviewed progress on the existing road safety strategies and on the new strategy for the North, which will be taken forward by DOE. They also reviewed the continuing co-operation between the two jurisdictions in the areas of advertising and publicity, research and enforcement. Ministers noted the background to and current position on the new lower drink-driving limits in both jurisdictions and agreed that exploration of the potential for a co-ordinated approach to the introduction of new limits should continue.

Ministers noted the Department of Transport's publication of the 'National Cycle Policy Framework' as a follow-up to the Smarter Travel policy and that the Department for Regional Development actively promotes walking, cycling, public transport and car sharing to businesses, commuters and schools through its Travelwise initiative. They also noted that the Department for Regional Development has initiated a review of the regional transportation strategy to ensure more sustainable transport arrangements and that it has produced a report that sets out the greenhouse gas emissions from transport.

The Council noted that officials are engaging positively in the sustainable transport agenda and progressing initiatives that underline the all-island dimension. It looks forward to an update at a future NSMC meeting in transport sectoral format. Ministers noted that the jointly supported car-sharing website for the north-west region is now operational and is expected to be launched formally before Christmas.

Ministers noted that, as a first step in organising a freight forum, relevant Departments will jointly organise a meeting of key stakeholders in the freight sector in early December 2009 to identify priority issues to be considered by the forum. Those priority issues will subsequently be considered in depth by working groups comprising representatives of the key stakeholders and persons with an interest in promoting the sustainable freight sector throughout the island. Ministers requested that a report on progress be made at the future meeting of the North/South Ministerial Council.

The Council noted that a contractor has been appointed to undertake the replacement of bridges on the Tyrone/

Monaghan border with a completion date in winter 2010. Ministers also noted that Louth County Council continues to undertake a further appraisal of the proposed Narrow Water bridge project. Further reports on those projects will be presented at a future NSMC meeting in transport sectoral format.

Ministers noted that work continues on the cross-border, community-based rural transport pilot in line with the agreed project plan. The Departments are satisfied that the outcomes will be relevant to consideration of issues of cross-border transport and social inclusion, and they look forward to a full report being presented to a future NSMC meeting in transport sectoral format. The Council agreed to meet in that format again in March 2010.

The Chairperson of the Committee for Regional Development (Mr Cobain): What progress have the Department and Roads Service made in considering the feasibility study for a southern relief road, which has been with the Department since February? When does the Minister anticipate that his Department will make a decision on that issue?

The Minister for Regional Development: I assume that the Member refers to the southern relief road in Newry. We announced that the first study on that road showed that the construction of such a project was economically viable and presented a number of options. I am not sure whether the Member is terribly familiar with the area, but it is environmentally sensitive because it crosses an area that leads down to Carlingford Lough. Therefore, there are significant environmental issues on the waterway and on Flagstaff ridge, which is on the Armagh side of the Newry to Warrenpoint road. There are many significant issues concerning the landscape that any proposed connection between the Newry-Warrenpoint dual carriageway and the A1-M1 would go through.

I have instructed Roads Service to embark on further studies, and it is engaging consultants to look at the environmental issues. From his experience in the Committee, the Member will know that all those studies have to be completed before a project can formally enter the construction phase. The first study tested the economic viability of the project and proved that it is viable. We are now looking at the environmental studies. It is expected that that will take up to two years, after which we will take the matter forward.

The Deputy Chairperson of the Committee for Regional Development (Miss McIlveen): Will the Minister quantify the impact that the recent track closure has had on the Enterprise service? Will he give the Assembly an assurance that any resulting revenue losses will not lead to fare increases in that service or fare increases or service reductions in other parts of the public transport network?

The Minister for Regional Development: Northern Ireland Railways (NIR) and Iarnród Éireann have a revenue-sharing agreement on the Enterprise service, and the final figures for 2009-2010 have still to be agreed. However, revenue was down by more than 50% in September compared to the same month last year. Overall, the shortfall in revenue for NIR is estimated to be close to £1 million; however, it could be higher, depending on the time taken to recover passenger numbers. My officials have been working closely with Translink to ensure that the revenue gap is addressed, but, clearly, the event was unforeseen, so my Department may need to bid for more money to cover the shortfall or manage the pressures in NIR.

The last things we want are fare increases and reduction in services, and we have had that conversation with Translink on many occasions. We are trying to increase passenger numbers as quickly as possible, but there is still some work to be done to identify the ultimate shortfall in revenue. We are considering whether to try and manage that shortfall within existing budgets or to cover it by bidding for more money during further monitoring rounds.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Tá mé buíoch den Aire. I am grateful to the Minister for his statement. I refer him to the issue of road safety. He may be aware that the biggest percentage of road fatalities occurs on rural roads and that one of the major causes of road fatalities is speed. Did the issue of comparable signage come up during the meeting?

The Minister for Regional Development: That specific issue was not discussed at the meeting that was held in Dublin, but I know that the Department of the Environment continues to raise awareness of road safety issues through extensive advertising and publicity and a programme of road safety education in schools.

Significant changes to the training and testing of learner drivers are being considered in consultation with the Driving Standards Agency in Britain. The possibility of introducing a system of graduated driver licensing is being explored. Consideration is also being given to lowering the current drink-drive limit. In addition, research is ongoing into a number of issues, including motorcycling and regulatory regimes for taxis and goods vehicles, both of which have implications for road safety and are being revised and updated. Furthermore, the Department of the Environment is working with its key partners on a new road safety strategy, which is being developed for publication in 2010, two years ahead of the expiry of the existing strategy. There is a range of measures ongoing.

The issue continues to exercise us. Recently, it has been reported that, although the trend in road fatalities is downwards practically everywhere else, including the South, the trend this year in the North is up. Overall,

the trend in the past couple of decades has continued to move downwards. There has been recognition in the discussions that I have had during transport sectoral meetings that there are particular problems in border areas. The number of fatalities in those areas is particularly high, and the issue needs to be addressed through a range of approaches, including enforcement, detection, awareness and education.

Mr O'Loan: I welcome the Minister's very substantial statement. My question is about the new lower drink-driving limits in both jurisdictions. I welcome the reduction in the limit in the South. I was concerned about a good deal of the nature of the debate, although the argument was eventually won in what I judge to be the right way. Is any joint work planned to change social attitudes to alcohol in relation to driving? Substantial work is still needed in that regard.

The Minister for Regional Development: In the South, the decisions have not yet been taken. It is a matter of some debate, and the discussion about lowering the limit was the key focus of interest, certainly for the media, after the meeting was held. I know that Minister Dempsey and Minister Poots are considering a similar approach of lowering the current limit of 80mg of alcohol per 100ml of blood to new limits of 50mg for ordinary drivers and 20mg for learner, novice and professional drivers.

12.15 pm

The introduction of random breath-testing is also being considered. Despite the substantial debate on the issue, public consultation in the North and the South reflects an understanding that drink-driving has led and continues to lead to a significant number of fatalities and accidents on our roads. The consultation exercises showed broad support for a reduction in the drink-driving limit and for random breath-testing.

Part of the shared North/South advertising programme attempts to raise awareness around issues such as speed, but it also focuses on the effects of people drinking or taking drugs and then getting behind the wheel of a car and the dangers that they pose to themselves and to other road users. Therefore, work on road safety is continuing between both Departments. Some of that work is around enforcement and penalties, but other areas include creating an awareness of the issues and educating people through a series of measures, from dealing with schools to public advertising.

Mr G Robinson: The Minister has raised a number of points. I want to refer to integrated ticketing. Does he agree that it would be advantageous to have integrated ticketing on all Translink services before cross-border services are integrated?

The Minister for Regional Development: The Member will know from my statement of a few weeks ago on the reform of public transport that a driving

factor behind that is to try to integrate ticketing as much as possible, so people can move from one form of public transport to the other. More people will use public transport if it is easier to do so, more accessible and more understandable for people who want to plot journeys that involve different modes of public transport. Therefore, integrated ticketing is very much the focus of the reform of public transport initiative.

A substantial amount of our public transport is North/South by the Enterprise rail or bus services. Progress towards integrated ticketing on those services would also be helpful. That is made more complicated because of the currency difference. However, we are not focusing on integrated ticketing on North/South services and ignoring trying to integrate it on the public transport network here. We are trying to move forward in both systems simultaneously.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Were decisions taken at the North/South Ministerial Council meeting in transport sectoral format on 4 November non-dismissible and robust in terms of their implementation by the respective Departments here and in Leinster House? I ask that in the context of the decision that was made about the A5, particularly in relation to the contracts and designs that, in line with the agreed procedure, are expected to be finalised for both projects by late autumn.

The Minister for Regional Development: The short answer is yes, the decisions are non-dismissible and the process robust. The A5 project, to which the Member referred, is a good example of that, because it is a joint project, as was the Newry to Dundalk road, which was also very successful. It was delivered and paid for jointly by both Administrations. The working relationship between the National Roads Authority in the South and Roads Service in the North on the Newry to Dundalk road has been excellent. Although many people were sceptical, certainly of the South's financial commitment, we are looking forward to an early payment that I think will be made in advance of the North/South Ministerial Council's plenary meeting in Limavady in mid-December.

The systems are very robust, but the Member will be aware that it is not just in the sectoral format of the North/South Ministerial Council that the two Departments co-operate. There is a huge range of joint working between the Departments on day-to-day matters, besides those that we deal with at North/South Ministerial Council level. The amount of co-operation and joint working continues to grow, and I think that it has proven very beneficial to people across the island.

Mr I McCrea: I welcome the Minister's statement. As the Minister will know, in my constituency of Mid Ulster there have been quite a number of deaths, including

the loss of many young lives, due to road accidents. Can the Minister go into any further detail about the new road safety strategies that the Department of the Environment will be taking forward?

The Minister for Regional Development: As I said in a previous answer, there is a range of measures, including changes to training and testing, the introduction of a graduated driver licensing system and consideration being given to lowering the drink-driving limit. In addition, there will be research into ongoing issues, including those relating to motorcycling, and the regulatory regimes for taxis and goods services will be revised and updated.

The Department of the Environment is working with key partners on a new road safety strategy, and I am told that the public consultation on that is expected in the new year. The new strategy is scheduled to be in place before the end of 2010. I imagine that that strategy will include a significant amount of detail on the work that the DOE intends to carry out.

I agree with the Member that, despite all the work that has been put in, it is frustrating, saddening and disheartening to learn that the number of deaths on our roads this year has grown and seems to be heading towards a higher figure than last year's. However, a range of measures are being undertaken by the DOE and on a North/South basis, and the strategy will be out for consultation in the new year, when the Member and all other people who have an interest in the subject will be able to put forward their opinions and ideas.

Mr Kinahan: I thank the Minister for his statement. I wish to return to the A8 road project. The Minister said that he will be appointing contractors and designers. Many people in the area do not feel that the choice of the preferred route was properly processed. When the Minister is appointing new contractors and designers, will he take on board the lessons that were learned as a result of the pollution incidents on the A4 project and the code of practice that the Ulster Farmers' Union has been trying to produce to ensure that farmers are properly consulted and involved when a road is being built?

The Minister for Regional Development: I do not accept that the process was not followed properly. The process is well tried and tested, and when the Newry/Dundalk road was being built, before I took up my position in the Department for Regional Development, I experienced the process from the other side. So, I have seen the process at work in my own area. Perhaps organisations such as the Ulster Farmers' Union did not show the same interest when a road was going through farm land there. Nonetheless, I am happy to hear what the UFU has to say, and I am sure that Roads Service would be happy to discuss with the UFU its position, which is open to a substantial degree of scrutiny and must be rigorously tested and benchmarked against

certain criteria before the Department arrives at a preferred route option. As the member knows, the preferred route option then undergoes a further period of consultation, which, ultimately, ends in a public inquiry.

Some people who want a road to proceed argue that the whole process takes far too long, but I think that it is necessary, because, when a road is to be built through someone's land, that person has rights and entitlements that must be protected. There are access and compensation issues, all of which must be properly sorted out. A substantial and robust process is in place to deal with those matters, and there will be ample opportunities between now and the end of the public inquiry for the Member, landowners and other interested parties, such as the UFU, to make their case if they think that procedures have not been followed properly or that a wrong decision has been taken.

Such projects must undergo a lengthy and onerous process to make sure that they are done right. If a project is not done right, ultimately, it will be subject to a judicial challenge, which would put it back to square one. That is the last thing that Roads Service wants to happen, because it is a very inefficient use of its resources. Therefore, particular attention is paid to ensuring that the processes are correct. Nevertheless, throughout the process, projects are open to consultation, discussion and challenge.

Mr Gallagher: I preface my question by welcoming the positive comments with respect to the A5 project and by expressing my regret about the omission of the east-west, Belfast to Sligo route.

With respect to the all-Ireland dimension to sustainable transport, does the Minister agree that one sure way of getting more people out of their cars and on to public transport would be to develop an all-Ireland express bus service? At the moment, work needs to be done to develop that. There is a good service from places such as Monaghan and Cavan to Dublin, for example, but feed-in services to those are awkward and do not encourage people to use public transport. An all-Ireland express bus service would bring mutual benefits.

The Minister for Regional Development: Sustainable travel and transport is increasingly prominent on the agendas of transport meetings, and that is necessarily so. We were pleased to announce that the formal launch of the north-west car share project will take place soon, if it has not taken place already.

As the Member knows, a range of initiatives can be taken to encourage sustainable transport. One of them, as he rightly says, is to make public transport more desirable and accessible to members of the travelling public. If there are problems concerning the feeder services to Dublin express buses, I am happy to ensure

that Translink follows up some of the Member's suggestions with him.

Many cross-border services seem to be operating successfully. In the short term, I want to get the cross-border rail service up to its former standard and improve its reliability and punctuality. The central thrust of my Department's effort is to encourage people to leave private cars and use public transport and more sustainable forms of transport, such as walking or cycling. From talking to Minister Dempsey, I know that it is the aim of the Department of Transport. Both Departments have taken initiatives individually and collectively, and we share more and more initiatives in that respect.

I am happy to raise the issue if the Member will provide me with details of the services to which he refers and consider how best Translink can ensure that people access them.

Mr Deputy Speaker: The Business Committee has arranged to meet upon the lunchtime suspension. Therefore, I propose, by leave of the Assembly, to suspend the sitting until 1.30 pm, instead of 2.00 pm. On resumption, Mr Ross will speak.

The sitting was suspended at 12.28 pm.

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

1.30 pm

Mr Ross: I see from the attendance in the Chamber that the anticipation of my question has not generated the level of interest that I had hoped for.

I thank the Minister for his statement. In particular, I am glad that our Executive are pushing forward on the introduction of new, lower drink-driving limits, and I hope that the Irish Republic will replicate that.

The Minister will know that Members for East Antrim and South Antrim have lobbied for the A8 for many years, and I welcome the progress that has been made on that scheme. However, other Members and I have been in correspondence with a number of landowners who will be impacted on by the project. First, will the Minister update us on how the one-on-one consultations with those landowners are going and inform us of when he anticipates that they will be completed? Secondly, can he assure the House that not only will the concerns of those landowners be listened to but that the Department will try to take action to resolve some of the issues that they raise?

The Minister for Regional Development: As I said in response to previous questions, I appreciate that road-build projects that are being built through open countryside will cause substantial issues for landowners and farmers and, in some instances, properties will be lost. Substantial processes need to be in place to deal with the consultations and discussions on such issues as access and compensation. Such procedures lengthen the road-building process. Although some people become frustrated that things are not happening more quickly, consultations and discussions are a necessary part of the process. The Member will appreciate that now that it affects landowners in his constituency of East Antrim and others in the South Antrim constituency.

The public consultation on the A8 scheme and the engagement with the community and key stakeholders have played a significant part in the development and subsequent announcement of the preferred route for the scheme. Three public exhibition events were held between May 2008 and August 2009 and were attended by between 250 and 600 people.

The one-to-one consultation meetings with individual landowners are ongoing, and Roads Service will continue to liaise with those landowners through the next stage of the project. Roads Service is committed to working with the farmers to ensure that access to land is maintained and that the impact is mitigated where possible. One-on-one consultations will continue with the farmers to discuss the likely accommodation works and matters such as access, lanes, fencing and

underpasses in economically viable cases. That type of discussion is ongoing.

As part of the consultation and the examination of the route, the Department appointed an agriculture consultant to assess the scale of the impact on farms affected by the A8, and Roads Service is committed to continue to work with the farmers to ensure that the land access is maintained and the impact mitigated, where possible, through accommodation works. That dialogue goes on with local farmers.

Mr Buchanan: The Minister will be aware of the financial impact that the A5 western transport corridor will have on many farming families in west Tyrone, where the road is running through farms and, in a number of instances, dividing farms down the middle. Will the Minister confirm that there will be a proper financial package in place to fully compensate those farming families? Will he outline Roads Service's flexibility to provide bridges and underpasses to reconnect those farm holdings? Will that be delivered as part of the package or will it come out of the compensation that is paid?

The Minister for Regional Development: The process for dealing with landowners who are affected is well established. It has worked for major road projects, including the Newry/Dundalk route and the Newry bypass, with which I am familiar, and the A4 Dungannon to Ballygawley route, which affected, I think, a couple of hundred landowners. Issues such as compensation, access, severance of farms and removal of buildings arose and were dealt with. Some time back, I was aware that only one or two of the couple of hundred cases made in relation to the A4 were outstanding. I have not heard since that that is still the case, so I assume that agreements were eventually reached.

There is a tried and tested process of compensating landowners and their agents through Land and Property Services. That agency is tasked with assessing the value of the land and reaching an agreement that is satisfactory to all parties.

The issue of access to farms, and whether underpasses or lanes that run parallel to the new A5 should be built, will be worked out during the construction of the new road. However, the construction of underpasses is expensive and will not be available in every situation.

During previous major roads projects, and the A5 is the biggest one ever undertaken, all those issues have been worked out satisfactorily. I understand that not everyone involved is happy that a road is being built through their property, but the issues of compensation and access were worked out satisfactorily in the vast majority of previous cases. I expect any issues arising from the A5 project to be resolved in a similar manner.

Mr Bresland: I also thank the Minister for his statement.

My question is on similar lines to the one that was asked by Alastair Ross, but I will ask it anyway. Will the Minister assure the House that he will consult fully with all those whose properties could be affected by the proposed route of the A5?

The Minister for Regional Development: That is already being done. Various public events were held to discuss the proposed routes and, after its selection, the preferred corridor. An open invitation was extended to those events, which were held in three locations along the route of the A5: Strabane, Omagh and the Ballygawley area. Following those meetings, one-on-one engagements commenced between Roads Service, the consultants that were appointed to deal with the consultation process, Mouchel, and the individual landowners involved. All those issues must be resolved.

There is a strong sense in the region that the A5, in creating better access to the north-west, will bring significant economic advantage. However, the project will have an impact on some individuals, and they also have rights and entitlements. It is incumbent on Roads Service to respect their rights, deal properly with those people, ensure that they are adequately compensated and address any access issues.

Mr Elliott: My question relates to the financing of the A5 project by Northern Ireland and the Republic of Ireland and whether funding has been approved on both sides of the border. It was anticipated that €400 million would come from the Irish Government to pay for the A5 and the A8 projects. Has that been secured? Has the approximate £400 million that Northern Ireland must contribute to the A5 project also been secured?

The Minister for Regional Development: The project has already started on the basis that the money for the A5 and A8 projects has been identified and secured from future Budgets. The money has also been identified and secured by the Southern Government. They intend to make their first payment of €9 million in advance of the next North/South Ministerial Council meeting in plenary format, which takes place in mid-December 2009.

(Mr Speaker in the Chair)

The Member should be reassured that the process has begun and that people are already working on the scheme. The issues of land acquisition, access and compensation are all being addressed, and the design stage is ongoing. The project has begun in anticipation that the moneys will certainly continue to be made available.

EXECUTIVE COMMITTEE BUSINESS

Diseases of Animals Bill

Consideration Stage

Mr Speaker: Members have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are four groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 2, 3 and 12 and on the Minister's opposition to clause 6 standing part of the Bill. The amendments deal with a new code of practice for entry to premises and the withdrawal of the parts of the Bill relating to fixed penalty notices.

The second debate will be on amendment Nos 4, 5 and 11, which deal with removal of the part of the Bill that links non-compliance with biosecurity guidance to withholding of compensation and also provides for the making of a disease-specific Order on withholding compensation.

The third debate will be on amendment Nos 6, 7, 8 and 9, which deal with increasing penalties for a second offence for deliberate infection and related issues.

The fourth debate will be on amendment Nos 10 and 13, which deal with the withdrawal of the part of the Bill that concerns the valuation of items that have been seized to prevent the spread of disease.

I remind Members who are intending to speak that, during the debates on the four groups of amendments, they should address all the amendments in each particular 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 stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

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

Clause 4 (Powers of entry)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 3 and 12 and the Minister's opposition to clause 6. The amendments deal with a new code of practice for entry to premises and the withdrawal of parts of the Bill relating to fixed penalty notices.

Members should note that amendment Nos 2 and 3, which are paving amendments, are tabled as a

consequence of the opposition to clause 6 standing part of the Bill. Members should also note that amendment No 12 is consequential to the opposition to clause 6 standing part. Therefore, I will not call amendment No 12 if it is agreed that clause 6 stand part of the Bill.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a Cheann Comhairle. I beg to move amendment No 1: In page 4, line 22, at end insert

“Powers of entry under warrant: code of practice

46D.—(1) An inspector who enters any premises by virtue of a warrant issued under Article 46B shall comply with a code of practice which has been published under paragraph (4) and has not been withdrawn.

(2) The Department shall prepare a code of practice in connection with the exercise by inspectors of a power of entry conferred by virtue of a warrant issued under Article 46B.

(3) After preparing a draft of the code the Department—

(a) shall publish the draft in such manner as it thinks appropriate and invite representations regarding the draft;

(b) shall consider any representations made to it regarding the draft; and

(c) may amend the draft accordingly.

(4) After the Department has proceeded under paragraph (3) it shall publish the code in such manner as it thinks appropriate.

(5) The Department shall from time to time review the code and if it thinks it appropriate revise the code.

(6) Paragraphs (2) to (4) apply to a revision of the code as they apply to its preparation.”

The following amendments stood on the Marshalled List:

No 2: In clause 5, page 5, line 30, leave out from “or” to “4A” in line 31. — *[The Minister of Agriculture and Rural Development (Ms Gildernew).]*

No 3: In clause 5, page 5, line 33, leave out “or that sub-paragraph”. — *[The Minister of Agriculture and Rural Development (Ms Gildernew).]*

No 12: In clause 21, page 14, line 24, leave out from “, 50(1)” to the end of line 25 and insert “and 50(1).” — *[The Minister of Agriculture and Rural Development (Ms Gildernew).]*

Before I speak to the amendment, I take this opportunity to thank the Chairperson and other members of the Committee for Agriculture and Rural Development for their detailed consideration of the Bill. The Committee asked me to reconsider some parts of the Bill, and I was happy to do that. In turn, I had to raise some very difficult issues with the Committee, particularly those concerning enforcement and biosecurity measures. I am grateful for the Committee’s detailed consideration of those matters and for its constructive proposals. I met with the Committee on a number of occasions, and I am glad to

be able to say that, with goodwill on both sides, we were able to reach an agreed position.

My amendments reflect the detailed work that the Committee, the Office of the Legislative Counsel, legal advisers and officials in my Department carried out. I thank everyone who was involved for their efforts. I also thank the Ulster Farmers’ Union in particular for its involvement in developing the Bill; its advice and contributions were invaluable.

I believe that the proposed amendments will result in animal health legislation that is proportionate and effective. I also believe that the proposed measures have the potential to help us to address those diseases that are serious threats to the industry. I am thinking particularly of brucellosis, and also, of course, of foot-and-mouth disease and emerging diseases such as bluetongue and avian influenza. We need to have policies and measures in place to deal quickly and decisively with animal and poultry diseases so that our agrifood industry can compete in an increasingly competitive and changing marketplace.

Amendment No 1 concerns a new provision that will apply when inspectors are required to search premises under the authority of a warrant. I am glad to say that farm searches under warrant are rarely needed. In fact, they have never been needed under the Diseases of Animals Order 1981. Even so, we need to have safeguards in place so that farmers will know their rights if a search is required. The Committee feels very strongly about this issue, as do I. Nobody wants strangers on their premises. Sometimes, however, farm searches have to be conducted where there is evidence that an offence may have been committed.

I want to ensure that searches are carried out in an acceptable manner and that farmers can have someone present to protect their interests. The Committee suggested this amendment during its scrutiny of the Bill, and I am grateful to Committee members for their input. The new provision will require the Department to draw up a code of practice with which inspectors will have to comply when entering premises under warrant. The code will be drawn up in close consultation with the Committee for Agriculture and Rural Development and stakeholder groups.

The Committee in particular will have an important contribution to make to the development and review of the code. My officials have consulted informally on the terms of a draft code. When the Bill becomes law early next year, the draft code will be issued for formal consultation with the Committee for Agriculture and Rural Development and stakeholder groups. A search liaison officer, completely independent of my Department, will be appointed to oversee the search and to deal with any issues that arise, particularly about the code of practice. Farmers will have the right

to have their own witness present during the search, and all those matters will be included in the code.

1.45 pm

The code of practice will be issued to every farmer in the North of Ireland. A version will also be placed on the Internet, and a copy of the code will be given to the occupier when a search is to be conducted. I sincerely hope that any farm searches will be few and far between. Searches are not undertaken lightly, nor are they pleasant for anybody involved. I hope that the existence of the code will provide protection and reassurance for farm businesses and farming families.

Amendment No 2 relates to the provision in clause 5 to make it an offence to fail to give a name and address, in so far as it concerns the operation of the fixed penalty provisions set out in clause 6. The intention of clause 6 was to introduce a system of fixed penalties as an alternative to prosecution in court for certain types of offences under the Diseases of Animals Order. Those are the more straightforward offences that can be readily dealt with on the spot and do not require further detailed investigation, such as the illegal movement of animals during a disease outbreak.

When the proposal for a fixed penalty scheme was discussed with the Committee, concerns were expressed that innocent farmers would be inclined to accept the fixed penalty rather than pursue an expensive and public court case. Although I have the utmost confidence in the professional ability of my inspectors, who would be trained to administer the scheme, I accept that there is an element of risk in the issuing of fixed penalty notices. That is why the scheme was intended to apply to clear-cut offences only, which were readily apparent and not open to dispute.

The Committee suggested that the scheme should include an independent appeals system. I have looked at the operation of similar fixed penalty schemes and have taken legal advice. There is no precedent for an appeals system in the type of scheme that I had envisaged under the Bill, and the fixed penalty notice envisaged would have provided full details of the offence, and the recipient would have had the choice of accepting the notice or having the case heard in court. Lawyers have advised that the creation of a statutory appeals process as a means to determine guilt or innocence would usurp the role of the court. The Committee was made aware of those issues and indicated that, if the clause remained in the Bill, it would table an amendment for the inclusion of an appeals system.

I considered carefully all the representations made to me on the proposal for a fixed penalty scheme. Indeed, I have had to deal with fixed penalties for parking and other offences on behalf of my constituents, so I am well aware of the issues

surrounding fixed penalties. In my view, the cost of an appeals system would far outweigh the income from fixed penalties, and, based on legal advice, I am mindful of the judicial implications and the role of the courts in determining guilt or innocence. I am, therefore, opposing the inclusion of clause 6 in the Bill.

Amendment No 3 is a consequential amendment to clause 5. The remaining amendment in the group is amendment No 12, which makes a minor technical change to clause 21 on the procedure for orders.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr): As Chairperson of the Committee for Agriculture and Rural Development, I put on record my thanks and the thanks of members of the Committee to the departmental Bill team, the supporting officials and those who provided evidence to the Committee. I also thank Committee members for their hard work and the Committee's support team for the time and effort that it put in to getting us and the Bill to this point.

The Committee's scrutiny of the Bill has been extensive, Mr Speaker, and, as you and Members will learn later in the debate, it continued well beyond Committee Stage. Members and the industry should be aware that every clause has been debated in Committee, and none more so than clause 1, "Slaughter to prevent spread of disease". After much debate, the Committee agreed not to amend that clause to force the Department to instigate a proactive eradication programme of TB. However, the Committee felt that it was important that the House be apprised of the Committee's concerns about the clause and of the actions that it proposed undertaking.

The Committee remains concerned that more than £25 million is spent each year on trying to keep the disease in control. We believe that that policy has failed and will continue to fail, resulting in continual financial burdens on the Northern Ireland exchequer. That is the same conclusion that was reached in the report on the control of TB that was published by the Public Accounts Committee earlier this year.

In order to address the failures in the current TB strategy, the Committee called on the Department to review legislation relevant to the eradication of bovine tuberculosis and, in particular, to extend its existing powers to allow for the proactive cull of badgers and susceptible wildlife. The Committee originally proposed that clause 1 be amended to compel the Department to implement a TB eradication programme whenever disease incidence levels reached a defined intensity in a defined area; in effect, when the Department recognised that a hot spot was extensive. The proposed programme would have included the culling of all susceptible animals in that area, including badgers and wild deer.

The Department rejected that proposal, citing the extensive powers already available under the Diseases of Animals Order 1981 and in the Bill to deal specifically with badgers. I want to make it clear that officials from the Department of Agriculture and Rural Development (DARD) have stated in evidence that the powers to tackle the disease, including the culling of susceptible animals, are in statute and are within the gift of the Department. Therefore, it is up to the Department to use them.

It is the Department that is refusing to make use of those powers, despite the industry being almost unanimously supportive of the eradication of the disease. It is the Department that is content to have spent £200 million over the past 10 years so that the disease can be maintained at the same level now as it was 10 years ago. It is the Department that is content to continue to spend, or waste, £25 million per year for the next five years, when, as it told both my Committee and the Public Accounts Committee, it might be in a position to indicate when it might be able to eradicate the disease. That will be another £125 million, on top of the £200 million already spent, to move us no closer to eradicating the disease. It is important that the House gets a sense of our frustration on that point.

The Committee, therefore, agrees with the aim of clause 1, in that it will extend the powers to slaughter in the event of an outbreak of transmissible spongiform encephalopathy (TSE). However, the Committee did not agree with the policy direction of the clause, as it believed that it did not tackle the increasing TB incident levels. The Committee has recommended that it should undertake an inquiry into the eradication of bovine TB, with the aim of bringing forward a Committee Bill to amend the Diseases of Animals Order 1981 to introduce a defined compulsory bovine TB eradication programme, which would include the removal of all animals susceptible to bovine TB.

The Committee, like most others, is facing a heavy legislative programme at the moment that is preventing the immediate commencement of that inquiry. However, I can assure the House, while also reminding the Department, that the inquiry remains a priority for my Committee, because, in my view and the Committee's view, the Department cannot be allowed to continue to waste money on this issue.

I thank you, Mr Speaker, for giving me latitude to set out that explanatory position. I will now turn my attention to the first group of amendments, and I thank the Minister for her explanation of those amendments.

The Committee and the Department are in the happy position of having agreed all the amendments after much debate and negotiation. The Minister gave us a flavour of that discussion. She also provided an

explanation of the amendments and their impact on the clauses of the Bill.

The Committee expressed grave concerns about the clauses dealing with powers of entry, as it strongly believed that the original clause offered little or no protection to farmers or farm dwellers. The Committee did not dispute the need for searches of farm businesses and, where merited, farm homes. Indeed, the Committee is adamant and should be absolutely clear that those who bring the industry into disrepute and put it at risk should not be protected. However, it felt that the weaknesses that were highlighted following the alpha-nortestosterone (ANT) episode had not been mitigated and that safeguards needed to be built into the clause to offer protection to the innocent. The Committee, therefore, called on the Department to safeguard farmers and farm businesses by drawing up a new code of practice for the search of premises under warrant. The Department agreed to that request, and the amended clause refers to the code. That is a significant development as it provides stakeholders and the Committee with the opportunity to participate actively in the compilation of a key departmental procedure.

In addition, the new code of practice is to be issued to all Northern Ireland farm businesses and placed on the Department's website. At the outset of a search under warrant, the code must be issued to the farm occupier. That will ensure that all those involved, including the occupier and departmental officials, will be aware of the extent of their rights and, importantly, the limitations of the power.

Secondly, the Department agreed to the Committee's recommendation that a search liaison officer, totally independent of the Department, be appointed to ensure that searches have been conducted in accordance with the code of practice.

Finally, the Department agreed with the Committee that farm occupiers would have access to third-party oversight during searches as an assurance that the search was being undertaken in an appropriate manner during what might be a stressful time.

The Committee fully supports the Minister in her intention to oppose the Question that clause 6 stand part of the Bill. The Committee believes that the clause would result in innocent recipients of fixed penalties accepting the penalty rather than pursuing an expensive and public court case.

The Committee made a number of proposals to the Department on clause 6, including a proposal to define the proposed penalties in the Bill and a proposal on verification of the evidence supporting the issue of the notice by two departmental officials. However, the Department insisted that the clause would not be amended. The Committee pursued the matter and insisted that procedures be established that would

allow a recipient of a notice to appeal its issue within 21 days. The Committee believes that that would afford individuals who were mistakenly accused the opportunity to present their evidence to the Department for consideration.

The Committee's argument was strengthened when a senior enforcement officer from the Department stated in evidence to the Committee that there was the potential for abuse of the fixed penalty system. I am delighted to say that the Department considered the arguments that the Committee presented, and, following consultation with the Minister, the Department advised the Committee that the Minister would not support the motion that clause 6 stand part of the Bill. The Minister has the support of the Committee for Agriculture and Rural Development for that and for the amendments in the first group.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. With your indulgence, Mr Speaker, I pay tribute to the Minister and the Department for their swift actions when faced with animal diseases — for instance, the introduction of measures to prevent bluetongue from spreading to Ireland. New strains of disease will attack the country, and animal disease legislation must be improved to combat that. Officials need laws that are fit for purpose, given the consequences that any disease will have on the agrifood industry. We cannot have a situation in which we are powerless or slow to react to an outbreak of disease. We all remember the devastation that the foot-and-mouth epidemic brought to the agriculture and tourism sectors.

I will now turn to the main aspects of the Bill, particularly amendment No 1, which relates to clause 4. There is a need to ensure that, during an outbreak of disease, inspectors can get onto farms quickly to carry out any essential investigations and that powers are available to deal with any stumbling blocks. Currently, the system involves seeking a court injunction, which is a time-consuming process when facing an outbreak of disease. Legislation is needed to combat serious diseases that have the potential to destroy the farming industry. We all hope that the new measures will give the Department extra powers to eradicate disease, particularly brucellosis.

2.00 pm

Farmers' human rights must also be respected. There was much anger about how the alpha-nortestosterone situation was handled. I hope that lessons have been learnt and that safeguards have been put in place to ensure that such events never happen again.

I welcome the Minister's comments that additional operational and administrative protocols will reinforce safeguards in the Bill. The Committee sought extra safeguards with regard to search and entry

powers; for example, that it was essential to set up a code of practice to which inspectors must adhere rigidly. I ask the Minister to inform the House when such a code of practice for entry to premises will be made available for Committee scrutiny. Although she touched on that issue in her remarks, the House needs further information.

Another important qualification is that powers will not extend to dwelling houses unless the occupier is given 24 hours' notice of intended entry. I ask the Minister to expand on that. Can she also explain how search liaison officers will be appointed? She said that they would be totally independent from DARD, so what sector is she looking at in that regard? Can the Minister also clarify that raids on the farming community will not increase simply because it seems easy to obtain warrants from lay magistrates?

Sinn Féin will oppose the question that clause 6, on fixed penalties for certain offences, stand part of the Bill. It is another clause that required much work to be carried out by the Committee. It is not surprising that stakeholders were not jumping with joy about it.

I concur with the Minister that any breaches in disease control measures are deplored by, and cause considerable annoyance to, farmers and the rural community in general. It must be remembered that those breaches cost the community greatly. That money could be directed to rural development and initiatives to improve farming areas.

During Committee Stage, fears were expressed that farmers could be hounded about minor offences by overzealous officials. Consensus could not be reached on that issue. The Committee suggested a possible compromise; the introduction of an appeals mechanism for farmers. However, the Minister explained that she did not believe that the Department could legally proceed with an appeals system for fixed penalties.

Every Committee member wanted a measure to safeguard farmers from legal miscarriages by accepting fixed penalties. Members felt that farmers might be forced to pay fines even when insufficient evidence is presented. It was proposed that fixed penalties would be introduced to speed up streamlining of minor offences in order for them to be processed more quickly and, therefore, reduce bureaucracy.

As the Committee considered the matter further, we decided that even if it were legally possible to introduce an appeals system, it would not reduce bureaucracy and, indeed, would probably increase it. Therefore, there would be no point in introducing a clause to that effect. As the Minister described, motor vehicle fixed penalties provide my office with an ever-increasing workload. I could certainly do without adding to it.

At the end of the day, everyone wants to achieve compliance. It is in everyone's interests that that be carried out without fixed penalties or court cases. However, the Assembly cannot allow a minority of rogue farmers to jeopardise the well-being of our proud agriculture industry. I am sure that all Members agree on that.

Law-abiding farmers would have nothing to fear from fixed penalties. However, as I pointed out earlier, the Committee felt strongly that an appeals system could have increased bureaucracy instead of reducing it.

Amendment No 2 to clause 5 relates to the failure to give a name and address for fixed penalties as set out in clause 6, which, as I have mentioned, my party will oppose. Has an inspector got power to ask for the name and address of any person in connection with enforcement of animal health legislation? That is an essential requirement in investigating the outbreak of diseases, such as foot-and-mouth disease and bluetongue. Speed is of the essence to combat those diseases and to protect the rural community. Go raibh maith agat.

Mr Savage: As someone who has been involved in farming for all of my life, I declare an interest in the debate and the Bill. It is important to note that the Bill's primary purpose is to update and strengthen the Department of Agriculture and Rural Development's powers that are contained in the Diseases of Animals (Northern Ireland) Order 1981.

The Bill will strengthen the Department's powers to enter farms for the purposes of surveillance, vaccination, serology and slaughter. That said; there must be greater consultation between farmers and the Department, especially when problems arise. Sometimes, the Department washes its hands of the whole problem and farmers get the blame, even when the Department is perhaps at fault. Greater trust must be built between farmers and the Department. Amendment No 1 provides the necessary framework for the production of a code of practice that departmental inspectors will have to abide by. I trust that the Department will work closely with the Committee for Agriculture and Rural Development to ensure that there is a code of practice that everyone inside and outside the industry can sign up to.

When an incident occurs on a farm, that does not mean that an official from the Department of Agriculture and Rural Development can enter that farm, pressurise farmers, and do whatever he wants just because he arrives at the farm wearing a badge of identification round his neck. I will oppose such practices at every available opportunity. Farmers and the Department must work more closely together. If the Department respects farmers, farmers will respect the Department. That bond and co-operation must exist. I will be indebted to the Minister if she gives me a commitment today that the clause in question will have

that effect. I will support farmers in every way that is humanly possible.

Mr Burns: I oppose clause 6, which will provide the Department with the power to impose a fixed penalty notice to anyone believed to have committed an offence. It is my understanding that the offences being considered are those involving disease control measures; for example, the movement of restricted animals, especially during times of crisis. However, the offences are not stated in the Bill; therefore, we could be talking about any number of other offences that may be created under the legislation in future. As far as I understand the clause, people who are given such notices would not be liable for conviction if they pay the fine within 21 days, and there would be no right of appeal. Most people will be familiar with the format of the notices, especially if they have been given a ticket for a road traffic offence.

The Committee was extremely concerned about the introduction of on-the-spot fines and the possibility of errors being made. There was some suggestion that the system may even be open to abuse. Some people who gave evidence were also very worried about the amount of red tape that the system would create.

My main concern and that of the Committee was that innocent farmers would have to accept unfair fines and would not mount legal challenges because going to court would result in high costs and a lot of embarrassment. That was also the view of the Department's most senior officials, and it was certainly the view of the Ulster Farmers' Union. Its representatives actually informed the Committee that there would be very little support for those measures from the farmers themselves. I do not support the fixed penalty system.

Dr W McCrea: I join with other Members in welcoming the Diseases of Animals Bill, because it will provide important assistance to the agriculture industry. The Chairperson of the Committee rightly said that we want to protect the industry, as it is still the primary industry in Northern Ireland, and rightly so.

It is true that the Committee extensively scrutinised the Bill. Anyone who reads the Minutes of Evidence will find that there were robust exchanges between the Committee and the Minister and her officials about the Bill. It was right that that should happen, because genuine concerns were expressed, and the Bill is better as a result of those robust exchanges.

As was said, it is vitally important to have a bond of trust between the farming industry and the Department. However, we also must remember that the Department is the Department and the farming industry is the farming industry. Therefore, there will be times when there are differences of opinions and of emphasis on particular issues. Nevertheless, it is vital that we

discuss those issues in depth in the Committee and the Chamber.

As the Committee Chairperson pointed out, the Committee is right to demand that the Department takes a more proactive approach to eradicating TB. The expenditure of £25 million every year is totally unacceptable and, as far as I am concerned, the present policy has failed. An intolerable burden exists, and the Committee will not fail in its efforts to keep that issue on the front burner. We are frustrated by and, at times, angry at the Department's failure to take more action on the matter, which will continue to be a bone of contention until it is resolved. We are still looking to the Department to take that forward.

I wish to draw Members' attention to two issues, the first of which is powers of entry. During the Committee's deliberations on the clause relating to powers of entry, it acknowledged that there are circumstances when departmental officials will require access under warrant to farm businesses and, in very exceptional cases, to farm dwellings. However, access to farm dwellings, and that invasion of privacy in a person's home, should happen only in exceptional circumstances when there is evidence that an offence has occurred. We have learnt from past experiences that concerns about that have been warranted.

The Committee felt that the Bill, as first presented, was imbalanced and leaned in favour of the Department, and the Committee was concerned that farm businesses and farm families were not sufficiently protected. However, after some toing and froing among the Minister, the Department and the Committee, we came to a sensible resolution of the matter.

There will now be a code of practice for searches of farm premises under warrant. The Committee and stakeholder groups must scrutinise that code of practice carefully. I am delighted that there will also be a search liaison officer who is totally independent of the Department. I think that those are helpful solutions. Farmers will also have the right to have a witness present during searches, and that is a protection not only for the farmer but for the search officer, because it removes the risk of accusations being made. I think that that is a step in the right direction and will build trust between the Department and the farming industry.

The second issue that I want to raise is that of fixed penalties, which the Committee was keenly exercised about. The Committee believes that some people who are mistakenly accused of an offence may accept the offer a fixed penalty even though they are totally innocent. Some people may question why such a person would accept a fixed penalty if they are innocent, but there is a number of reasons for that.

First, if a farmer does not accept the penalty, he faces getting a criminal conviction, because no one

knows what will happen in court and nothing is guaranteed. Some strange and even foolish decisions have been made in the courts.

Second, there is the issue of a court appearance. A farmer who has never been in a court in his life and who has never been on the wrong side of the law would probably prefer to accept a fixed penalty than go to court and experience the perceived shame that that would bring on his family.

Thirdly, we must consider the cost of any legal proceedings. Although the cost of the Department's legal fees would be paid for out of its budget and taxpayer's money — in fact, the farmer as a taxpayer would also be paying for that — the farmer would have to pay for his own legal fees in what may be costly proceedings.

That is why the Committee strenuously opposes that clause. That protects against miscarriages of justice. Therefore, as is recorded in the Committee's summary of considerations and agreed amendments, the Minister rightly proposes to oppose the Question that clause 6 stand part of the Bill, which would have the effect of removing the fixed penalty system from the Bill. That is a very helpful solution and one which shows the importance of the Committee's scrutiny.

I thank the Department and the Minister for listening to what the Committee had to say on the important issues that affect the farming community.

2.15 pm

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. The Diseases of Animals Bill is an important piece of legislation, and the Agriculture Committee had an important role to play in the scrutiny of the proposals and amendments. As has been said, there was some banter between departmental officials and others about the issues. However, it is important that we have a clear understanding from the Department about, perhaps not the mistrust of roles, but the separation of roles, which has not always been clear.

The Department needs to look on the Bill as a new opportunity to build a better relationship with farmers. We all want to see the eradication of disease, in particular, brucellosis, and the enforcement of policies as strictly as possible. However, the way in which those policies are enforced is important, and vets and departmental officials have an important role to play in implementing them.

Last night, I read the Bill again, and I wondered why some of the clauses were included. In some senses, certain clauses come across as severe and draconian and could raise concerns. Therefore, it is important that the Department does not abuse the legislation when it comes into effect and that it uses it sensitively. The Department must respond to the needs

of farmers and take into account that their role, as full-time working men and women, is to farm and to try to produce.

At times, the paperwork can be problematic to say the least. The way in which the Department implements legislation and communicates can sometimes be restrictive. Therefore, how the Bill is implemented is important, as are the implementation of biosecurity structures and the building of a relationship of trust and encouragement between the Department and the farmers. The Bill provides a new opportunity to build that trust, and the Department has a role to play in that. The public want to see diseases eradicated and the policies on brucellosis and other diseases implemented as quickly as possible. It is very important that enforcement issues are dealt with sensitively.

In relation to fixed penalties, we have reached the best solution from among our proposals. People now have an opportunity to go through the process to see whether there are particular issues that they want to deal with. Cases may eventually go through the courts. However, we often find that, as in other circumstances, people will accept the fixed penalty because that is the easiest option, which may leave them in a difficult situation. We now, at least, have a structure in place to deal with that.

The Diseases of Animals Bill is a very important piece of legislation. Other arguments will crop up later in the debate in relation to the amendments and biosecurity. However, at this stage, it is very important to welcome the Bill and the co-operation that there has been in the Committee and with the departmental officials in trying to get the best piece of legislation, not just the first or quickest piece. The legislation will ensure the protection of farmers and of the vets and departmental officials who will implement it.

Mr Irwin: At the outset, I declare an interest as a farmer.

The issue of disease in animals is one that fills every farmer with dread. To have one animal in a herd affected means that the entire herd is restricted, and it can take a considerable time to resolve that situation. A number of tests may be involved, as well as a lot of inconvenience for the farmer concerned.

With the inconvenience and cost to the Department and farmers in mind, the overriding theme of the Bill, and the collective efforts of the Department and those who are involved in the farming industry, must always remain focused on the eradication of diseases, such as brucellosis and TB in cattle. In the early 1990s, for example, it was thought that brucellosis had been almost eradicated. Its eradication is within the Department's grasp.

I welcome the Bill and the Department's efforts to update it to make it more applicable to today's industry

by referring to the issues that surround powers of entry and the various questions that they present. Obviously, when the deliberate infection of cattle is suspected, the Department must do all in its remit to ensure that the person responsible is made amenable for the crime. The deliberate infection of cattle is a serious issue; the unscrupulous farmer responsible not only affects his herd, but puts at risk the livelihood of neighbouring farmers who are trying hard to make a living in the current economic climate.

The Department's approach to such incidents, and the wider issue of powers of entry, must be handled in a cautious manner. Although we all want unscrupulous operators to feel the full weight of the law, there is obvious concern for the genuine farmer who is guilty of no wrongdoing. We need no reminder of the farm swoops that were carried out by the Department during the alpha-nortestosterone affair. A constituent of mine, who was in his 70s, was the victim of such a swoop by the Department and the PSNI despite having done no wrong. That is an example of why the legislation must be balanced.

On other occasions, the approach of departmental officials when visiting farms was totally unsuitable. The families affected were concerned by the attitudes of those officials. The code of practice for entry is the most welcome addition to the Bill and, going by the reports that I have received from various farmers who were suspected of wrongdoing and were subject to visits from the Department, the need for a measured yet efficient approach is crucial. Many of my concerns about the powers of entry relate to reports that I have received about the attitude of inspectorate staff and the way in which farmers were left feeling like criminals when they had done no wrong.

I understand that a balance must be struck between the realities of an investigation into a deliberate infection, which is a deeply irresponsible crime, and the need to uphold the rights of a farmer who, by law, is innocent until proven guilty.

The Minister of Agriculture and Rural Development: Go raibh míle maith agat, a Cheann Comhairle. I will take the opportunity to respond to the Chairperson of the Committee's comments on bovine TB before addressing the substantive elements of this afternoon's debate.

Although the Bill provides additional powers for dealing with animal disease, it is not specifically related to bovine TB, as the Assembly accepted when it ordered clause 1 to stand part of the Bill. I accept that the Committee for Agriculture and Rural Development is not content with my policy approach to the eradication of bovine tuberculosis, and it has committed to undertaking a formal inquiry with a view to bringing forward new legislation on an enhanced

and compulsory bovine tuberculosis eradication programme. I reiterate that I welcome such an inquiry and that I and my officials will work with the Committee on that. Given the scope of the inquiry, I hope that its terms of reference will be made as wide as possible to take into account all the available evidence on badgers and bovine TB and to include the views of all interested stakeholders and Departments, because it is a cross-cutting issue. As there could be significant financial implications for the public purse, I hope that the Committee will provide clear evidence in its report on the cost effectiveness of any measures that could become mandatory.

However, I want to make it absolutely clear that progress has been made on bovine TB here. Ten years ago, the rate of bovine TB in the North of Ireland was rising, with levels peaking in 2002. We have since made considerable progress; the rate has fallen from 9.93% in 2002 to 5.48% today.

Moreover, the TB programme that we have been implementing in recent years has been successful in supporting our export trade in live cattle and products. In light of the programme, about 90% of herds here are able to participate fully in export markets, which are valued at over £900 million. That said, I do not want the Consideration Stage to become a debate on the policy for the eradication of TB. That is a separate and distinct issue and has little relation to the Bill. I am happy to discuss the matter further with the Chairperson and the Committee at another time.

I will address some issues that were raised during the debate. One of the Chairman's first comments related to powers of entry. Powers of entry are likely to be used during a disease outbreak for the purposes of the testing, vaccination, identification or slaughter of animals. If those powers are not available, it could jeopardise our ability to deal effectively with a disease outbreak. The new powers will enable inspectors to enter premises to identify animals, using methods such as DNA sampling or retinal imaging. For example, a TB or brucellosis reactor that is identified by one of those methods will ensure that the correct animal is removed from the farm for slaughter.

Several Members mentioned the alpha-nortestosterone issue and how it has been handled. The investigations that were carried out in 2007 on alpha-nortestosterone related to food safety concerns, and the powers of entry were exercised under the Food Safety Order 1991, not the diseases of animals legislation. Nevertheless, I fully accept that valuable lessons have been learned from the alpha-nortestosterone issue.

The powers in clause 4 will enable the Department to respond quickly to a disease situation while respecting the privacy rights of farmers and farm businesses. I hope that the safeguards that are provided

by the restrictions on entry to private dwelling houses, the strict conditions under which a warrant may be issued, the new code of practice for entry to premises that are under warrant, the role of the independent search liaison officer and the right of occupiers to have a witness present will offer protection and reassurance to everyone.

Several Members asked when the code of practice will be available. It is essential to have a code of practice in place that everyone can support. Therefore, officials have consulted informally with the Committee for Agriculture and Rural Development, the UFU and NIAPA on the terms of a draft code. No significant changes were required to the initial draft code, but officials were able to clarify some issues. The draft code will be issued for formal consultation with the Committee for Agriculture and Rural Development and stakeholders when the Bill becomes law early next year. The code will be clear and unambiguous, and a copy will be issued to every farmer in the North and placed on the Department's website. As I said, the occupier will also be given a copy at the time of a search. We will follow the same procedure of consulting the Committee and stakeholders before making any revisions to the code.

George Savage and others mentioned the issue of creating trust between farmers and the Department. I hope that the code of practice shows that trust is being built, and I hope that the industry and others feel that I have spent the past two and a half years building that trust and building partnerships. The word "partnership" has been mentioned several times today; partnership is extremely important and has featured heavily in every public utterance that I have made. Partnership will enable the industry and the Department to move forward together with the help and support of the Committee for Agriculture and Rural Development. I am keen to establish trust and build on it, so that we reach a stage at which it is unquestioned.

Willie Clarke mentioned the ability to enter a private dwelling house. Under the new powers, a lay magistrate may issue a warrant to enter a dwelling house. However, entry to a private dwelling house for purposes connected with the new Order would be highly unusual. The main purpose of the legislation is to inspect, test and take samples of animals or poultry, and none of those key enforcement functions require entry to a dwelling house. For disease control purposes, inspectors normally require entry to farm buildings only. However, if it were considered necessary to search a dwelling house, 24 hours' notice must be given to the occupier or the entry must be exercised under the authority of a warrant from a lay magistrate. The warrant is subject to strict conditions, and the magistrate must be satisfied that there are

reasonable grounds for the inspector to require entry to the premises.

2.30 pm

Willie Clarke also asked whether there will be more searches. Again, strict conditions must be satisfied before a warrant for the inspection of a dwelling-house can be issued without notice. First, the magistrate must be fully satisfied that there are reasonable grounds for an inspector to require entry to premises: the magistrate must also be made aware of any representations from the occupier of the premises in connection with the application for a warrant and must consider those matters in every case in order to decide whether a warrant should be granted.

Dr McCrea raised the issue of the search liaison officer. I assure Members that the search liaison officer will not be a DARD official, nor will he or she have any connection with DARD. It is important that that person is completely independent from the Department; and we will be guided by OFMDFM's public appointments unit on the procedures required to appoint a panel of search liaison officers who can be called on to undertake the role as and when required.

Francie Molloy spoke about protecting the majority of law-abiding farmers from the illegal or inappropriate actions of others. There is no doubt that breaches of disease control measures cause considerable resentment among law-abiding farmers and the general public alike. The powers in the Bill will increase DARD's effectiveness to take action against the small minority of offenders.

New powers involving the issue of warrants by a lay magistrate will be available to deal with any delay or obstruction in getting on to farm premises quickly to carry out investigations. The fixed penalty scheme will act as a deterrent to those who are involved in the illegal movement of animals — I am sorry; I am seeking to remove the provision for fixed penalties from the Bill. We want to emphasise that the Bill protects the majority of law-abiding farmers, and it is important that people are reassured about the intentions behind it. I was also asked whether DARD can request names and addresses in connection with disease investigations. Clause 4 makes it a legal requirement to provide a name and address in connection with an investigation under the Diseases of Animals Order 1981.

Dr McCrea and Francie Molloy talked about the robust exchanges that took place between me, my officials and the Committee. They were robust at times; Francie Molloy said that there was banter, but sometimes it was more robust than banter. However, we must recognise that we have a big job of work to do and that this legislation is important, as are the other pieces of legislation that are coming up. We will need

that forthrightness, trust and honesty on both sides to enable us to move on other areas of legislation. I appreciate the time and effort that the Committee put into this matter; and it is important to recognise that when we work well together we can get an awful lot done.

I am conscious that I did not refer in the main to the comments made by William Irwin and Thomas Burns. Mr Burns talked about clause 6, which I am seeking to remove from the Bill. Mr Irwin mentioned brucellosis, and if he is content, I will deal with the issues that he raised when we debate the second group of amendments. I am content: much work was put into the Bill, and I believe that it is a good piece of legislation. I am pleased with the co-operation that my Department has had in bringing it forward. Go raibh míle maith agat, a Cheann Comhairle.

Amendment No 1 agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clause 5 (Failure to give name and address)

Amendment No 2 made: In page 5, line 30, leave out from “or” to “4A” in line 31. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Amendment No 3 made: In page 5, line 33, leave out “or that sub-paragraph”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6 (Fixed penalties for certain offences)

Mr Speaker: The Minister's opposition to clause 6 has already been debated. I remind Members that if they do not want clause 6 to stand part of the Bill, they should vote no, and if they want clause 6 to stand part of the Bill, they should vote aye.

Question, That the clause stand part of the Bill, put and negatived.

Clause 6 disagreed to.

Clause 7 ordered to stand part of the Bill.

Clause 8 (Biosecurity guidance)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 4, it will be convenient to debate amendment Nos 5 and 11. The amendments deal with the removal of the part of the Bill that links non-compliance with biosecurity guidance to withholding of compensation and also provides for the making of a disease-specific Order on withholding compensation.

Members will wish to note that amendment Nos 4 and 5 are interconnected. In addition, amendment No 11 is consequential to amendment No 4. Therefore, if amendment No 4 is not made, I will not call amendment No 11.

The Minister of Agriculture and Rural

Development: I beg to move amendment No 4: In page 8, line 43, at end insert

“(3) The Department may by order prescribe the circumstances in which it may withhold, either wholly or partly, compensation or any other payment in respect of an animal slaughtered under this Order where—

- (a) the slaughter has been necessitated by brucellosis;
- (b) guidance relating to brucellosis has been published under Article 4A(3) and has not been withdrawn; and
- (c) the owner or person having charge of the animal has failed to comply with that guidance.”

The following amendments stood on the Marshalled List:

No 5: In page 9, leave out lines 1 to 7. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

No 11: In clause 21, page 14, line 20, after “4A(1),” insert “4B(3).” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

The Minister of Agriculture and Rural

Development: Go raibh maith agat, a Cheann Comhairle. Clause 8 of the Bill will enable the Department to prepare and publish statutory biosecurity guidance for dealing with specific diseases. That guidance will include practical measure that farmers can take to prevent the introduction of disease to their premises.

The importance of having a common set of biosecurity standards that everyone will have to comply with is vital, particularly during disease outbreaks. Breaches of biosecurity practice can lead to the spread of disease, not only on the affected farm but to neighbouring farms and further afield. I am aware that the majority of farmers already operate high standards of biosecurity. However, there is, unfortunately, a minority who jeopardise those efforts and put the entire industry at unnecessary risk.

The guidance for specific diseases will be clear and unambiguous and will set standards with which everyone will be able to comply. When that guidance is drawn up, a copy will be issued to every herd-keeper in the North of Ireland. Once it has been issued, my officials will be on hand to offer the necessary support and advice.

Clause 8 provides that it will not be an offence, in itself, to fail to comply with the guidance; however, evidence of failure will be admissible in court proceedings for an offence under the Diseases of Animals Order 1981. The clause also enables consideration to be given to the withholding of all or part of compensation when there is a link between disease outbreak and the need to slaughter animals as well as non-compliance with the statutory guidance for that particular disease.

Amendment No 5 gives effect to an agreement that I made during the Committee Stage of the Bill to remove the compensation link. I advise the Agriculture and Rural Development Committee that, although I recognised and accepted their legitimate concerns about the compensation link, I made it clear that I would return to that issue in future legislation if a particular disease situation warrants it.

In light of information that I subsequently received from my veterinary advisers about brucellosis, I entered into discussions with the Committee about the steps needed to eradicate that costly disease. It is significant that this is one of the few places left in Europe, and the only part of these islands, where brucellosis is still present. We have made good progress over the past couple of years to reduce disease levels, and there is now a real possibility of pushing for brucellosis freedom for the North of Ireland.

As brucellosis is a highly infectious and clustered disease, poor biosecurity can be a serious risk to the individual farmer, to herds around his or hers and to the entire industry. Improving biosecurity will be essential in pushing toward the eradication of the disease.

A link between serious non-compliance with the most important elements of the biosecurity guidance and withholding compensation for the slaughter of diseased animals will provide an important additional tool to intensify our efforts to push for brucellosis freedom for the North of Ireland. I am pleased that, after intensive discussions, I have secured the Committee’s agreement to a further amendment, which will make a link between compliance with new statutory biosecurity guidance on brucellosis and payment of compensation for the slaughter of animals that are infected with the disease.

Amendment No 4 will enable an Order to be drawn up to specify the key areas that will trigger consideration of the partial or whole withholding of compensation because of serious failure to comply with biosecurity guidance on brucellosis. My officials will work closely with the Committee and the industry to draw up the guidance and the Order to specify the key areas that will trigger consideration. I have already established a brucellosis working group with officials and industry and veterinary representatives, and it has been tasked with drawing up the biosecurity guidance and identifying the key areas that may trigger consideration of a reduction in compensation.

I thank the Committee and industry representatives for their engagement on this important matter. I recognise fully that it is an extremely difficult issue for everyone. I place on the record that I am not introducing the amendment as a way to withhold money from conscientious farmers who, regrettably, have a disease breakdown in their herd. That is not on my agenda at

all. I also make it clear, because there may be some misunderstanding, that the amendment is not intended to be a means of reducing compensation costs and delivering efficiency savings. However, a reduction in the level of disease, whether as a result of there being a greater focus on biosecurity or any other reason, will help to reduce costs and contribute to efficiency savings.

In common with all Departments, DARD will be required to achieve efficiency savings, but that is a totally separate issue from clause 8. The purpose of amendment No 4 is to encourage and achieve compliance with biosecurity guidance to reduce, and eventually eradicate, outbreaks of brucellosis. That will benefit everyone in the livestock industry. Consideration will only be given to withholding compensation in the most serious cases, where a herd-keeper's blatant or negligent disregard of biosecurity guidance has put his or her own herd, surrounding herds or, indeed, the entire industry at risk.

We must remain focused on the end prize. The actions that I propose will help us to move more quickly towards eradicating brucellosis and thereby reducing the costs of controlling the disease, the subsequent burden on taxpayers and the costs to the industry. William Irwin is not in his place, but, when I talk about costs, I am referring to the human costs as well as the financial costs. Anyone who has had an outbreak will recognise the difficulties that brucellosis causes. Ultimately, if we achieve brucellosis-free status, we will be able to step down the requirements for annual testing and pre-movement testing. That is good news, and it will benefit everyone in the agrifood industry. Amendment No 11 provides that the Order that prescribes the circumstances in which brucellosis compensation may be reduced shall be subject to negative resolution in the Assembly.

The Chairperson of the Committee for Agriculture and Rural Development: I thank the Minister and her departmental Bill team for being available to the Committee. I also thank the Committee's staff and members for making the Bill better legislation than it was when it first came before us. That is the purpose of Assembly Committees, and our Committee has proved that point.

Opposing evidence on clause 8 was presented to the Committee. VetNI welcomed the proposed compulsory biosecurity guidance, but the Ulster Farmers' Union did not want the existing voluntary code to be made compulsory. The Ulster Farmers' Union also indicated its concern about the guidance's being used as a means of limiting compensation for non-compliance. The Committee remains opposed to linking compliance with the code to compensation payments, but, importantly, we welcome the explanation and clarification that the Minister placed on the record today. Although

the Committee expressed its concerns regarding the move from the voluntary to the compulsory code, it is assured by the Department that the code will be applied in conjunction with the industry and that the application of the guidance will be achieved through subordinate legislation that must be brought before the Committee for its consideration and approval.

2.45 pm

The Committee accepted that the Department wished to have a deterrent for non-compliance with the guidance in the Bill. However, the Committee's view was that admissibility of non-compliance in the courts was a sufficient deterrent and that the link with compensation payments was extreme. The Department considered the Committee's arguments and agreed to remove the Bill's link between non-compliance and a reduction in compensation.

However, the Minister and the Department did a volte-face in respect of the agreed position late on the Friday before Consideration Stage was to be moved. The Minister and her senior staff came to the Committee on Monday 1 June and said that they wished to reintroduce the link as it would help to eradicate brucellosis. The Committee for Agriculture and Rural Development congratulates the Department and the industry on their joint efforts to reduce this disease to its current low levels. We, like them, want this disease and others to be eradicated in Northern Ireland. However, we want actions to be taken that are based on substantiated evidence, not upon hearsay. We want the industry and the Department to work together, as they have been doing, to eradicate this and other diseases, not the Department taking on powers that set it up as judge, jury and executioner. The Department does not need to be in such a position, nor should it want to be.

Let us be honest: the reason why non-compliance with the biosecurity guidance is not an offence is because the burden of proof would be on the Department, and it is too difficult to prove. The Department unilaterally deciding that compensation should be reduced or removed would not have the same burden of proof. In the Committee's view, it was an easy option that benefited the Department and penalised farmers.

It would not have ended there. It would not have stopped just with brucellosis; it could have been used against diseases such as TB. Although the Committee noted and accepted the assurances of the Minister and the Department that the power to reduce compensation was not being introduced for any reason other than to eradicate brucellosis, we could not and would not allow such a general, but powerful, power to be introduced without checks and balances. We took the Department at its word.

At a meeting in Enniskillen with the Minister and her senior officials, I put forward the suggestion that the Department specify brucellosis in the Bill. The Department resisted that suggestion and responded by restating that the subordinate legislation would be specific to brucellosis and that that would continue to be scrutinised and approved by the Committee. However, that would leave the power to reduce compensation in other circumstances in the primary legislation and would not allay the fears that the Committee, and, most important, the industry, had voiced.

In order to support the eradication of brucellosis, while at the same time addressing the concerns that were expressed about this matter by members, the Committee sought legal advice about whether the clause could be amended to include a specific reference to brucellosis. The substance of the advice was that there was no legal impediment to specifying brucellosis in the clause. Having considered that advice, the Committee recommended, on 8 September, that the Department should specifically refer to brucellosis in the clause. That was further emphasised by the Deputy Chairman of the Committee and me at a meeting with the permanent secretary and senior officials on 14 September. The Minister attended our meeting on 15 September and advised that the Department would happily accept our recommendation to specify brucellosis in clause 8. I welcome that agreement.

The Committee remains concerned that the Department's priority in this matter has changed, particularly as reductions in compensation payments for brucellosis-infected animals where there is evidence of poor biosecurity has appeared in the departmental efficiency delivery plans. The Committee assures the House and farm businesses that it will continue to scrutinise those plans to ensure that any efficiencies that are achieved are the result of a successful pursuance of the eradication of brucellosis, and not a targeted attack on farm biosecurity to save money. That would be a travesty.

The Committee's priority in negotiating amendment No 4 was to eradicate brucellosis while protecting the industry. The Committee will require regular updates from the Department on progress against that priority, and it looks forward earnestly to the industry being brucellosis-free in a couple of years' time. The Committee for Agriculture and Rural Development, therefore, supports the second group of amendments.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. In supporting amendment Nos 4, 5 and 11, I reiterate that the vast majority of farmers have very high standards of biosecurity. The Bill is not about burdening those farmers; it targets farmers who jeopardise our whole industry. That cannot be allowed to continue, particularly given the need to eradicate brucellosis.

The guidance will be disease-specific. It will provide farmers with the clear, precise advice that they need to prevent disease. There is a constant need to develop relationships between farmers and the Department, and there are concerns about how the Department carried out raids in response to disease outbreaks in the past, as has already been touched on. In my opinion, the guidance will robustly defend farmers' rights. I ask the Department to include lessons learned from the past in the biosecurity guidance and to train officials, particularly those who will be involved in investigations and raids.

I welcome the guidance that will be provided to every herd holder. Will the Minister clarify whether officers will be allowed as much time as needed to explain the guidance and to offer support? As my colleague Francie Molloy said, we need a pragmatic approach, because sometimes these things can be bureaucratic, and farmers fail to understand it. We need that support and guidance, because the last thing that we want to do is create fear in the farming community. Will the guidance also be placed on the DARD website?

The Minister was advised by her officials that the tightening up of biosecurity provided the North with a good opportunity to eradicate brucellosis, hence making Ireland brucellosis-free. Brucellosis is very infectious, and good biosecurity is essential to controlling it. Poor biosecurity jeopardises neighbouring farms and poses a significant risk to our whole farming industry. Furthermore, the disease imposes a cost on all taxpayers. Brucellosis is not just a rural issue; it is everyone's, because large sums of money are paid in compensation. We must end that by eradicating brucellosis, and the guidance will provide us with another tool to achieve that aim.

Amendment No 5 has already been outlined. It deals with withholding all or part of the compensation, depending on how seriously the guidance has been breached. What safeguards have been put in place to ensure that ordinary farmers who have a biosecurity breakdown will not be unfairly penalised? Will new training be given to the officials who investigate breaches in biosecurity guidelines? Go raibh maith agat.

Mr Speaker: Before I call Mr Ford, I remind the House that Question Time for the Minister for Social Development is at 3.00 pm, so I may have to interrupt the Member and allow him to finish his speech after Question Time.

Mr Ford: Thank you, Mr Speaker. I take the hint. I trust that an interruption will not be necessary.

I first declare my interest or, technically, that of my wife in a family farm. As one who did not speak in the first part of the debate, I think that this section corresponds with what I heard earlier. The Minister has listened to the views of the industry. The Committee has reflected

those views and engaged in discussions that were, perhaps, robust, but that may have been the kind of discussion that was required. We probably have a good Bill now, and I shall support the three amendments in group 2.

Although there was a hint that it might be necessary to look further afield, I welcome the fact that the Minister specified that the amendments, at this stage, cover brucellosis as a single disease. That is the right thing to do, given that outbreaks of that disease have been decreasing for a considerable time. We hope that we are approaching its eradication, but as the Minister said, this is the only region in these islands in which the disease has not been eradicated. Therefore, in the light of the seriousness of brucellosis and the problems that it has created over the years for many decent farmers, any suggestion that some people should not comply with the guidance and be treated differently from those who are honest victims of a breakout is not right. The vast majority of farmers seek to comply as best they can with biosecurity, and they must not be subjected to the potentially disastrous actions of a small minority.

On a couple of occasions, the Minister referred to what she described as “serious non-compliance” with the biosecurity guidance. Indeed, she went further when she later referred to “blatant or negligent disregard”. Given that she has been able to inform the House about the timetable for the guidance’s publication and that it has largely been agreed informally, it would be important if she could give us more information about how she will consider the prescription of those circumstances that the proposed amendments cover.

There are clearly concerns, which Willie Clarke expressed, about how ordinary farmers might suffer. Therefore, in the same way that the guidance was consulted on in advance, there is a need for the Minister to detail the prescription of those circumstances. As she makes her winding-up speech for this part of the debate, I trust that she will give us some information. In the coming months, as that protocol develops, perhaps she will ensure that the Department continues to inform farmers so that they are fully aware of what is proposed.

The debate stood suspended.

3.00 pm

Oral Answers to Questions

SOCIAL DEVELOPMENT

Mr Speaker: Question 1 has been withdrawn.

Shared Future: Public Meetings

2. **Dr McDonnell** asked the Minister for Social Development to provide an update on her recent public meetings on ‘A Shared Future’. (AQO 392/10)

The Minister for Social Development (Ms Ritchie): Working towards a shared future has been at the forefront of my agenda since I became Minister for Social Development. Our divided society deepens poverty as well as prejudice. Therefore, I have begun work in my Department to tackle that division. For example, I have taken steps to ensure that shared housing is at the heart of my newbuild social programme and other programmes within existing estates and communities. I have also ensured that my urban regeneration master plans and public realm schemes have the core objective to make public space attractive for people to relax in and to live together in peace.

However, those developments alone are not enough. The successful achievement of the vision for a shared future, based on equality and mutual respect, requires actions not only to tackle the scourge of sectarianism but to challenge and address division and separation on other grounds, such as disability, race or culture. It requires strong political leadership and agreed policy and programme action by government. It must be a priority for all of us, if we are not to jeopardise all the progress of the past 15 years.

It is important, therefore, to develop a broader strategic approach to this important issue and over the past three months or so, I have held public meetings in Ballymena, Newry, Bangor, Enniskillen, Omagh, Belfast, Craigavon, Downpatrick, Derry, Lisburn, Strabane and Cookstown. Their primary purpose was to listen to what people have to say about a shared future and to hear their suggestions for possible ways forward. The meetings have been attended by more than 1,000 people, reflecting an appetite and a strong desire to take forward the shared future agenda. A wide range of opinion was expressed, covering areas such as political leadership, poverty and inequality, housing, planning, flags and emblems, public service delivery, the voluntary and community sector, education and

employment. I intend to develop proposals based on, among other things, the ideas and suggestions generated at those meetings, and I will bring my findings and proposals to Executive colleagues early next year.

Dr McDonnell: I thank the Minister for her answer. Can she suggest in what areas further progress can be made on the shared future agenda? For instance, are there any specific ideas to tackle the naked sectarianism that exists in some pockets of our communities?

The Minister for Social Development: I am well aware of the importance of the Member's question and the issue of naked sectarianism. People live in divided communities, in spite of the fact that 80% of the people in Northern Ireland have indicated that they want to live together rather than apart.

In my Department, the shared future agenda can be best addressed through housing, urban regeneration and community development. In particular, my Department can support shared housing initiatives, such as the Shared Neighbourhood programme, and develop the housing selection scheme to provide those who want to live in mixed neighbourhoods the opportunity to do so. In regeneration and community development, my Department can support those voluntary and community groups that promote the vision of 'A Shared Future' and actively work towards ending sectarianism and division. We will continue to plan and develop our city and town centres in ways that ensure that all the community has access to them as shared spaces for work and leisure.

However, as was demonstrated at our public meetings, there are other policy areas, such as education, planning and employment, in which a shared future agenda could be progressed. Those areas cut across the responsibilities of a number of Departments and highlight the fact that we can only move forward if an agreed policy and programme of action is undertaken by government as a whole.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. With regard to the recent public meeting in Newry, can the Minister confirm that the issues raised by two families from Armagh have been dealt with?

The Minister for Social Development: I am aware that the two issues are being addressed. I have written to Mr and Mrs McClelland with a satisfactory resolution, and I will look at the other issue and come back to the Member.

Mr B McCrea: Does the Minister agree that the money that has been spent so far in developing a shared future strategy has been wasted, as we have not had the benefit of such a strategy? Will the Minister inform the House of what discussions have taken place in the Executive regarding the costs of developing the strategy? Is she in a position to inform the House of what those costs are?

The Minister for Social Development: The document that was being prepared by the First Minister and deputy First Minister has not been brought to the Executive for consideration, debate or agreement. A few Executive meetings ago, I offered to prepare a paper on how to develop a normal and shared society. That paper would be based on expertise that has been gained through research. The deputy First Minister said that he and the First Minister would reflect on it. I returned to the issue at the next Executive meeting, and they are still reflecting on it.

Suffice it to say, we have to develop policies and programmes that encourage and promote a normal society, because I am of the firm opinion that people want to live together, rather than to live apart. That is the impression that I have got from meetings that I have attended. Separate but equal is no substitute for a shared future, and it is simply not good enough.

Local Government: Social Deprivation

3. **Mr A Maskey** asked the Minister for Social Development if she can provide an assurance that the budget transferred with neighbourhood renewal functions to local government as part of the review of public administration will be sufficient to allow councils to tackle social deprivation. (AQO 393/10)

The Minister for Social Development: I have given such an assurance already, but I will repeat it. Local government will receive the full resources that are associated with the operational delivery of neighbourhood renewal. That will happen when that function transfers from my Department, and will include the available programme and staffing resources.

Tackling social deprivation is the responsibility of all Departments, not only the Department for Social Development (DSD). It is an issue that concerns every Department, and every Department is required to do its bit. Neighbourhood renewal is the Executive's main programme for tackling social deprivation in our most disadvantaged areas, and, as such, it requires the support of all Departments. The neighbourhood renewal implementation fund makes an important contribution to tackling deprivation, but it is not sufficient by itself.

I can stand by my record as Minister and by the contribution that I have made in addressing disadvantage in our most deprived areas. In the current comprehensive spending review (CSR) period, I have allocated £60 million revenue funding for neighbourhood renewal areas, and I will be doing all that I can to secure resources in the next comprehensive spending review to enable councils to continue that important work. However, I am concerned about the financial outlook,

and I hope that other Departments will do likewise to secure resources.

Mr A Maskey: I thank the Minister for her response. I accept that the Executive have overall responsibility for the area, but, given the bailiwick of the Minister's Department, can she provide further information or detail about what training or oversight her Department may give when the function is transferred?

The Minister for Social Development: Those issues are under consideration. I accept that there is a clear need for training, because the civil servants, who will be going with the functions and the budgets, have an expertise in this area. No doubt they will be able to deploy such expertise to whatever councils they are employed in. Suffice it to say, local government is the best place for neighbourhood renewal, because it is about locally based regeneration. Who better to deliver that than councils and councillors?

Mr Shannon: I thank the Minister for her response. As a result of the review of public administration (RPA), it is obvious that some areas will experience greater social deprivation than others. The Minister will be aware that my area will be among those of greater social deprivation. Money has been allocated to those areas, but some has been taken away. Can the Minister ensure that the money goes to the areas in which it is needed, rather than to other areas where the need is not so great?

The Minister for Social Development: Mr Shannon is referring to the Small Pockets of Deprivation (SPOD) programme and the Areas at Risk programme, with particular reference to Newtownards and Bowtown. Funding for the SPOD programme will continue until the end of March 2010, and funding of £640,000 has been allocated for the current financial year. An independent evaluation report of the first three years of that programme, up to March 2009, has been received by my Department and is under consideration. Having visited some of those programmes, I am well aware of the impact that they have in minimising deprivation and in getting people involved in the development of programmes.

I will be making the decision on the future of the SPOD programme before the end of 2009, with particular reference to the Areas at Risk programme. That pilot programme has allowed my Department to respond to emerging difficulties and deprivation that is outside the remit of the established programmes. That programme will also be formally evaluated later this year and, because of its temporary nature, it is not appropriate to include it in the list of departmental functions. However, I will consider the evaluations of both programmes to decide on the way forward.

Mr Shannon has raised this issue with me in various questions for written answer, and in other items of correspondence, and I will respond to him.

Mr Dallat: If the Minister were to gaze into a crystal ball, what would she see as the greatest challenge facing her Department in transferring functions to local government?

The Minister for Social Development: Mr Dallat has presented a challenge to me.

One of the greatest challenges to my Department in transferring functions is the uncertainty over the overall Budget. However, there is another political issue to be faced, namely the uncertainty over the legislation, which is still with the centre, and on which no decision has been made. The problem with RPA is like so many other matters: the parties at the centre, the DUP and Sinn Féin, seem incapable of getting anything over the line.

Mr Armstrong: Will the Minister outline what her Department's role will be in neighbourhood renewal after RPA has been completed?

The Minister for Social Development: The Department's role will be at a strategic policy level; it will make the policy and form the strategies. The local councils will be the operational arm; they will deal with the delivery.

Warm Homes Scheme: Fuel Poverty

4. **Rev Dr Robert Coulter** asked the Minister for Social Development for her assessment of the effectiveness of the warm homes strategy in tackling fuel poverty. (AQO 394/10)

The Minister for Social Development: Fuel poverty is affected by three factors: household energy efficiency, energy prices and household incomes. To date, improving energy efficiency has been at the heart of the Government's fuel poverty strategy in Northern Ireland. Energy efficiency in the context of fuel poverty has two elements: household behaviour in energy consumption, and the energy performance of homes.

Although energy efficiency improvements delivered by my Department's warm homes scheme have made a significant contribution to alleviating fuel poverty, the rises in energy prices in 2008 placed more households in fuel poverty. Increases in energy prices have been the largest factor in the rise in fuel poverty numbers in recent years. The extent of rising prices has also made it particularly difficult for those on the lowest incomes to meet their household bills. Notwithstanding those challenges, the warm homes scheme has been hugely popular and very successful since its introduction in 2001. More than £118 million has been spent making in excess of 71,000 homes warmer. The warm homes scheme has been hugely successful and has helped

many people. However, fuel poverty has become an increasingly hard nut to crack. If we have an ambition to eliminate it, more must be done.

My officials have commenced a review of the Ending Fuel Poverty strategy that was launched by the Department in 2004, and I expect a public consultation document to be issued early in the new year for wider discussion about how to tackle fuel poverty in the future.

3.15 pm

Rev Dr Robert Coulter: I thank the Minister for her answer. What impact has the change in the eligibility criteria for the scheme had on uptake and on tackling fuel poverty across all sections of society?

The Minister for Social Development: It is still very early to undertake an evaluation of the new system or to give the Member an accurate assessment. That will be done after a year of the scheme's implementation. At this stage, however, there has been a healthy uptake and interest in the scheme, and its purpose is to focus on those who are most in need, namely people in receipt of low income. We wanted to address need. The Member will, therefore, be aware of the Public Accounts Committee report on the warm homes scheme, and the Department for Social Development's response, which was to widen the remit for eligibility.

Dr W McCrea: As we face the long, dark winter months, I am sure that the Minister will agree that fuel poverty is still a sad reality in Northern Ireland, and that many are fearful as they face the winter and what it might hold for them.

Although I welcome the thrust of the warm homes strategy, how is it progressing in my South Antrim constituency? Will the Minister commend groups such as the one that meets in the Antrim Borough Council offices for their efforts to place fuel poverty at the top of the local agenda?

The Minister for Social Development: I am confident that the warm homes scheme, under its new guise, continues to address fuel poverty. I am particularly conscious of a report on energy prices, which was issued this morning. I recognise that there is a problem, and any increases in energy prices should be justified. However, that is, primarily, a matter for the energy regulator and the Department of Enterprise, Trade and Investment.

I am aware of the work that Antrim Borough Council has been doing because the Member and my colleague Mr Burns alerted me to the work of that group. I believe that I have met the group, and I am due to meet it again in the not-too-distant future, when I will hear more about that project and how it has effectively targeted fuel poverty in that area. I encourage the Member, Mr Burns and the other

members of Antrim Borough Council in that difficult task, because the Department is always seeking wider partners to help to address need where it is most acute, including fuel poverty. The bottom line is that we want to keep people warm this winter.

Mr Molloy: What percentage of applicants have been refused assistance as a result of the change in the eligibility criteria of the warm homes scheme?

The Minister for Social Development: The Department, through the two scheme managers, is undertaking work on various assessments that were carried over from Egan. It is not possible at this stage to conclude from that work and the new applications how many applicants were approved, are awaiting consideration or were refused. We hope to complete that work by the end of the month, when I will be happy to write to the Member.

Housing Budget

5. **Mr Burns** asked the Minister for Social Development what steps she is taking to ensure optimal use of the housing budget. (AQO 395/10)

The Minister for Social Development: As the housing budget has been decimated by the collapse in capital receipts, it is even more important to make the best use of the budget that is left. When I launched the new housing agenda in February 2008, I made it clear that officials would seek to bring forward greater levels of private finance to complement the resources already committed from the public purse. Officials are continuing to explore a number of innovative options to fund the housing agenda, some of which have been successfully implemented.

I commissioned Savills to undertake a stock condition survey to determine the ongoing investment required for the Northern Ireland Housing Executive's stock. That survey will assist the Housing Executive and officials in the Department's housing division to target the limited resources that have been allocated to where they are most needed. The subsidy to housing associations has been reduced by approximately 10%, in effect requiring them to contribute even greater levels of private finance in the delivery of new social homes, which will make our money go further.

The grant funding of £15 million that the Department provided to the Northern Ireland Co-ownership Housing Association has, for the first time, enabled it to attract its own significant private investment of £48 million to deliver affordable housing, and the Ulster Bank has agreed to work with the Co-ownership Housing Association in making mortgages without deposits available to applicants. Officials in DSD are working closely with the Housing Executive to develop the social housing development programme to

build, increasingly, on land already in public ownership, which will reduce the land-cost element of the newbuild programme and allow us to build more homes with the same amount of money.

We have been extremely innovative financially in the purchase of ex-military houses, particularly at Pond Park in Lisburn, where we have achieved tremendous value for the taxpayer. In addition, my officials continue to work closely with the Strategic Investment Board to identify new opportunities to complement the delivery of the programme.

Mr Burns: Will the Minister explain what innovations she has introduced in the area of housing policy and delivery?

The Minister for Social Development: When I launched the new housing agenda, I made it clear that I was introducing a radical and energetic agenda for housing that had not been seen for a generation. That has included the creation of more shared future housing; the launch of our shared neighbourhood programme; bringing back into use former military housing; developing a new procurement strategy to deliver more efficiently than ever before; and more private finance from the European Investment Bank.

We have delivered 1,750 new homes this year, which is our biggest number for a decade. I could also highlight our more energy-efficient and better-quality housing that will complement our wider work in alleviating fuel poverty, in that all new houses built since April 2008 must conform to code level 4 for sustainability.

We also have some exciting plans for getting major refurbishments done at little cost to the taxpayer, and we are innovating daily to squeeze the maximum possible outputs from our greatly reduced budgets.

Mr McCarthy: In view of the Minister's stretched and restricted budget, will she offer any consolation to the many people, particularly those who are disabled, who are waiting for extensions of any sort, including minor extensions, to their properties?

The Minister for Social Development: Mr McCarthy knows full well about that issue, as he has written to me and asked me questions about in the Assembly. Internal adaptations to an existing property will be done automatically. Extensions fall into a different category.

I go back to the principal issue of the housing budget. Unlike other Departments, DSD's budget is predicated on income from land sales and house sales. As a result of the economic downturn, much of that disappeared. Therefore, I was left with an £80 million shortfall last year, a £100 million shortfall this year, and a £100 million shortfall for next year.

I am sure that the Member will agree that there is an onus on every Member to get housing on a sound financial footing, and Mr McCarthy and his party have supported me in that. However, we need to continue with that. I will continue to bid in future monitoring rounds for money for adaptations for the homes of disabled people, because there is a need to address that situation. Suffice it to say that I need the support of all my ministerial colleagues to put housing on a sound financial footing and to look at all the innovative ways of financing housing, because a house is the most fundamental thing to anybody, no matter what guise it may take.

Mr G Robinson: Does the Minister agree that the Hospital Lane area of Limavady in my constituency, which she visited last year, should be a priority for house repair to optimise home provision in the Limavady area?

The Minister for Social Development: As the Member will appreciate, I receive many requests for prioritisation of planned maintenance schemes. I am happy to consider that area, in conjunction with the Housing Executive. I recall my visit to that estate, when, with the Member, I met some residents. I will look at that and come back to the Member. I ask him to ask the Minister of Finance and Personnel, who, I understand, is his party colleague, with all his other party ministerial colleagues, to ensure that housing is put on a sound financial footing once and for all and that we make that major change between the situation under the direct rule Administration and under devolution.

Mr K Robinson: The Minister has given us a full resume of her budget. How hopeful is she of any additional funding from the Minister of Finance and Personnel in the December monitoring round? Will that have any impact on the social housing scheme in Monkstown in my East Antrim constituency?

The Minister for Social Development: Mr Robinson asked me about Monkstown during my previous Question Time, and I gave him an assurance that we will be happy to examine it. He is asking me to do what Mr Dallat asked me to do: look into my crystal ball. I am afraid that I am not in my tent today, but I can say that I need the support of everybody, including all my ministerial colleagues.

Mr Kennedy: Mystic Margaret. *[Laughter.]*

The Minister for Social Development: I need their support to put housing on a sound financial footing. I can rely on certain ministerial colleagues for that, and I hope that I can rely on the remainder to ensure that that happens. Some housing issues, whether relating to planned maintenance, capital improvements, grants, newbuild schemes, warm homes or supported housing, are, with health and education, the most fundamental requirements to all our daily lives.

Social Housing: Rent Arrears

6. **Miss McIlveen** asked the Minister for Social Development what action she intends to take to address the growing problem of rent arrears in the social housing sector. (AQO 396/10)

The Minister for Social Development: As the Member knows, a Public Accounts Committee report on the management of social housing rent collection and arrears was issued some weeks ago, and a detailed memorandum of reply is being prepared that will set out the considered response to the issues that were raised in the report.

I must gently correct the Member: although the level of rent arrears is a significant challenge, it has been coming down in recent years. I will outline those areas in which it has been coming down, which I hope that Members will find helpful: overall debt levels, write-off levels and the number of large debts continue to fall.

Only yesterday, I met the chief executive of the Housing Executive and some of his senior officials to impress on him that I want further evidence of that reduction. That is important, notwithstanding the fact that many people in the social housing sector face enormous difficulties with rents. I appreciate that some of those people are on housing benefit. People find themselves in arrears because of requirements on their limited income. I ask that people be a little sensitive on the issue. The present economic downturn makes for a challenging environment for rent arrears. I am sure that the Member will not disagree with that.

Miss McIlveen: I note the Minister's response. However, she will be aware that one criticism of the Public Accounts Committee report is that targets could be subject to manipulation. In fact, in one year, the target was reached only by writing off a substantial amount of the debt. Will the Minister ensure that, in future, targets are robust and respected?

The Minister for Social Development: I do not accept the assertion that targets are manipulated. In the past financial year, the Northern Ireland Housing Executive collected 97% of the rent due, and that was in a recession. All Members should welcome that.

3.30 pm

Ms Ní Chuilín: On a point of order, a Cheann Comhairle. As a member of the Business Committee, I have concerns that any time that a motion on health is put forward for debate the Minister of Health, Social Services and Public Safety is not available. Can the Ceann Comhairle use his influence on that matter? The Health Department receives half the Budget, yet the Minister has not been available recently. That is not fair to people who want us to represent their views.

Mr Speaker: I have to say that —

Mr Kennedy: Further to that point of order —

Mr Speaker: Allow me to answer the point of order. The matter has been raised with the Business Committee, and that Committee's business should not be discussed on the Floor of the House. However, I take the Member's point. It is a matter for the Executive, but it is also a matter for me as Speaker. I have tried to address it in the past, and I hope to be able to address it in the future.

Mr Kennedy: Further to that point of order, Mr Speaker, all Members will be aware of the considerable pressure that the Minister of Health finds himself under in dealing with the issue of swine flu. Some consideration ought to be given to that when Members make such statements.

Mr Speaker: Those are not really points of order, and, as usual, I have been generous in taking them. Members should be careful not to raise points of order that are not really points of order. I hear what the Members have said, but it is for the Executive to address the issue.

EXECUTIVE COMMITTEE BUSINESS

Diseases of Animals Bill

Consideration Stage

Debate resumed on amendment Nos 4, 5 and 11, which amendments were:

No 4: In page 8, line 43, at end insert

“(3) The Department may by order prescribe the circumstances in which it may withhold, either wholly or partly, compensation or any other payment in respect of an animal slaughtered under this Order where—

- (a) the slaughter has been necessitated by brucellosis;
- (b) guidance relating to brucellosis has been published under Article 4A(3) and has not been withdrawn; and
- (c) the owner or person having charge of the animal has failed to comply with that guidance.” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

No 5: In page 9, leave out lines 1 to 7. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

No 11: In clause 21, page 14, line 20, after “4A(1),” insert “4B(3),”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Mr Molloy: I return to the second group of amendments, amendment Nos 4, 5 and 11. I support those amendments, based on what is required, particularly the eradication of brucellosis.

I welcome the commitment from the Minister and the Department to the specific issue of brucellosis, which is mentioned in amendment No 4. We must recognise the importance of eradicating brucellosis and the effect that that would have on the farming community, which is subjected to livestock tests at least yearly and to the closure of herds around the country because of their infection by brucellosis. The eradication of brucellosis would be an important step forward. As I said before, the Department’s interpretation and implementation of the legislation to do that is important.

Training, correspondence and consultation on biosecurity would be important and of benefit to the farming community and the Department. Departmental officials and vets regularly use the word “biosecurity”, and they know exactly what it means. However, the farming and rural community has different interpretations of it, and more definition is needed. The correspondence to farmers will contain an explanation, but more must be done with training and with advertisements in the press, on television and in farming journals on what biosecurity means, how people can enhance it and how they can take precautions to prevent disease from spreading accidentally.

It is important that the issue of removing compensation for those who deliberately cause infection be dealt with. The full force of the law must be used to stop the practice of deliberate infection. The view exists that that is one reason why brucellosis continues to infect cattle here when the disease has been eradicated in other countries. If the North were to achieve eradication, in line with the Twenty-six Counties, which is free of brucellosis, the island would be clear of the disease. That is an important challenge to be met.

One way in which to try to deal with brucellosis and to ensure that eradication happens quickly is through training and correspondence. Good co-operation on the issue should be encouraged through having departmental officials and vets hold meetings with the farming community, trade unions and others throughout the countryside. The Department must try to talk farmers through the process and advise them on how eradication can best be achieved and how they can take precautions to ensure that the disease is not spread accidentally.

Therefore, as we deal with those issues, it is important that this legislation be recognised for the benefits that it will bring. It is to be hoped that the resulting legislation will be better than that which was originally proposed. Go raibh maith agat, a Cheann Comhairle.

Mr Savage: As the Committee report states, opposing evidence was presented on biosecurity. That should be noted. Amendment No 4 provides adequate clarification on a point that the Committee raised. Amendment No 5 removes reference to the Diseases of Animals (Northern Ireland) Order 1981, which will be amended by the Bill if it is passed. I welcome the fact that the Department has listened to the Committee’s views on biosecurity guidance and compliance and that it has removed the Bill’s link between non-compliance and a reduction in compensation.

Farmers have had to spend a substantial amount of money on their farms so that they meet current requirements. The last thing that any farmer wants is disease on his farm. That is true right across the board, albeit with, possibly, one or two exceptions: I am sure that the Minister understands what I mean by that. I welcome the fact that the Minister wants to modernise the legislation and bring it into the twenty-first century. In order to move forward, that legislation is needed.

Most importantly, the message from farmers is that we want to work with the Department and that we will do everything in our power to eliminate disease.

The Minister of Agriculture and Rural Development: Go raibh maith agat, a Cheann Comhairle. Again, I want to acknowledge the volume of work that has been done on this part of the Bill. The Chairman of the Committee for Agriculture and

Rural Development explained the timeline. I was exhausted just listening to him. We can often forget the time and effort that goes into such matters. It is good to be reminded that much deliberation and discussion was had on the Bill, and the result is a good piece of legislation. I thank Committee members for the time, patience and effort that they put into scrutinising the Bill, together with the Department and me.

Prevention of disease through the practice of good biosecurity is an essential component of promoting a competitive industry, protecting animal and public health and safeguarding everyone's interests. Depending on the disease's circumstances, it might be appropriate for biosecurity guidance to be voluntary or statutory or for statutory biosecurity guidance to be linked to compensation.

I consider statutory biosecurity guidance and making a link to compensation to be an important additional tool with which to push towards the eradication of brucellosis. It is the right thing to do. We have almost eradicated the disease, but we must step up efforts to achieve full eradication as early as possible.

The current code is voluntary. Farmers whose biosecurity practices are not up to standard put at risk the responsible majority and the wider rural community. Clearly, it is unfair to responsible herd-keepers who maintain a high level of biosecurity that measures are not in place to acknowledge their efforts and to protect their holdings by placing penalties on farmers who do not maintain appropriate biosecurity standards. Responsible farmers will benefit from the higher standards and lower risk of disease that the proposed arrangements would encourage.

I was asked about amendment No 4 to clause 8. The amendment to clause 8 was proposed after detailed discussions with the Committee for Agriculture and Rural Development. It was agreed that, although the power to draw up statutory biosecurity guidance for all diseases should exist, the power to link biosecurity guidance to the withholding of compensation should be limited to brucellosis. Again, I appreciate the efforts of the Chairperson and the Deputy Chairperson of the Committee on that matter.

Given the nature of brucellosis, the focus on it and the link to compensation are key elements in helping to promote better biosecurity in the push towards achieving brucellosis-free status. That would bring us into line with the South of Ireland, which has been officially recognised as being brucellosis-free, and with Britain. The latest statistics to the end of September 2009 demonstrate that the incidence of brucellosis has decreased here by more than 60% since September 2008. That is extremely encouraging, and we hope to continue to build on that reduction. I reiterate that clause 8 is not designed as a means to

reduce compensation costs; rather, it is designed as a tool to promote better biosecurity and to push towards achieving brucellosis-free status.

A question was asked about how we will enforce biosecurity guidance on the ground. Currently, veterinary officers visit herds that have brucellosis and other herds in the immediate vicinity that are considered to be at high risk. During such visits, any significant breaches of biosecurity will be noted, and farmers will be advised of the appropriate steps that they need to take to protect their herds. Those steps will be consistent with the guidance. I assure the Assembly that officials and vets will be on hand to provide advice and support on a wide range of biosecurity issues. We want to work with the industry to ensure that it understands what it needs to do.

In the event of a brucellosis outbreak, veterinary officers will carry out an investigation of the circumstances of the outbreak. If the investigation identifies that there has been blatant or negligent disregard that results in a serious breach of the statutory biosecurity guidance, consideration will be given to withholding compensation for animals that are slaughtered.

I reiterate that biosecurity will not eradicate disease, but it is one of a range of important components in the eradication scheme for brucellosis. — *[Interruption.]*

I am very sorry. I thought that my phone was switched off; it is now.

Mr Paisley Jnr: I think that we should withhold compensation.

The Minister of Agriculture and Rural Development: I think that the caller was phoning to tell me to shut up.

An improvement in farm biosecurity across the North and, in particular, in brucellosis risk areas will undoubtedly make a major contribution to our attempt to eradicate the disease. That is a globally acknowledged fact. If people follow biosecurity guidance, that will certainly greatly reduce the risk of acquiring brucellosis. Additional elements in our efforts will significantly increase our chances of success in the eradication of brucellosis from the North.

The present brucellosis-free status of the South and the encouraging recent downward trend in the North provide us with the opportunity to press forward on the eradication of the disease. I do not want the negligence or irresponsibility of a few people to put all the industry at risk and undo much good work.

Willie Clarke asked who would be involved in the consideration of the biosecurity guidance. It is important to say that we want consensus on the guidance. It has been drawn up, and it will be supported not only by the Committee for Agriculture

and Rural Development but the Ulster Farmers' Union, NIAPA, the National Beef Association and private veterinary representatives. It is important to have that scope of support for the biosecurity guidance.

Willie also asked about safeguards for conscientious farmers. My proposal seeks a change in mindset to secure recognition by all farmers that there are practical steps that they can take to minimise disease risk on their farms. Many herdkeepers already apply the procedures that are laid down in the voluntary code. We are not seeking to apply the deterrent of withholding compensation widely, but a small minority of irresponsible farmers is prepared to put others at risk. It is, therefore, aimed at farmers who are prepared, through negligent or blatant disregard of the code, to put their neighbours' livelihoods at risk. The proposal to withhold compensation focuses on that. In fact, if we never had to use it, I would be a happy woman, because it would mean that the provisions in the Bill are a deterrent to farmers who would enable their herds or those of their neighbours to acquire brucellosis. In that way, the Bill alone will help.

3.45 pm

David Ford asked how "blatant or negligent disregard" will be interpreted in practice. First, I wish to say that I appreciate Mr Ford's interest. We have discussed that matter, and, although he is not a member of the Committee for Agriculture and Rural Development, he is committed to addressing issues of that nature. Therefore, I will ensure that he receives a copy of the guidance and is kept up to date.

The reasonable and practical measures that a herdkeeper can and should take will be defined in the biosecurity guidance that will be drawn up in partnership with the stakeholders whom I mentioned. In fact, we are already working on that guidance in partnership with the brucellosis stakeholder working group. The accompanying subordinate Order will specify the key areas of biosecurity that will trigger a reduction in or the withholding of compensation. The steps that herdkeepers should take will be communicated to them through specific veterinary advice and the guidance. If a herdkeeper shows a blatant or negligent disregard for those key areas of biosecurity, consideration will be given to reducing or withholding compensation.

I reinforce the point that the phrase "blatant or negligent disregard" is intended to convey that withholding compensation will be considered only in the most serious and extreme cases, as the circumstances proscribed in the Order will reflect. Breaches of biosecurity include not disposing of foetuses and afterbirth properly, because there is evidence that that contributes greatly to the spread of diseases; sharing a bull among farms; sharing

equipment and feed in a high-risk area; spreading slurry from other farms, because that can also increase the risk of disease; not isolating pregnant purchased female cattle until after calving, which may spread disease; and mixing herds that DARD understands to be separate.

Biosecurity advice will be categorised to reflect general good practice, and additional advice will be applicable to at-risk and restricted herds. Farmers will need to take cognisance of the situation at different stages.

Francie Molloy asked what my Department does to encourage greater biosecurity on farms. My Department has a long-term commitment to promoting biosecurity messages in a timely manner and in response to the heightened risk of disease. That promotion takes the form of leaflets, advertising, press releases, posters, updates on the DARD website and meetings with farmers and private veterinary practitioners. I reiterate the point that my Department works in partnership with others to address the risks.

Other initiatives include courses at Greenmount that contain instruction on biosecurity for the next generation of farmers. A biosecurity module is also included in the lifelong learning programme for farmers. The Committee and Members are keen to encourage new blood into the industry, and we want to give those farmers the skills to farm in a profitable and sustainable way.

The focus farm scheme, which is funded under the rural development programme, promotes good practice and provides biosecurity training. Each focus farm is required to prepare a biosecurity plan to protect stock, and that information is cascaded to farmers who take part in the scheme. Focus farmers provide protective clothing and footwear, as well as disinfectant dips for cars and footwear.

Biosecurity also includes the prudent sourcing of stock and associated on-farm quarantine. I have repeatedly stressed that message and urged the farming community to enforce a voluntary ban on the import of animals from bluetongue-affected areas.

I hope that my statement gives some flavour of the steps that we are taking to improve biosecurity and that it helps farmers to understand what they are required to do. We must all work together to improve the health of herds, our appeal to export markets and the viability of farming in the North of Ireland.

Amendment No 4 agreed to.

Amendment No 5 made: In page 9, leave out lines 1 to 7. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 and 10 ordered to stand part of the Bill.

Clause 11 (Deliberate infection)

Mr Speaker: We now come to the third group of amendments for debate. With amendment No 6, it will be convenient to debate amendment Nos 7, 8 and 9. The amendments deal with increasing penalties for a second offence of deliberate infection and related issues.

Members should note that amendment Nos 7 and 8 are consequential to amendment No 6. Therefore, if amendment No 6 is not made, I will not proceed to call amendment Nos 7 and 8.

The Minister of Agriculture and Rural

Development: I beg to move amendment No 6: In page 9, line 36, at end insert

“() If a person is convicted of an offence under Article 5A and, at any time after the date of that conviction, that person is convicted of a further offence under that Article, the court shall by order disqualify that person, for such period as it thinks fit, from keeping or dealing in—

(a) any animals or poultry, or

(b) any animals or poultry of a specified kind.”

The following amendments stood on the Marshalled List:

No 7: In page 9, line 37, leave out “the order” and insert

“an order made under paragraph (1) or (2)”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

No 8: In page 10, line 2, leave out “(1)” and insert “(1) or (2)”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

No 9: In page 10, line 24, leave out “or control” and insert “, control or possession”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Amendment No 6 will insert a new penalty provision into clause 11. There has been widespread support for clause 11, which makes it an offence to infect an animal with disease deliberately. As I said at Second Stage, that vile act affects the welfare of the animal and causes the spread of disease, and I will not tolerate it. The purpose of deliberately infecting an animal is to gain compensation for diseased animals that have to be slaughtered. Therefore, there is clearly an element of fraud involved.

I am thankful that there is no evidence to suggest that deliberate infection is a widespread practice. However, DARD must operate a zero tolerance policy and deal decisively with anyone who engages in that practice. The penalties for such an offence are imprisonment for up to two years, an unlimited fine or both. In addition, the court may order that the person be disqualified from keeping animals for a specified period. During the scrutiny of the Bill, the Committee asked me to consider stronger penalties for repeat

offenders. I endorse the Committee’s view that repeat offenders must be dealt with vigorously.

The issue of fines and penalties is a reserved matter. I consulted the Minister of State at the NIO, and I am pleased to say that he supports the introduction of stronger penalties for repeat offenders. Therefore, I propose amendment No 6, which, in the case of a second or subsequent offence of deliberate infection, provides that the court must disqualify the person from keeping animals for a specified period.

Amendment Nos 7 and 8 are minor technical amendments to clause 11.

We also want to ensure that any disqualification is not circumvented by transferring animals to another person in name only, while retaining responsibility for their day-to-day management. I have taken legal advice on the matter and propose to extend the meaning of “keeping or dealing in animals” to include having custody, control or possession of an animal. That is provided for in amendment No 9.

The Chairperson of the Committee for Agriculture and Rural Development: The Committee for Agriculture and Rural Development supports the amendments as explained and amplified by the Minister. The Committee and the Department are united in their condemnation of the few individuals in the sector that would risk the agriculture industry and the Northern Ireland economy by deliberately infecting their animals to secure personal financial gain.

The Committee sought to have repeat offenders disqualified from “keeping or dealing in” animals, and, following consultation between the Department and the Minister of State for Northern Ireland, that has been achieved. The Committee congratulates the Department and the Minister on securing that important deterrent.

The Committee sought to introduce mandatory custodial sentences for repeat offenders. However, the Minister of State felt that it was for the judiciary to decide on the level and extent of sentences; no doubt we will come back to that.

I repeat the message that the Committee sent out loud and clear to those who have no regard for the industry or no concern for the welfare of animals: the Committee for Agriculture and Rural Development will encourage and support the Department in ensuring that people who deliberately infect animals for financial gain will face the severest possible penalties.

Mr Ford: In its discussion with the NIO, did the Committee give any consideration to the level of penalties, which are further described in subsection (2), and whether it was appropriate to set a higher threshold of punishment for a repeat offence instead of maintaining the same threshold and solely increasing

the focus on the issue of whether or not livestock could be kept?

The Chairperson of the Committee for Agriculture and Rural Development: I thank the Member for his question. However, I want to make it clear that the Committee was not negotiating on those issues. As I stated, we made our position clear. I repeat: the Committee sought to introduce mandatory custodial sentences for repeat offenders. However, the Minister of State felt that that decision was one for the judiciary.

It is important that we repeat the message loudly and clearly: the Department has the blessing of the House to come down like a ton of bricks on people who deliberately infect their animals and destroy an industry. We must send that message loudly and clearly from the House. Therefore, the Committee supports the amendments.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I, too, support the amendments.

Deliberate infection of animals is a very sensitive subject, and there is no evidence that the practice is commonplace. As the Committee Chairperson outlined, during meetings between the Committee and the Department and stakeholders, it was felt that extra penalties should be available for use against repeat offenders. However, as has been said, the issue of fines and extra penalties is a reserved matter. The Committee was united in its view that repeat offenders should face stern penalties.

It is very serious to imply that there has been deliberate infection of animals. On the other hand, there have been allegations from an array of sources that infection, primarily brucellosis, is being intentionally introduced to cause the enforced slaughter of the herds and payment of considerable compensation. What is to stop a person who is disqualified from keeping animals from transferring ownership of them to family members and friends?

Blameless farmers are having their herds restricted due to the unprincipled actions of others. The Department requires the compulsory legal powers to take disciplinary action that will deter possible offenders and look after responsible farmers.

Mr Elliott: I declare an interest as a farmer. It may come as a surprise to many Members to hear that I have supported the Department in getting tougher in amendment No 6. In that sense, history is being made. The amendment is good. The Committee was determined to ensure that the Bill recognised the difference between those who deliberately flout the law and are guilty of offences and innocent farmers who often get caught out on a very minor technicality. I want to see innocent farmers being protected and the guilty being made to pay.

I am all too aware of the history of DARD, and there is some suspicion about that. However, I assure Members that we have acted in the best interests of the entire farming community.

I am also pleased that the words “keeping or dealing” were inserted in amendment No 6. The issue of keeping or dealing in livestock or animals was debated in the Committee. The insertion of the word “dealing” was critical, because a departmental official — I think that he was the legal adviser — said to the Committee:

I would have thought that “keeping” would be the act of, perhaps, engaging in a personal farm business, whereas “dealing” would be those who may say that they are not farmers but commercial dealers, and that they do not hold animals — the animals come in the back of the farm and go out the front door.

The Committee was very keen that those who engage in “dealing” would also be subject to the regulation, simply because we did not want to leave any gap in the regulation or the legislation that would allow them to get off when they may have deliberately infected not just one herd but several herds.

My party and I support the amendments. I thank the Committee and the departmental officials who returned to the Committee on several occasions to discuss the issue.

4.00 pm

Mr Ford: I want to reiterate the point that I made in my intervention during the Chairperson’s speech. In its current form, clause 11(2) outlines that the penalties, including potential imprisonment, that would be imposed for a repeat offence are the same as those for a first offence even though the Committee has sought to introduce mandatory disqualification from keeping livestock to enhance penalties in that area. Tom Elliott and Willie Clarke talked about supporting the Department in dealing seriously with any repeat offenders to defend the interests of ordinary farmers. There seems to be a question about whether the Minister should seek the Minister of State’s agreement to an enhanced penalty in that area.

I note Willie Clarke’s point that it is remarkably easy to change the name of the keeper of livestock. If another family member, friend or neighbour became the official keeper of the livestock in question, the penalty might be no greater. Therefore, although significant progress has been made, it might be possible to make further progress through an amendment at Further Consideration Stage.

Dr W McCrea: As a member of the Committee, I join with the Chairperson and thank the Department for working with us on this sensitive issue.

The Committee’s report states that the Department and the Committee are:

“united in their condemnation of those few individuals that would risk the agricultural industry and the Northern Ireland economy”.

Does the Minister have any statistics on the percentage of individuals who have been found guilty of such an offence? That is important.

When the Bill came to the Committee, the Minister stressed the legislation’s importance in dealing with diseases of animals. We totally agree. As I said earlier, members had varying views on the issues in the Bill. However, there was absolutely no disagreement between the Department and the Committee about anyone who deliberately seeks to infect their animals for financial gain. Such action would destroy the industry. We want to protect innocent farmers from penalties and ensure that guilty offenders are prosecuted.

Mr Ford mentioned penalties. The Committee did not have the opportunity to deal with that issue, because it is not a devolved matter. The courts are the responsibility of the Minister of State. Therefore, we left it to the Department and the Minister to deal with the Minister of State on that issue, and the Minister of Agriculture and Rural Development took the advice she was given on the matter. If there is a way to strengthen the legislation, we should take it. The Committee was unanimous in its view that people who deliberately infect their animals should not escape prosecution and should be removed from the farming industry completely. Such action has threatened and brought destruction to the Northern Ireland economy and the whole industry.

Any unscrupulous operator or rogue should be dealt with in that way, because the industry in Northern Ireland has a reputation worldwide, and, therefore, we are not willing to allow anyone to threaten that reputation for simple financial gain. Therefore, it will be interesting to see whether the Minister can reconsider ways to strengthen the legislation and whether she will return to the Minister of State to determine whether some matters can be enhanced. It is correct to point out that we want to ensure that there is no way around legislation. As other Members have mentioned, we must ensure that family members cannot become keepers and divert —

Mr Elliott: I recall that issue being debated in the Committee as a matter of human rights. We discussed whether it was right that, if a son had played no part in the deliberate infection of animals or other rogue activity, as Dr McCrea described, he or any other family member should be held liable and not be allowed to keep other animals on the farm just because of the father’s, or any other family member’s, wrongdoing. We must be careful about that; I recall that we discussed that issue at length.

Dr W McCrea: I agree that no son or other family member should be penalised if they are totally innocent. However, we must also be careful that we do not allow some people to escape the full rigours of the law. We must ensure that the industry is protected and that farmers in general — 99·99% of the farming community — are not threatened by an unscrupulous dealer or a rogue who tries, for his own ends, to get around regulations and the law. I support the amendments.

Mr Shannon: I support Minister Gildernew’s amendments. As a member of the Committee for Agriculture and Rural Development, I have been observing the progress of the Bill closely on behalf of constituents who have made me aware of the issues. My constituency is a mix of rural and urban areas, and, as someone who lives in the rural part of Strangford, it is startlingly clear to me that the vast majority of farmers are hardworking men and women who strive to making their living within the confines of the law.

That being the marker, it is also clear to me that, after years of harsh enforcement and seemingly useless and sometimes expensive EU legislation, there is a deep-seated distrust between farmers and the Department of Agriculture and Rural Development, which is supposed to be there to help farmers: that is a fact. As I sat on the Committee I could see why that relationship is so tenuous, and I sought to consider the Bill as if I were a farmer myself, in need of the protection and guidance of the legislation.

The Bill and its proposed amendments have achieved something. Time does not permit me to explore every aspect of the Bill; I am only going to speak about the amendments to clause 11, which deals with the deliberate infection of animals and its prevention in the Province. Clause 11 will insert new articles 5A and 5B into the Diseases of Animals (Northern Ireland) Order 1981 and, according to the explanatory and financial memorandum that accompanies the Bill:

“creates an offence of deliberately causing an animal or bird to be infected with disease or knowingly acquiring or taking possession of such an animal or bird.”

The mair at hits a hannlin thair ir a wee when o’ fowk at wud dae oniething tae turn a pun, amang thae things acceptin’ a baste knawin hit tae bae seek at gaes oan tae spread the seekness. Thon’s hoo seeknesses ir spread an hits needfu’ at thair bes laa agin thon practice wi’ fair controls an’ punishments brocht in.

It is unfortunate that there is a tiny minority of people who are willing to do anything to turn a profit, including knowingly accepting an animal that is diseased and which spreads the disease further. The way in which such diseases are spread makes it essential that such practices are legislated against with fair controls and punishments put in place.

When I speak to farmers in my area, they express their disgust at the few who could give them a bad reputation, and, worse than that, a bad relationship with DARD and other farmers. The Ulster Farmers' Union has agreed that the controls must be in place for those who blatantly and negligently disregard safety procedures for their own ends.

The Chairperson of the Committee for Agriculture and Rural Development: The level and extent of illegal practices has been mentioned. Evidence was brought to the Committee by departmental officials that referred to a PhD study, which, although it was not conclusive, indicated that the levels of deliberately infected animals varied but could stand at 13% at their highest. It is important that Members have that in mind when they discuss the issues. Everyone who has contributed to the debate has said that we are talking about a few unscrupulous people who do not care about the industry.

Mr Shannon: I thank the Member for his comments. Having examined the statistics that Mr Paisley Jnr mentioned, it is clear that there are some people who, oblivious to the betterment of the industry, are intent on doing their own thing for their own ends.

Clause 11 is essential to the Bill. Those who have knowingly taken on board an infected animal must know that they are doing wrong. That must be specifically addressed, and that is what the Bill will do. The Bill will allow the courts to disqualify those people from keeping or dealing in any animals or poultry after conviction of such an offence.

That clause is not particular to Northern Ireland. The Animal Health and Welfare (Scotland) Act 2006 has similar provisions that go further through a series of post-conviction orders. Although that Act includes disqualification from owning or keeping animals, it also prohibits transporting, working with, using, riding or driving animals. The controls in that Act are very strict.

Unlike the Scottish legislation, the Bill does not indicate whether the Department has powers of seizure should a person disqualified from keeping or dealing with animals breach that disqualification. However, it provides an avenue for appeals against orders. That is essential for those who have been duped and were not aware of the full facts about the animal, because there are cases when that could happen.

The Bill is not a mechanism for a witch-hunt of anyone possessing a diseased animal; it is a mechanism for ensuring that those who knowingly cause the spread of disease can be convicted and appropriate punishment meted out. The Bill will deprive anyone convicted of an offence of compensation for the loss of animals to which the offence relates. That does not mean that anyone with an infected animal will automatically have compensation withdrawn. It means that those

who have knowingly and purposely spread the disease will not be entitled to compensation. That is a basic legal principle; people must come to the table with clean hands.

We are aware of the cost of animal diseases to DARD and farmers. Brucellosis, as other Members have said, costs some £7 million a year. It is in everyone's interest — the farmers, the Department and Members — to ensure that the disease is eradicated. That is the thrust of the Bill: to protect the genuine farmers, who work from morning to night to eke out a living. The only people who will not be the winners in this case are the tiny minority of people who are involved in actions that harm the rest of the farming community.

We have changed aspects of the Bill, and the Committee has objected to elements that we felt were not in the best interests of farmers. We have ensured, to the best of our ability, that the Bill will not be used as a way for the Department to cut the costs of compensation for those who deserve it. We have worked with the Ulster Farmers' Union and other bodies, and have spoken to individual farmers. We believe that the proposed amendments are essential protective components.

I ask the Assembly to support amendment Nos 6, 7, 8 and 9 to ensure that the deliberate infection of animals is recorded as what it is: a crime against the farming community as a whole. It is something that can hurt everyone. We must ensure that the Bill contains the right safeguards and punishments. The legislation will protect farmers who need protection, in some cases against the Department, although I hope that that will not be the case. I support the Bill and the amendments, and I urge Members to do the same.

The Minister of Agriculture and Rural Development: Go raibh maith agat, a Cheann Comhairle. The debate has been a good reflection of what is contained in the legislation. There has been a lot of interest in what we can do to punish people who deliberately infect animals.

The penalty for the offence of the deliberate infection of animals is imprisonment for a period of up to two years or an unlimited fine, or both. The courts can hand down a custodial sentence even for a first offence. It is important to reiterate that. In the case of a first offence, the court will have the discretion to impose an additional penalty of disqualification from keeping animals. The court will take into account the circumstances of the case, and the evidence presented by both the prosecution and defence. It is right that the courts should determine that matter.

In the case of a repeat offender, a more robust approach is needed. Amendment No 6 will make it compulsory for the court to impose a period of

disqualification. I hope that that delivers a clear message that anyone found guilty of deliberately infecting an animal with disease will suffer heavy penalties. I realise that that is an issue in which Dr McCrea, the Chairperson of the Committee, Mr Ford and others have been very interested. I will revisit the issue and discuss with officials whether there is a need to impose further penalties.

4.15 pm

I recognise that the Department and I cannot prevent a person who is prohibited from keeping animals from transferring their animals to a family member, friend or business associate. That disqualified person will have to do something with the animals, perhaps transfer them or sell them, but I understand the point. We have addressed that problem by extending what is covered by the prohibition from keeping or dealing with animals. That will now include having custody, control or possession of an animal or bird, or being concerned in the management or control of a body whose activities include keeping or dealing in animals or poultry. Powers are in place to ensure that it will be very difficult for anyone to get around the rules that we are bringing in through the legislation.

Questions were asked about the extent of the problem. There is no evidence to suggest that it is a widespread problem, but even a single case of deliberate infection of an animal is completely unacceptable on grounds of both welfare and disease control. I am particularly concerned about allegations of the deliberate infection of animals with brucellosis to obtain compensation. If that is happening, it must be stamped out. I am determined to take action when there is sufficient evidence to warrant prosecution. I hope that such action will not be necessary and that the new robust powers will deter anyone who may be thinking of deliberately infecting an animal.

Our success in trying to eradicate brucellosis is indicated by the fact that one or two isolated incidents account for 13% of all brucellosis cases, as outlined in the PhD study to which the Chairperson referred. We have almost got to the nub of the problem, and deliberate infection can skew our figures out of all proportion. It is important that offenders will face a custodial sentence and that we send out a strong message. People who are involved in deliberate infection know who they are. The House has shown unanimous support for the legislation, and, indeed, all parties have been exercised about the deliberate infection of animals.

Deliberately infecting animals to get compensation flies in the face of the work of farmers who work hard in all weather and at all hours of the day and night to look after their animals. It flies in the face of what so many people are working so hard to achieve. The

House must send out a strong message today: there will be no hiding place for people involved in deliberate infection. People who are found guilty will find no succour from their elected representatives. We must ensure that people who are involved in such activity, or are thinking about becoming involved, know that they will not be able to hide from their elected representatives.

I am sorry for getting carried away, a Cheann Comhairle. I appreciate the level of maturity that has been displayed in the House; we are clearly all passionate about this matter.

Amendment No 6 agreed to.

Amendment No 7 made: In page 9, line 37, leave out “the order” and insert

“an order made under paragraph (1) or (2)”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Amendment No 8 made: In page 10, line 2, leave out “(1)” and insert “(1) or (2)”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Amendment No 9 made: In page 10, line 24, leave out “or control” and insert “, control or possession”. — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Clause 11, as amended, ordered to stand part of the Bill.

Clause 12 (Seizure and destruction of things liable to spread disease)

Mr Speaker: We now come to the fourth group of amendments for debate. With amendment No 10, it will be convenient to debate amendment No 13.

The amendments deal with the withdrawal of the part of the Bill that concerns the valuation of items that are seized to prevent the spread of disease. Members should note that amendment No 13 is consequential to amendment No 10. Therefore, if amendment No 10 is not made, I will not call amendment No 13.

The Minister of Agriculture and Rural Development: Go raibh maith agat, a Cheann Comhairle. We are nearly there.

I beg to move amendment No 10: In page 11, leave out lines 1 and 2.

The following amendment stood on the Marshalled List:

No 13: In schedule 3, page 21, line 34, leave out from “In Article 6(3)” to “that time’.” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

The Minister of Agriculture and Rural Development: Amendment No 10 will remove clause 12(c) from the Bill. Clause 12 extends the range of items that may be seized to prevent the spread of disease so that it includes anything that is animate or

inanimate. Clause 12(c) provides for compensation for seized items at their value at the time of seizure.

In the case of items that are contaminated with disease, for example, eggs from an infected flock, the resulting compensation may be nil because the eggs have no value. That would be very unfair, and it would make it extremely difficult for farmers to restock following a disease outbreak. In fact, it is very likely to result in a farmer going out of business just because he or she has been unfortunate enough to have a disease outbreak on their premises.

Amendment No 10, which I propose on legal advice that I have received, will mean that the existing arrangements for compensation for seized items will continue to apply. That means that compensation will be calculated as if the seized items were not infected with disease.

Amendment No 13 is a minor consequential amendment to schedule 3, which concerns repeals.

The Chairperson of the Committee for Agriculture and Rural Development: My Committee Clerk gave me a 45 minute speech on this section. However, for the sanity of the House and me, I simply say that clause 12 and schedule 3 should be amended as was agreed by the Committee and the Department. The Committee agrees to the text of the amendment as outlined by the Minister.

Mr Elliott: A precedent has obviously been set, so I will not break it. I have always supported farmers getting a fair value for their product when receiving compensation. The Minister has outlined how that will happen, so I am quite happy to support the amendment.

The Minister of Agriculture and Rural Development: In the spirit of succinctness, I will also keep my comments very brief.

I thank all the Members who contributed to the debate today. It has been a very professional, mature and courteous debate. Business has been carried out in a very helpful manner. Nobody can be in any doubt about the importance that this House places on the agricultural industry and the passion, care and concern that Members have for our farmers. That will be very evident to anybody who looks at the Hansard report. This is a good piece of legislation, and I am very pleased to respond to the debate. I look forward to the Further Consideration Stage with the Committee for Agriculture and Rural Development. Go raibh míle maith agat.

Amendment No 10 agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 20 ordered to stand part of the Bill.

Clause 21 (Procedure for orders)

Amendment No 11 made: In page 14, line 20, after “4A(1),” insert “4B(3),” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Amendment No 12 made: In page 14, line 24, leave out from “, 50(1)” to the end of line 25 and insert “and 50(1).” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Clause 21, as amended, ordered to stand part of the Bill.

Clauses 22 to 24 ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

Schedule 3 (Repeals)

Amendment No 13 made: In page 21, line 34, leave out from “In Article 6(3)” to “that time’.” — [*The Minister of Agriculture and Rural Development (Ms Gildernew).*]

Schedule 3, as amended, agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Diseases of Animals Bill. The Bill stands referred to the Speaker.

PRIVATE MEMBERS' BUSINESS

Northern Ireland Block Grant

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

Mr Campbell: I beg to move

That this Assembly opposes any reduction in the Northern Ireland block grant during the next comprehensive spending review.

The motion was tabled because there is considerable public interest and concern about the possibility of significant reductions in the block grant over the lifetime of either a comprehensive spending review (CSR) period or effectively the same thing under a different name. We are coming towards the end of the current CSR period, and the next Government will put something in place.

Efficiencies have been demanded of and met by all our Departments. That situation is fairly clear. Efficiencies have been delivered at a rate of between 2% and 3% a year over the past five or six years. The Chancellor, Alistair Darling, has indicated that approximately £9 billion of cuts must be made in the next financial year. Our share of that is likely to be in the region of £120 million.

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

There have been some minor disparities — but disparities nonetheless — in the outlooks of various political parties that expect to form the next Westminster Government. The Conservative Party has made it clear that it would make reductions in the order of 10%. The Labour Party has equivocated on the matter, but, depending on who one speaks to, it appears that as with the Conservatives, under Labour it will be 8%, 9% or possibly 10%. Therefore, whatever the outcome of the election, there is no doubt that budgetary constraints will be even tighter in the next parliamentary term than they have been in this one.

4.30 pm

I shall now deal briefly with the amendment, which will be moved on behalf of the Ulster Unionist Party by Mr McNarry or Mr Beggs:

“the Northern Ireland block grant could be reduced by up to 10 per cent ... and calls on the Assembly to set up an ad-hoc Budgetary

Review Committee to secure cross-party support on plans to manage such potential reductions in public expenditure.”

Our problem is that the amendment appears to adopt a defeatist attitude. It almost accepts that cuts will happen. If the larger partner in a relationship spells out that there will be 10% cuts, it is very difficult for the smaller partner to disagree. I understand the difficulty in which the UUP finds itself, but the amendment does not address it in any way. In fact, the amendment draws attention to the fact that one party that may well form the Government after May 2010 will make those cuts and, therefore, we will just have to live with them.

The DUP motion does not accept that defeatist attitude. If we are faced with cuts of that magnitude, there will be serious difficulties for front line services. Therefore, the DUP does not accept the premise that cuts are inevitable and that we will then have to try to manage them and decide which Departments have to shoulder the burden. Rather than rationalising cuts, we want to fight the problem at its source.

In the past two years, the Assembly and the Executive have made it clear that the economy is at the heart of the Programme for Government (PFG). Either we maintain and support the PFG, so that, in the long term, we become less dependent on the public sector and the state, or we proceed on a vicious circle whereby, as we cut and cut spending, it will become more difficult to increase the private sector and we will find ourselves in a worse position than the one in which we are at the moment. The DUP's view is that we will only be able to work our way out of the problem by increasing the number of people in work and by endeavouring to ensure that higher-value jobs are created here.

Any incoming Government that indicates that there will be across-the-board cuts of 10% needs to be confronted with the picture of what that will do to our attempts to reduce our dependency on the public purse. Such cuts would set our efforts back by years, if not by a generation. Accepting cuts of that scale would ensure not just that front line services in the public sector would be reduced, but that our investment in the private sector would be severely restricted. Within 12 to 18 months, our difficult and problematic situation would be made even worse.

Any country in which two thirds of the active workforce is directly or indirectly dependent on the state for employment must take action to develop its private sector. If we do not take such action, we will find that as the developed world moves out of recession, we will again be caught in a difficult position. That will be made even more difficult by the cuts, and it will be compounded further by our inability to invest in the private sector and in development and growth therein.

I hope that the motion will command support across the House. We are now in 2009, having emerged from a murder campaign that lasted through the 1970s, 1980s and 1990s. That campaign has now ended. However, given the context that it created, it was always going to be difficult to attract inward investors and to give indigenous entrepreneurs the support that they needed to be more competitive. More than ever, we need to support the private sector and indigenous companies over the next five to 10 years to make them more attractive and competitive so that our ultra-dependency on the public sector diminishes over time. Although no one expects or intends that that will happen within 12 to 18 months, it certainly will not happen within the next 10 to 15 years unless we get to grips with how the block grant will be allocated over the next three years, beyond the current spending review period.

We need to tackle that matter as a united Assembly that can go to an incoming Government. We are speaking to various people at Westminster already, and we need to continue doing that, particularly so when a new Government, whatever its complexion, takes up the reins of office. We must not go to them with a begging bowl; we must outline to them the facts of the position that Northern Ireland has been and is in. We must also make it clear that we can build on the private sector only if there is no further reduction in the block grant.

That is why we have brought the motion before the Assembly. I expect and hope that it will be supported across the Chamber.

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

“; recognises that after the next Westminster election, whatever the outcome, the Northern Ireland block grant could be reduced by up to 10 per cent; further recognises that the Executive and Assembly must prepare for this potential outcome; and calls on the Assembly to set up an ad-hoc budgetary review Committee to secure cross-party support on plans to manage such potential reductions in public expenditure.”

One wonders whether the DUP motion is positive evidence that, despite division in its partner party, Sinn Féin, and splits in the DUP, both parties are capable of overcoming their difficulties and doing whatever is necessary to keep the Executive in business. They admit that that cannot be done now without deals and money. From a DUP perspective, the sponsors of the motion are seemingly representative of two of the three wings that are operating in the DUP. Therefore, any signs of a temporary ending of the upheaval inside that party are most certainly to be welcomed.

For those reasons and more, the Ulster Unionists tabled the amendment, not to detract from the motion, but to strengthen its message. When I say “more”, I mean that the amendment takes the form of friendly

chastisement, conveying the general opinion that is shared by the House and the public that we are all fed up with the DUP tabling sound bite motions that are more to do with an election manifesto and its own divisions.

Nevertheless, the House and the public can see right through those antics and are well aware of how slow the DUP has been in getting interested in the block grant and the Barnett formula. Can we now expect that it will soon be pressing for a similar motion in that other place where its members engage in double-jobbing practices and where changes to the Barnett formula are most likely to be decided? Will we hear today from the DUP about the outcome of any successful meetings with the Chancellor on keeping Barnett intact? Will we hear about how the DUP intends to protect Northern Ireland from cuts? Will we hear about representations made by the DUP to its other republican chums in Scotland, the Scottish National Party, about a dual approach on Barnett consequential?

The House would be gratefully enlightened to be told just what the DUP has been doing to protect Northern Ireland from detrimental changes to the block grant. In the absence of hearing any answers from the DUP today, I suspect that we will be able to make our own judgements, as will the public, on what the lead party in the Assembly is really doing.

We all know the DUP's intention in moving the motion: its Members plan to say that the cuts to the block grant have nothing to do with them. They will say that they voted against cuts and proposed a motion in order to blame whichever party wins the next general election. Of course, they can say that. However, that surreal version of events is typical of the DUP. Nothing is ever their fault: someone else is always to blame; which, of course, is nonsense. They have been in the driving seat for almost three years and have run the Executive like a closed shop. Inaction and incompetence on a host of issues have been theirs and theirs alone.

Commentators say that, in the present financial climate, there is no way that the Westminster Government can sustain the block grant without cuts. Therefore, we must find a way to do so. However, without putting a compelling case on behalf of Northern Ireland, United Kingdom public opinion will not allow that to happen. No one in the rest of the United Kingdom will be willing to accept the situation in which Northern Ireland is, uniquely, spared the cuts in the national Budget that have been made inevitable by the level of borrowing undertaken by the Labour Government. Similarly, Northern Ireland cannot expect the Westminster —

Mr Campbell: *[Interruption.]*

Mr McNarry: What are you saying from a sedentary position?

Mr Campbell: Is that an invitation to intervene?

Mr Deputy Speaker: I think that the Member is permitting you to speak, Mr Campbell.

Mr Campbell: I was using the word "defeatist" again. Mr McNarry and I were on 'Stormont Live'. Perhaps, for the benefit of the House, he will repeat the indication and prophecy he made regarding the outcome of the Westminster election.

Mr McNarry: I do not know what 'Stormont Live' has got to do with the debate. However, since you have introduced it, may I ask you again how safe your seat is? Sit where you are, and you can answer it later.

Mr Deputy Speaker: Order.

Mr McNarry: I apologise, Mr Deputy Speaker; I know that I am supposed to speak through the Chair.

Mr Deputy Speaker: Order. I encourage the Member to stick to the subject.

Mr McNarry: I think that we have established that the Member's seat is not all that safe.

The Minister of Finance and Personnel (Mr S Wilson): On a point of order, Mr Deputy Speaker. What have you, as Deputy Speaker, done to the honourable Member to invite him to ask you how safe your seat is? I thought that you had been sitting fairly quietly and not in any way trying to provoke him. Perhaps you will inform the Member of the proper way to address the House, so that, subsequently, he might be more accurate in what he is saying as well.

Mr Deputy Speaker: Please continue, Mr McNarry.

Mr McNarry: I will give way to waffling anytime.

Northern Ireland cannot reasonably expect the Westminster Government to minimise any cuts to the block grant unless there has been demonstrable action by the Northern Ireland Executive to put their own financial house in order first. Our amendment tasks us to do just that. It gives the emphasis required to prepare now to make a forceful case for Northern Ireland.

Does anybody seriously think that the efficiency savings, more properly called cuts, which the Labour Government have announced, will not happen after the 2010 election, regardless of who wins? The Labour Party says that there will be 9.5% cuts and the Conservative Party says that there will be 10%: there is no great difference. The only issue is not when or if there will be cuts in public spending, but how big they will be.

No one wants there to be cuts to the Northern Ireland block grant; no one is going to vote for cuts. That is why the motion is so feeble. The motion takes no account of reality, but the amendment does.

I, above all people, should not be surprised at the pretentiousness of the DUP. Over a year ago, I battered away at them and warned them of the black hole in the Budget, and they would not listen. Denial followed denial. For over a year, there was no action from the DUP as unemployment more than doubled on their watch. That detachment from reality and the in-denial mindset that is portrayed by the DUP motion will come as a surprise to no one.

4.45 pm

Westminster will also take note that it was on the DUP's watch that the Minister of Finance and Personnel announced £370 million worth of cuts, which play no part in the efficiency savings demanded by Whitehall, but which tell Westminster more about the deficiencies in DFP. We must not blur the edges of that, because that is the stark reality. So too is the £370 million worth of cuts, which will at least double by election time 2010 and which the DUP fears.

The feeble motion proposed by the DUP is another example of that party trying to evade responsibility when it is to blame for the lack of action on budgetary reform for well over a year, during the worst financial crisis that the world has seen since 1929. The House knows it, and the public can see it. The Ulster Unionist Party's amendment, which we trust will find unanimous support in the Assembly, takes us beyond the beat-your-chest rhetoric that we have heard from the DUP to actually saying that there is a problem with Northern Ireland plc.

Westminster requires money, and it has the power to cut the block grant, which is our lifeline. Northern Ireland is already struggling financially, and that struggle will not disappear after the general election next year; in fact, it will get worse, and its seriousness will be added to by any cut in the block grant. The task is to identify the problem, but some might say that that is the easy part. What is not so easy is determining how to minimise the problem.

To the prospers of the DUP motion I say that their interest in the Barnett formula and their declared opposition to reductions in the block grant are very welcome, if somewhat belated, considering that the DUP has the largest number of members on the Committee for Finance and Personnel. As far back as 2007, that Committee highlighted that the ongoing debate on the options for the funding of devolution in Scotland had the potential to open up the debate on the future of the Barnett formula for Northern Ireland. The Committee recommended that the Executive should assess that, and DFP responded by saying that it would keep it under consideration. However, we now have our third DUP Minister of Finance and Personnel, with little evidence of any movement or action on that issue.

Only a few months ago, on 26 March 2009, not one of the four DUP members of the Finance and Personnel Committee felt it worthwhile to attend a meeting with a Lord's Select Committee —

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

Mr McNarry: Let us have no more talk of going into another crisis —

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

Mr McNarry: I support the amendment.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin supports the motion and opposes the amendment. Gregory Campbell made some pertinent comments about the amendment. However, I would add that the setting up of an ad hoc budgetary review Committee would effectively duplicate the work and impinge on the existing remit of the Assembly's Statutory Committees, not least the Committee for Finance and Personnel with its specific role in examining the Budget proposals.

The fact that the Ulster Unionist Party has found it necessary to table the amendment betrays a considerable lack of confidence in the influence that it would have at the seat of Government, and that is contrary to what their spokespersons have been telling us all for some time. It would appear to indicate that that party really sees no effective outcome in a general election result that would favour their partners, the Conservative Party. It certainly reflects no particular advantage for this region or for the issues that the Assembly is dealing with.

The continued uncertainty about the economic circumstances is already impacting on the proposed budgetary process, and the motion is valuable in assisting the parties to begin to address those issues. The Department of Finance and Personnel initiated a review of the Executive's future Budget process more than a year ago, and I welcome the fact that Minister is present in the Chamber.

The Committee for Finance and Personnel made a substantive submission on that issue, which included the views of the other Statutory Committees that it consulted. Despite the Committee's pressing for an outcome, the Department has not brought forward any proposals.

When I was Chairperson of the Committee for Finance and Personnel, I raised the issue of the reviews of the in-year monitoring process and of the Budget process during the Final Stage of the Budget Bill in June 2009. The Minister of Finance and Personnel at the time, Nigel Dodds, said in response:

"Those will be considered during the summer by my successor, and he aims to provide the reports to the Committee before the next Assembly session." — [*Official Report, Vol 42, No 6, p369, col 1*].

The Committee is still waiting for that response and has heard nothing about the reviews. I hope that the Minister will be able to give the Committee some encouraging indication of when those reviews and outcomes will be made available.

If a firm budgetary process can be established in the Assembly well in advance of the next comprehensive spending review, which is likely to be in the summer or autumn of 2010, that would empower and enable all Statutory Committees to engage with their respective Departments and their plans to manage any potential reductions in public expenditure.

We must also take account of the fact that the House of Lords Barnett Formula Select Committee reported that the Barnett formula is not fit for purpose because of population changes, and it does not reflect needs. That Committee proposes a needs-based process. We must start to consider the implications of that: at Westminster, it is not a complete departure from the Barnett formula, but it might be a substantial amendment with pluses and minuses.

We need the outcome of the reviews on the in-year monitoring and budgetary processes so that we can begin to plan the Budget. However, we must also start to take account of what is likely to be the outcome of the review of the Barnett formula.

Mr O'Loan: I support the motion that the Assembly oppose any reduction in the Northern Ireland block grant. I understand the thinking behind the amendment, but I cannot support it. We would be trying to argue two cases at once, and that would not be solid ground to stand on.

The amendment refers to the possibility of a 10% cut in the block grant. The effects of such a cut on the social and economic life of Northern Ireland would be dramatic, a prospect not to be countenanced. It has not been fully revealed how that would be reflected in the Barnett consequentials. The economist Victor Hewitt was on television last week, and he indicated that a 10% cut in Department for Employment and Learning spending would equal £800 million, although that would be somewhat less according to the Barnett consequentials. A small real increase in spending caused difficulties in the current funding round, so a 10% cut would lead to drastic consequences.

It will be a hard case to make that no cuts should be made to the block grant. Members could imagine the reaction if we were to put the wording of the motion on a postcard and send it to the Treasury. I doubt whether we would receive a postcard back saying that the Treasury thought that that was a fine idea, and it would agree to it at once. If the motion is to go anywhere, it requires substantial work.

However, there is a strong case to be made. There has been a significant shift in thinking in a number of recent

influential reports from the Barnett formula to a more needs-based approach. The Barnett formula has its ups and downs: it is simple, crude and effective; it has many weaknesses; it is not needs-based or transparent; and it leaves the Treasury with too much control.

I will refer to three pieces of evidence that concern the shift to a needs-based approach. First, in Scotland, the Calman Commission examined Scottish devolution in general, but with particular reference to financial issues. Its radical report refers to devolved taxation and the UK and Scottish Parliaments' achieving that through sharing the yield of income tax.

It mentions various other taxes, such as stamp duty, landfill tax and air passenger duty being devolved and allowing the Scottish Parliament to introduce specified new taxes to Scotland. That is a radical approach. We many not have done the analysis here to know whether we are ready for such a stance. The report goes on to state:

“Until such times as a proper assessment of relative spending need across the UK is carried out, the Barnett formula, should continue”.

The report's authors are referencing the need for a proper assessment of relative spending.

Similarly in Wales, an independent commission also makes recommendations for improving the flexibility of the existing system, but says, importantly:

“In the medium term the funding arrangements for Wales should be based on relative needs.”

The House of Lords Select Committee on the Barnett formula stated:

“on the basis of our initial analysis, we believe that Scotland now has markedly lower overall need than Wales and Northern Ireland in comparison to England. The current allocation of spending does not properly reflect this basic pattern”.

Of course, the whole report is predicated on the need to move from a Barnett formula mechanism to a mechanism that is needs based. Both Scotland and Wales have done substantial work in that arena, and we have not.

The current thinking is moving towards a needs-based approach, and that case must be developed. Previously in the House, the SDLP advocated the setting up of a Committee to reprofile the existing Budget. We still urge the Minister to do that, but ask him to give it the extra task of building up the needs case for Northern Ireland. There is time to do that work —

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

Mr O'Loan: Only by creating that substantial case, based on the evidence that the House of Lords was aware of —

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

Mr O'Loan: That has been referred to frequently in the Chamber. Only through such an approach can we advance that cause with the Treasury.

Dr Farry: The Alliance Party is happy to support the motion. Like other parties, we have concerns about the amendment; we are all opposed to cuts in the Northern Ireland block grant. Stating our opposition does not mean that we are, necessarily, in denial of the realities of the challenge before us, but it is a fight worth fighting, and one that we cannot duck.

It is worth reflecting that there is a range of options facing the British Government with regard to the approach that they have taken and, no doubt, that discussion will colour much of the general election campaign. The Conservative Party, in the form of its sister party, the Ulster Unionist, has talked of 10% cuts. The Labour Party has not talked about 9% cuts; it has talked about £9 billion in cuts, and it is important that we make distinctions between absolutes and percentages; there is a world of difference. No doubt, any future Labour Government would face similar challenges.

We must accept that debt is a reality for Governments around the world. The notion that a debt must be removed in one fell swoop is a fallacy. There are issues about the balance between cuts in spending versus increases in taxation, and the increased policy focus on economic growth, which in itself brings in increased tax revenues. There are options open to Governments. There is also the issue of timing and how quickly one chooses to try to remove one's fiscal stimulus. Clearly, there is a lesson to be learned from the Great Depression, when the United States came out of the initial new deal far too quickly and went back into recession. Much discussion needs to take place at a national level about what should happen.

On the consequences here, I want to reflect on the Ulster Unionist Party's approach, given that it has tied itself so clearly to the approach of cuts, and only cuts, as the way to address the situation. One gets the impression that the Ulster Unionist Party is luxuriating in the prospect of cuts.

Mr Beggs: Is the Member advocating tax increases?

Dr Farry: My party is quite happy to consider a range of options, which would include looking at taxation issues — absolutely. There is a balance to be struck, especially if the issue of cuts is considered. The Ulster Unionist Party is not even aware of the level of the block grant. On 'Stormont Live', Mr McNarry referred to a £4 billion block grant.

It is actually twice that. I think that the George Osborne factor is taking hold in the Ulster Unionist Party, as its Members do not even know the basic economic facts.

5.00 pm

Secondly, all that the Ulster Unionists have suggested today is the establishment of a Committee to look at the issue. They have damned every other party in the Chamber for inaction, and said that they are the only ones focused on the issue. Their sole focus on the issue is a Committee to discuss it. Is that what we are going to speak to the Treasury about? Do not worry, lads, we are in control of the situation — we have established a Committee. We do not need a Committee; we need changes in policy and approaches.

There are a number of different ideas floating around the Chamber. The DUP has expressed its policy in relation to the institutions. I am personally sceptical about how far that will go, but it is a start. The SDLP has put forward its own paper, Sinn Féin has its ideas, and the Alliance Party is talking about trying to tackle the costs of division. We are also becoming more realistic about the inevitability of water charges. We are prepared to see changes in policies and practices. I have heard nothing of that kind whatsoever from the Ulster Unionists. All they talk about is the size of the alleged black hole, and the fact that we need a Committee to sort the problem out. Where are the actual ideas? Where is their credibility on what they are talking about?

Mr McNarry spoke about the importance of engaging with the Barnett review. The Alliance Party was the only party that tabled a response to that. He then went on to attack the DUP for not attending the meeting with the House of Lords Select Committee. I think it is worth stating, given that Mr McNarry brought the issue up, that his performance on that evening was less than impressive. I will not go into the details, in case I embarrass him, but he did not exactly cover himself in glory with the approach that he took, let us put it that way.

It is fair to say that there is a challenge for us in Northern Ireland if we are serious about negotiating with the Treasury and putting forward a number of arguments. First, we need to highlight the severe risk of a double-dip recession in Northern Ireland. That may occur here but not in other parts of the UK. That is linked to the large public sector share of our economy. If there are cuts in public spending, it could tip us into recession while others do not go into recession. That is one argument.

Secondly, if we are given some grace in relation to the potential cuts, that must be seen as an opportunity for us to restructure our economy and to do things differently. We cannot simply bank that and keep doing things in the same way. That means coming to terms with the size of the public sector share of our economy. It means that we have to address new ways of

encouraging indigenous growth in Northern Ireland. It means things like promoting a green new deal. A lot of those ideas are things that the Executive have not yet come to terms with themselves. I certainly think that our credibility would be enhanced if we are seeking to do things differently.

I will make a final point about the Ulster Unionists. I forgot about the one proposal that they have made, which is to ring-fence the health sector from any cuts. That in itself would be a further counterproductive argument.

Mr Deputy Speaker: Bring your remarks to a close, please.

Dr Farry: The consequence of doing that would not be a 10% cut but a 20% cut in every other aspect of government spending, including slashing any investment in improving our economy for the better.

Mr Deputy Speaker: Your time is up.

Dr Farry: It would be utterly counterproductive.

Mr G Robinson: I wish to highlight the very real dangers that exist for Northern Ireland if our block grant is cut. Last week we read and heard in the media that the level of child poverty in Northern Ireland is extremely high. We in the Assembly must ask ourselves whether we should accept that or fight to reduce it. The level of unemployment, although stabilising, is a concern that the Assembly must address. Do we accept that or fight to reduce it? If our block grant is reduced in any way, both those vital areas will be affected, as the Assembly will be greatly handicapped in its ability to tackle them.

The Westminster Government must be reminded that Northern Ireland is in a unique situation within the Union. We are moving forward after a campaign of terrorism that saw millions of pounds spent on compensation and security instead of being put into the infrastructure that Northern Ireland desperately needed, and still needs. Of all areas of the UK, Northern Ireland is the one that will be damaged most by a reduced block grant.

All Executive Ministers agreed to the Budget, and all Ministers wish to have more money at their disposal for projects as diverse as planning reform, new water mains, new roads, more health screening, greater assistance for young people in training places, more newbuild homes for the Housing Executive, and the ability to fund improvement grants.

However, we must deal with reality and not live in a fantasy world. The block grant is not sufficient at present, so a reduction is out of the question. Northern Ireland needs an increase in the block grant. An increase in real terms could allow us to start to address the problem of unemployment, and more money could be made available to the Minister of Enterprise, Trade

and Investment to assist new businesses or to help to attract foreign investors to Northern Ireland. That would help the Assembly to reduce the current level of unemployment.

More capital expenditure on infrastructure could be approved, which would result in better roads, more modern water and sewerage networks, more places on vocational courses for young people, greater spending on targeted projects in the Health Service and more newbuild homes for the public sector. All of that would benefit the construction industry. New homes with grant-aided home improvements will give families twenty-first century homes to live in, which is an indicator in working out child poverty figures.

The retail sector will grow as a result of employment in other sectors, creating more jobs and aiding households to live, not just to exist from day to day. Getting people into work will tackle the problem of child poverty.

I support the motion, as I believe that the amendment overlooks the fact that what it proposes is, *de facto*, already taking place. Therefore, the amendment is pointless, and it is only there to allow Members to continue to whinge, rather than take the affirmative action that is necessary.

Mr F McCann: Go raibh maith agat. I support the motion. Any reduction in the block grant would prove to be disastrous for many in our communities. The Assembly must do whatever it can to ensure that that does not happen. We need to put the case that, in this society, we pay more for fuel, food, insurance and housing. Equally importantly, we live in a low-pay economy, and any reduction in the block grant will add serious stress to people's lives.

In the North of Ireland, home repossessions have increased by 64%, while they have increased by 4% in England and Wales, which have been helped greatly by an effective mortgage relief scheme that has not been available here. A gloomy picture is painted when it is taken into consideration that low-income families will receive only 38p a week extra in child tax benefit and no increase at all in pensions.

Recent funding opportunities that were given to the community and voluntary sector in Britain have not been offered here, and we need to point continually to the years of underinvestment and the fact that we are coming out of conflict. It was my understanding that we would be able to retain both the efficiency savings for 2010-11 and the windfall tax of £40 million that came to the North as a result of the fuel price increase last year to deal with front line services, but all efficiency savings will now go directly to the British Treasury instead of being distributed here. That points to the need for the Assembly to have greater fiscal powers. Previously, Sinn Féin tabled a motion on that

issue, and it was supported by all parties, except the unionist parties.

In the past, I have heard a number of Members call for a bit of creativity in dealing with the block grant, but that has not been taken on board. My colleague Mitchel McLaughlin is one who has constantly argued that we need to look at different ways of distributing the resources that are available.

We also need to look at the economy on an all-island basis. It does not make sense that there are two health services and two education services.

Mr Beggs: Will the Member give way?

Mr F McCann: No, I will not.

There is duplication throughout this island, which impacts on efficiency levels and the economy as a whole. Investment companies must be looked at on an all-island basis that focuses on need, and not in a competitive North/South way, as is currently the case. We need to locate businesses in areas of high unemployment and social and economic disadvantage.

Although foreign investment is welcome given the recession, we need to secure jobs that are already here and grow and develop local businesses. Those are the ones that stay, while larger foreign businesses will leave if they get cheaper labour elsewhere. Visteon is one of plenty of examples of that.

Over two thirds of all businesses on the island have stated that there should be more cross-border co-operation. It is clear that that would have a positive impact on business when one considers that over €6 billion is spent each year on public procurement of works, services and goods, and most of it goes to overseas companies.

By incorporating social clauses into procurement contracts, the Assembly can ensure that businesses are compelled to employ the long-term unemployed; to create quality apprenticeships for young people, especially those who have underachieved at school; and to locate in areas of social and economic disadvantage.

It does not make sense for this island's small population to have two totally different economic systems. As for the amendment, it is a bit of a nonsense to set up a subcommittee that would be in direct conflict with the Finance Committee, which, after all, scrutinises all aspects of work that is brought forward, including the Budget. I support the motion.

Mr Buchanan: I commend my two party colleagues for proposing this important motion. Members will come to their own conclusions about the purpose behind the Ulster Unionist Party's amendment. I am sure that being tied to a party at Westminster that will introduce drastic spending cuts leaves the Ulster Unionists feeling a bit uncomfortable in the House. On

the one hand, they accept that the Assembly should oppose any reduction while, on the other hand, they bring out a white flag and admit defeat.

I am glad that the amendment's proposers are not negotiating with the Treasury. Members are aware of the Ulster Unionist Party's track record in negotiating. In general, it does not fill us with great confidence. I cannot see the point in the establishment of any more Committees. Perfectly adequate arrangements are already in place in the Executive and the Assembly.

In proposing the motion, the DUP is only too aware that the nation and the Province face unprecedented challenges. There is no doubt that since the Executive agreed their three-year Budget in autumn 2007, the economic and financial climate has changed almost beyond recognition. The developed world faces pressures on a challenging scale. Difficult decisions will have to be made after the general election; there will be no running away from them. Challenging times demand strong and courageous leadership. I have no doubt that the Finance Minister, in common with his predecessors, possesses those qualities in abundance.

Notwithstanding the pressures that I have described, I remain convinced that the Programme for Government and the Budget that underpins it are the best foundation on which to build, despite what the doom-and-gloom merchants in the House would have Members believe. Indeed, the leader of the Ulster Unionist Party is on public record as having accepted that to be the case.

Yes, there are serious pressures, some of which were predicted and others totally unforeseen. However, unlike what happened recently in Cromac Street, there is no hole. That is because Northern Ireland's finances have been carefully controlled throughout the deteriorating economic climate, not only by the Finance Minister but by the Executive through their quarterly monitoring process.

As the then Finance Minister, Nigel Dodds, said in April:

"the Executive will need to have an even greater focus on ensuring that every pound spent on public services delivers maximum value for money".

Demanding efficiency targets have been set for all Departments. However, more can and must be done, because Northern Ireland depends too heavily on the public sector. The Assembly needs to reduce government by cutting the number of Departments and quangos. The cost of government administration and bureaucracy is far too high. The Assembly needs to create wealth by pursuing its economic agenda and by encouraging innovation and productivity.

The required shift away from the public sector to the private sector will not happen overnight. In the medium term, and possibly for longer, Northern

Ireland will continue to suffer from poverty, unemployment and economic deprivation.

When devolved arrangements were restored in May 2007, Members knew that much work needed to be done. The economy and society in general had suffered many years of direct rule neglect and the impact of decades of terrorism, which tore the very heart out of Northern Ireland's economy and destroyed its infrastructure. Prior to devolution, the former First Minister Dr Paisley pointed out that the train could not leave the station unless it was properly fuelled.

We left the station two years ago, and we are on our journey. If we are not to be derailed or to grind to a halt, it is imperative that we are properly fuelled, and we must do everything possible to ensure that Northern Ireland's share of the block grant is not cut. It will be a tough battle, and highwaymen who are lurking in the shadows are determined to rob the train at some point. Some are dressed in the red of Labour, and they will bide their time. Others, even more vicious, are dressed in the Tory blue, and they are poised to strike. Let us face it, if the Conservative Party — the bosom buddies of the Ulster Unionist Party — win the next general election, we will not only be robbed, we will be lynched by its proposed cuts. Then there will be a black hole, which, in reality, will be more like a bottomless pit that will spell disaster for Northern Ireland.

5.15pm

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Buchanan: That is why the House needs to support the motion and oppose the amendment.

Mr McCallister: The Minister of Finance and Personnel has said:

"we know that after the next Westminster election whatever the outcome, our budget could be reduced by up to 10%. We must prepare for that by looking at what spending changes can be made, and what needs to be done to implement them."

Therefore, unlike his colleague Tom Buchanan, who thinks that there is going to be a lynching and that people are poised to strike and take away all the money, the Minister obviously accepts that our share will be cut, whatever the outcome of the general election. When the train that Mr Buchanan spoke about left, it was not properly fuelled. That has been one of the Assembly's problems from the outset.

Interestingly, when speaking to the Institute of Bankers about the need for Executive action in the face of the fiscal crisis, the First Minister, the Rt Hon Peter Robinson, said:

"There are leaders who believe they will be better thought of if they never ask people to do anything hard even if every enquiry to logic leads to the need for such a call to be made. Politicians often underestimate the public's willingness to do the right thing when it

clear what the right thing is and what its benefits are and what the true cost of the alternatives really is.”

The motion is the lowest form of cheap electioneering that I have seen for quite some time, and I am surprised that the powers within the DUP allowed it to be tabled. The motion is dangerous because it says to the people of Northern Ireland that there is a way of opting out of the Labour Government's mess and that we can be excluded.

I am sorry, but that is the type of irresponsible message that I expect to hear from Sinn Féin or perhaps from the DUP's friends in the Scottish National Party, but not from fellow unionists. As a unionist, I believe in the UK, and I believe that we should be at the heart of the Union. For more than 200 years, we have reaped the benefits of being in the Union, and we cannot shirk our responsibilities now.

In the same speech that I quoted from, Peter Robinson correctly stated that, internationally, the approach that Governments have taken has been to stimulate demand with higher public expenditure. Public expenditure in the UK has been based almost exclusively on public debt. As the leader of the Opposition pointed out in today's 'The Times', next year, Britain is expected to borrow almost 14% of its national income, and that is twice as much as it borrowed when it almost went bust in the 1970s.

That is why Sammy Wilson and Peter Robinson recognise, like every other political party in the UK and every economic expert, that we must reduce public spending to secure our long-term future. It is wrong to say that this is a case of parties of cuts versus parties of investment. It is a case of harsh reality, which has been brought on by the Labour Government's mismanagement of the nation's public finances.

Is it only Simon Hamilton and the DUP outcast Gregory Campbell who do not recognise that reality? They may have to join Jeffrey Donaldson on the party's naughty step this week. They should grab the amendment with both hands and use it as a way out of the original motion.

Leaving the DUP's schoolroom politics aside, the amendment also gives us a real opportunity to prepare for the next CSR period. For too long, DUP Finance Ministers have refused to recognise the home-grown black hole in the public finances, which now means that we must find £370 million worth of cuts by Christmas. We cannot let that happen again.

Across the UK, devolved Governments and local authorities are reprioritising in preparation for the circumstances that have been created by Gordon Brown's mismanagement. We must do the same, and the unique nature of our political system means that we need as much time as possible to get the necessary agreement. An ad hoc budgetary review Committee is

one of the best options to get that agreement, and I hope that the amendment will be supported by all parties in the Assembly.

The First Minister is right.

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

Mr McCallister: The public are not stupid, but unfortunately the DUP have treated them with contempt, and that is regrettable.

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

Mr Durkan: Like Declan O'Loan, I support the motion. I accept that it is probably the lowest common denominator on the issue, as some of the Ulster Unionist members said, but it is an important common denominator if we are to declare our opposition to any reduction in the Northern Ireland block grant during the next CSR period, or whatever it might be called.

The SDLP has a problem with the Ulster Unionist Party's amendment because, as other Members pointed out, a motion that begins by saying that the Assembly is opposed to any reduction in the block grant and then says that the Assembly should prepare for a 10% reduction and plan how best to manage that is not a robust declaration.

Just because Sammy Wilson says something in an interview in the 'Belfast Telegraph' does not necessarily qualify that to be the stuff of a solemn Assembly resolution on an issue as serious as public expenditure, which underpins important public services and which will, hopefully, underpin economic growth. Every Sammy Wilson quotation is not chapter and verse on an issue, and I do not think that that is justification for the text of the amendment. As other Members indicated, the Ulster Unionist Party clearly has a difficulty because of its relationship with the Tory Party, which has said that there will be 10% cuts; and that is, essentially, where that figure has come from.

Mr Beggs: Does the Member acknowledge that the SDLP has asked for a budgetary review Committee to examine the difficulties that currently exist, never mind those that may exist in the future? Does he also acknowledge that the amendment simply says that the Assembly should make preparations for cuts of up to 10%? We are not accepting any particular figure; we simply wish to be prepared for the options.

Mr Durkan: First, I happily acknowledge that the SDLP has advocated a budgetary review Committee and still does, as Mr O'Loan indicated earlier. We had tabled an amendment to that effect, but we proposed a budgetary review Committee to deal with the serious pressures on budgets, public expenditure and public services. The Assembly should not wait until the next comprehensive spending review to address those issues. It should be addressing them now.

We specified that a budgetary review Committee would look at absorbing future cuts and protecting front line services. We suggested that budget lines need to be recast in order to identify those that are wholly or mainly front line services and those that are administrative and bureaucratic overheads. By doing so, non-front line services could be targeted for efficiency savings and investment could be made in front line services to improve performance, effectiveness and delivery in those areas. That is what we want a budgetary review Committee do.

We also it want to identify the most important spending areas in order to support key sectors of the economy and growth during the period of recovery that we hope will come, and to better manage the key strategic investment that is being planned for the next few years. That will ensure that we not only have a quality infrastructure and public service estate but that we trap the multiplier and grow businesses here that can sell their expertise and talent elsewhere.

We want a budgetary review Committee. Our amendment was not accepted, but we will come back to that issue to give all parties an opportunity to vote for a budgetary review Committee that sets out priorities and which re-proofs and re-profiles the Budget in that way will lay the groundwork to absorb whatever emerges in the next comprehensive spending review. Whether we end up with more money, the same money, or less money, the work of a budgetary review Committee would inform how best we plan for and use those moneys.

Frankly, one reason why we want a budgetary review Committee is because it is not within the competence of the Committee for Finance and Personnel to review the Budget in that way. That is partly because even the Department of Finance and Personnel does not do a full job in comprehensively and actively — certainly not proactively — reviewing and re-proofing the Budget. That is something that we, as an Assembly, need to do. It is not right for us simply to dump that at the door of the Finance Minister or on the table of the Executive.

As we know, the Executive sometimes find it difficult to handle Budget issues. In 2008, there was a Budget vote in the House, but there was no Budget process last year because the Executive found it difficult and wanted to avoid the Chamber. We do not know what will happen in the next financial year: will we have a Budget statement or will we not?

Those are issues that we need to grapple with. If we want to be taken seriously as a regional legislature, we need to be on top of those issues. All parties have to play their part.

The SDLP wants to play its part. We do not want to dump budgetary issues on other parties and say that it is up to them and that everything is their fault.

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

Mr Durkan: We want to play our part in making responsible choices and in carving out clear strategic priorities in as positive a way as possible. To that end, we support the motion and oppose the amendment.

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

Mr Durkan: We will come back with our own proposals.

Mr Deputy Speaker: I call Mr Alex Attwood. He has three minutes only. *[Laughter.]*

Mr Attwood: I have three points to make, and I will make them very quickly.

Gregory Campbell said that, over the next five to 10 years, he wanted support for indigenous businesses and the indigenous economy. He is right.

Recently, I spoke to somebody who plays a strategic role in an economic development agency in the North; I will share the name of that person privately with the Minister after the debate. He said something that surprised me. He said that we have only 10 years to get the economic relationship between Dublin and Belfast and the island strategy right, and that if we do not get it right within the next 10 years, Dublin and Belfast will lose out, with Belfast losing out the most.

If we are to address our future Budgets and our future budgetary needs, the Minister must heed and hear what that senior strategic economic thinker is saying about how little time we have to get things joined up.

When it comes to the Minister, I do not think that I am necessarily knocking on a closed door. When it comes to his relationships in Dublin around NAMA, and his conversation with the Finance Minister in the South, the Minister has indicated a level of independence and has shown a little bit of fresh thinking that goes beyond the political orthodoxy that normally prevails in the Chamber and between the political parties in the North.

To avoid the North and the South losing out, I encourage the Minister to speak to that economic thinker — whose name I will give him after the debate — to understand why he says that time is so short.

I welcome Mitchel McLaughlin's rather independent speech, which, again, was outside the usual political orthodoxy that prevails in the Chamber. He said that we need to put in place a firm budgetary process, well in advance of the 2010 CSR, in the summer or autumn of next year.

The Member then, for want of a better term, rounded on the DFP for not coming forward to the Assembly in respect of commitments made by the former Finance Minister on the review of the in-year monitoring round process, the budgetary process, and in anticipation of the consequences of the House of Lords recent needs-based approach.

5.30 pm

Given that that was an independent approach that I have not seen from its ranks in recent times, Sinn Féin should adopt the position of Mr Durkan and Mr O'Loan in the debate. Instead of the narrow-fit approach outlined in the UUP amendment, Sinn Féin should adopt the much more rounded review approach that the SDLP previously outlined on how we should deal with our budgetary processes.

Time is short, and need is great. We need to cut through what has passed for economic debate in the Chamber —

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

Mr Attwood: That should be done by adopting the SDLP approach to the detailed working through of budgetary needs.

The Minister of Finance and Personnel: The debate has been useful and has, for the most part, been injected with an air of realism about the economic situation in which we find ourselves. I want to make it very clear that my remarks are not to be interpreted as those of someone who wants to behave like a fiscal King Canute who will deny where the tide of public finance is coming from and going to.

We know about the difficult economic situation in which the United Kingdom finds itself. We know about the economic situation in which the Irish Republic finds itself, which has an impact on our economy, as mentioned by Mr Attwood. We also know about the global economic situation. There are certain realities that we must face.

I want to spell out the economic situation — the reality, as I see it. Having said that, I urge the Assembly to examine the defeatist attitude of the party that tabled the amendment, the totally inaccurate picture that it painted and the weakness of the solution that it suggests.

We know that there are difficult economic times ahead. These are difficult economic times. Many of the Budget assumptions on which we were working for the next three years have been affected by the recession. Many people said that there should have been a review of the Budget. We have reviewed the Budget. We have reviewed it constantly through monitoring rounds. I refer to some of our actions on rates; the speed with which we have brought forward some public-spending projects; our front-loading of some investment; and the

type of investment projects that we have afforded greater priority. We have done all of that within the limits available to us.

Going forward, we know that there are levels of debt in the United Kingdom that will have to be addressed and that borrowing as a percentage of GDP is far too high. The issue is how quickly we try to reduce that debt and the borrowing requirement. We also know that there are revenue consequences from the current economic situation, such as higher interest payments and higher payments to support the unemployed. Those are a drain on the available money.

That is the background against which we have to view the current situation. However, I know that we will not address that issue through a motion. Some Members have suggested that the amendment is an attempt by the party that proposed it, which has allied itself to the Conservatives, to support cuts because the Conservatives have said that there will be fairly draconian cuts in the future.

The party that tabled the amendment produced a 10- or 12-page document on the current recession. I read that document meticulously, and one would have thought that there would be five or six ideas in its 10 pages. However, the only idea was to set up another committee. That is that party's brilliant answer to the current situation. Of course, that party has got it wrong in many other ways. It claims that the DUP is engaging in political opportunism and says that we need to think seriously about the matter, stop beating our chests — I think that that was the term that was used — stop the rhetoric and get on with the job. That message has not reached the Health Minister, who is not in the Chamber. At the first whiff of potentially difficult decisions, the Irish Congress of Trade Unions held a protest. Who doffed his cloth cap, put his socialist mantle around his shoulders and attended that rally?

Mr Hamilton: Comrade McGimpsey.

The Minister of Finance and Personnel: That is right: none other than Comrade McGimpsey. Before the party that proposed the amendment talks about chest beating, rhetoric and the need to address these issues seriously, it should perhaps put that message across to one of its most senior members, who will have to make some difficult decisions in the Executive. Ultimately, a budget review committee or the Committee for Finance and Personnel will not make those decisions: they will be made in the Executive and will come to the Assembly for approval.

The party that proposed the amendment outlined the size of the problem. Its Members asked how we can possibly manage a situation down the line if we cannot manage the current situation. They talked about the size of the block grant, and Mr Farry from North Down said that there will be big problems when the £4

billion block grant is cut. One would imagine that, when Members were carrying out research for the motion, they would have got the size of the block grant right. It is not £4 billion; it is £9.8 billion, and half of it goes to the Minister of Health, who says that he cannot and will not cut a penny. He will march down the street with the red flag rather than consider structural reforms in a budget that takes up half of our allocated money.

The party at the end of the Chamber talked about black holes. I was surprised that Mr McNarry took so long to mention black holes during his speech. We are always subject to such exaggeration and ignorant comments. There is a pressure of £370 million, not as a result of mismanagement, but as a result of the decisions that the two Ministers from the Ulster Unionist Party made collectively in the Executive on water charges, help for small businesses and so on. Those decisions carry a price tag that we must now address. There may be a pothole, but there is no black hole. That pothole was caused by decisions that we, as adults, took, and we knew what the consequences of those decisions were. What needs to be done? I do not want to dwell too much on what I believe to be a face-saving exercise on the part of the Ulster Unionist Party, which is under some pressure from its Conservative masters not to be seen to be identified too closely with the intent of the motion.

First, from experience, it is clear that, when we have faced pressures, we have been able to negotiate successfully. That means, of course, that we had to have prepared a case. I have no difficulty with the collective work of the Assembly, the Executive and departmental officials in preparing such a case. However, let us examine the successes so far. Much of what has been achieved in the Assembly was delivered by the cash that was received in the devolution settlement. We used much of that £1,000 million to do many of the good things that we have been able to do.

We knew that pressures were coming, such as the equal pay claim. I hope to resolve that issue fairly quickly, and I am sure that that will please the Member for North Antrim Mr O'Loan, who pestered me about it on several occasions. When that issue arose, we successfully negotiated flexibility from the Assembly to deal with that and other pressures. Only recently, against a backdrop of huge financial constraints, has it been possible to negotiate a considerable amount of additional money for the devolution of policing and justice powers.

I hope that my introductory remarks showed that I am realistic about the situation, but I want to emphasise that we should never throw in the towel. If we had done that on policing and justice — there were Members on the opposite Benches who would have had us conclude the discussions much earlier than we did — we would have lost out on substantial additional funding. The

Government have made commitments to provide £18 billion over 10 years for the investment strategy. We must make the case again that that money should not be touched because it was part of the devolution settlement.

Some Members talked about making a case to the Treasury. In the light of the negotiations that I am having with Ministers and the decisions that the Executive will have to make eventually, the case that we make to the Treasury for holding to the amount of money that comes to Northern Ireland must show that we can use the available funding effectively. That is why the outcome of the negotiations on the efficiencies that we have to consider for next year — £370 million or whatever the amount turns out to be — is important. We must show that we can deal responsibly with that pressure.

The Member for North Down Dr Farry made a good point: if we are to examine our public spending, we must ensure that, first, it is spent efficiently and effectively and is designed to change the structure of our economy so that it becomes more sustainable. Secondly, we must be able to say that the money is needed to change our economy, and, when we are given it for that purpose, we must use it for that purpose. Otherwise, it becomes much more difficult to negotiate with the Treasury. Thirdly, the debate about the Programme for Government and the structure of the Budget is important. That is why, in the longer term, we must look to elements of spending that lead to structural change in our economy and make us less dependent on public funding. As long as we depend on the whim of a Government for the vast majority of our GDP, we will be vulnerable, because Governments face various difficulties as political waves come and go. That is one reason why we need structural change.

5.45 pm

I appreciate the points that Members made in the debate. There has been an air of realism and recognition that we must not approach the debate lying down, waving a white flag and saying that we doubt that we can succeed. We must at least make our case.

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

The Minister of Finance and Personnel: We have to be realistic about the circumstances that we face. The Assembly must ensure that it makes the best use of money by spending it responsibly.

Mr Beggs: My colleague David McNarry rightly posed the question of how double-jobbing MLAs and Ministers will protect Northern Ireland from potential cuts in the block grant. Double-jobbing restricts their time in and influence on Westminster, and that is where the decisions are made. It is much easier simply to wait for results before taking a step back and criticising the

Government, whether it is new Labour or Conservative, and they appear to be following that practice.

Given the unprecedented borrowing by the Labour Government, significant reductions in public spending in the UK are inevitable. The UK's national debt is at its highest level since the Second World War. Some nationalist colleagues think that we can get more money from Westminster. They should consider what happened down South, where the situation is even worse. In dealing with a household or government budget, all borrowed money must be repaid with interest. Those basic principles should be followed.

It is regrettable that the Labour Government, who have a track record of financial failures, were propped up by DUP MPs when they could have collapsed. It has placed a burden on future generations and Administrations to spend more on interest repayments than on their entire education budgets. The DUP failed to advise us how that borrowing is to be repaid.

Last week, Mr Weir and I visited Scotland with the Northern Ireland Local Government Association (NILGA). We visited councils in Renfrewshire and North Lanarkshire. Although both are in areas of need, the councils told us of their plans to reduce costs by at least 10% over the next four to five years. We cannot realistically expect such cuts in expenditure to be imposed on areas in Scotland, England and Wales while Northern Ireland remains completely unaffected. Some of the required efficiencies will fall to us. We will fight to minimise any cuts in expenditure and their effect on our constituents, but it is unrealistic to say that there will be no change. As my colleague rightly pointed out, the change is already happening.

The Conservatives, using the Labour Government's figures, illustrated that 10% cuts were on the way, yet Gordon Brown failed to acknowledge that for some time; in fact, he appeared to deny it. The Liberal Democrats' Treasury spokesman, Vince Cable, told the BBC:

"I think we all realised, who have studied government documents, that cuts were on the way".

He went on to say that it is only a matter of "when, how and where".

Sammy Wilson, our Minister of Finance and Personnel, wrote in the 'News Letter' on 12 October:

"we know that after the next Westminster election — whatever the outcome — our budget could be reduced by up to 10 per cent."

My question to Gregory Campbell — I note that he is not in his place — is whether he thinks that his Minister is defeatist. I ask the DUP to reflect on the language of our amendment, because it is exactly the same as that used by its Minister of Finance and Personnel. A point that some in the DUP missed is that, by attacking us, they are also attacking their Minister.

The leader of the DUP, Peter Robinson, addressing the Institute of Bankers' annual dinner in Belfast, said:

"we could have significant challenges ahead as UK public expenditure cuts come after the next General Election. This will be a reality whatever the outcome of the election and we must be prepared for it."

I ask Gregory Campbell and his DUP colleagues, "Is your First Minister defeatist?". You are denying what he and the Finance Minister have clearly expressed and what we have expressed in the amendment. Conservative, Labour and Liberal Democrat representatives and indeed the DUP Finance Minister and the DUP First Minister have acknowledged that financial difficulties lie ahead. It is unrealistic to think that nothing will fall on Northern Ireland.

Other parties have made suggestions. However, Sinn Féin supports its DUP partners, keeps its head in the sand and gets more money from Westminster. It is not even prepared to go to Westminster to argue its case. Declan O'Loan suggested that the Barnett formula be reviewed, but many needy parts of Scotland also face difficulty. The Barnett formula may help us or it may not, but there is no guarantee that it will be our salvation. Stephen Farry of the Alliance Party seems willing to accept tax increases as a solution. However, we must remember that increasing tax too much destroys jobs. We must take care.

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

Mr Beggs: I urge Members to take the step now. Support the amendment, rather than face last-minute firefighting and, potentially, wasting limited public resources.

Mr Hamilton: I thank everyone for their contributions to the debate, which has been valuable. The motion tabled by Mr Campbell and me is a simple and straightforward attempt to seek the Assembly's support in stating our opposition to any cuts in the block grant in the next CSR or whatever it is called at that time. The reasons why one would oppose a cut in the block grant are so obvious that it would be easy to rest the case there, but I accept the Finance Minister's point that we must state our case further. We need to say why Northern Ireland should not face the savage 10% cuts that it is mooted will be made by a Labour or Tory Administration.

It is worth pointing out that the Assembly and the Executive have made cases with some success in recent times. Indeed, even before devolution, the case for a financial package was made successfully. That package has allowed us to make a substantial investment in Northern Ireland in the past two years. The Finance Minister pointed out how £100 million of borrowings can be accessed to help with the equal pay claim and other pressures. Some £800 million was

secured in respect of the non-cash impacts of water charges. In recent weeks and months, the case has been well made for a proper financial package for policing and justice, if and when those are devolved.

We must begin to construct our case as to why Northern Ireland should not face the savage cuts that are being talked about, and we can put forward several arguments. The first is one that does not come naturally to me; indeed, I am not always comfortable with putting it forward. I refer to the special case argument. Northern Ireland is seen by some as always making a special plea. However, the fact is that we are different to every other region of the United Kingdom, not least because of the 35-plus years of civil strife from which we are still struggling to emerge. The special case argument has been made before and, indeed, was an aspect of the cases I have mentioned. I made the special case argument for the reduction in corporation tax, which everyone supported. Other parties, including the Ulster Unionist Party, have sought to make the special case argument in the proposal for an enterprise zone for Northern Ireland, for example. We are not unaccustomed to making the special case argument. The 35 years of the Troubles have had a very negative impact on many things in Northern Ireland, including our social and economic fabric.

Consideration of all sorts of headline indicators and socio-economic measures shows the distinct difference between Northern Ireland and the rest of the United Kingdom and how we will remain a special case for the foreseeable future. Take the figures on child poverty or fuel poverty, for example. It is estimated that 34% of people in Northern Ireland live in fuel poverty compared to around 12% in England. A report published by the Joseph Rowntree Foundation last week indicated that, in many areas of Northern Ireland, poverty is double that in the rest of the United Kingdom. We have a higher dependence on benefits. Our income levels are lower.

The Health Minister talks about health inequalities when he regularly complains about his resources. He uses the argument that health inequalities are worse in Northern Ireland than they are in the rest of the United Kingdom. If one accepts that, and I do not think that exemptions can be made for any budget, how much more moaning will Michael McGimpsey do if we face cuts of 10% that could be administered by his new political masters in the Tory Party?

Economically, Northern Ireland has faced many distinct disadvantages compared to the rest of the United Kingdom. Those are principally a result of 35 years of civil strife, during which inward investment was negatively impacted. We had an underdeveloped tourist potential and lower investment in research and development. There was underinvestment in our infrastructure, which can be seen most clearly in the

likes of our water and sewerage infrastructure. As a balance to that, we have had the problem of the dominance of the public sector in our economy. That is not to mention the more recent economic impacts and the current slowdown. Places like Dungannon, Cookstown and Magherafelt have experienced some of the highest increases in unemployment in the whole of the United Kingdom.

We are trying to get to grips with all those problems. We should all be able to see very clearly the negative impact that cuts of 10% or more would have on our ability to get to grips with those issues. There is much talk of a double-dip or W-shaped recession. Despite all the efforts that we have made to weather the storm in Northern Ireland — efforts that have been made by the private sector, the public sector and the third sector to position ourselves for an upturn — we could be plunged into a longer and deeper recession if there are 10% cuts because of the dominance of and our reliance on the public sector.

It is our desire to see Northern Ireland become more self-reliant. It is our desire to see an end to the dominance of the public sector and growth of the private sector. Is that aim helped or hindered by a 10% cut in the block grant? We argue that some help, assistance and understanding now will help Northern Ireland to be in a better position to better pay its way and make a bigger contribution in the future. Taking that amount of investment out of our economy now could have a serious detrimental effect and set us back years, if not generations. There is also an argument about the stability of devolution, which is very much dependent on having in place a financial package. There is much talk about this place foundering on issues such as policing and justice. Given the system that we have, whenever there are pressures on budgets, there is greater risk to the stability of devolution than there would be on account of anything else. Overall cuts of 10% would represent a very severe pressure on our Budget.

It is not that we are oblivious to the need for greater efficiencies. We should all strive for those as a matter of course. It is about looking at dismantling the ugly scaffolding at Stormont and looking at different ways of doing the same things. I am currently very interested in the likes of alternative methods of financing for social housing, for example, and leveraging in greater private finance. There is a real need to look at all our policies and priorities to see whether programmes are achieving their aims or whether they are achieving anything at all.

Caving in does not help our argument at all. The amendment seems to accept rather than oppose any cut in the block grant. We should not offer support for that either implicitly or explicitly, and we certainly should

not acquiesce. We should, plainly and simply, oppose any cut in the block grant.

I suppose that I should not be bewildered by the position of the Ulster Unionist Party. I would have thought that it must know that a 10% cut in the block grant would have a devastating impact on our economy, people and public services. The defeatism that it has exhibited today in its Members' speeches and its amendment is something that we have all come to expect over the years. That is reflective of where the power lies in the political alliance between the Ulster Unionist Party and the Conservative Party.

I do not know, and I do not think that anybody here knows, what the value of the block grant will be in the next comprehensive spending review (CSR) period. However, it is clear that, if a consequence of the alliance between the UUP and the Conservative Party is that we have to roll over and acquiesce in accepting a 10% cut in our block grant, that alliance is of no value to the people of Northern Ireland.

6.00 pm

It is curious, to say the least, to hear people on the Ulster Unionist Benches describe the motion as "dangerous". It is strange to adopt the position that it is dangerous to oppose savage cuts in our block grant. My DUP colleagues and I will unashamedly stand up for Northern Ireland. We will unashamedly stand up for the interests of our people, economy and public services. The people of Northern Ireland should remember long and well those who equivocate on cuts to our block grant and are tethered at the hip to those who would administer those cuts.

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

Main Question put and agreed to.

Resolved:

That this Assembly opposes any reduction in the Northern Ireland block grant during the next comprehensive spending review.

PRIVATE MEMBERS' BUSINESS

Rural Schools

(Mr Deputy Speaker [Mr Molloy] 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 of the motion will have 10 minutes in which to propose 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 speakers will have five minutes in which to speak.

Mr D Bradley: I beg to move

That this Assembly notes that many of our smaller schools are under the viability quota proposed in the Department of Education sustainable schools policy; and calls on the Minister of Education to enact suitable pilot projects to develop ways of maintaining the viability of our smaller schools.

Tá an-áthas orm an rún seo a mholadh. I am delighted to move the motion. Of all the civic institutions that we have in the countryside, the school serves the youngest constituency. The capacity to maintain a school is a continuing indicator of a community's future well-being. Many rural schools are not only the social hub of their community; they contribute to their community's sense of survival. It is timely that we examine the issue of rural schools before we embark on the area-based planning process.

As well as being seats of learning, schools are places for community activity: sports, drama, music and other civic events. The local school is the place where generations come together and where community identity and lifelong friendships are forged. To close a rural school is to destroy an institution that holds the rural community together; to deal a body blow to communities with the least resources in the smallest and most isolated areas. Closure also damages the social and economic well-being of a community. There is a fierce pride in the local school, and communities are loath to lose them. A community will fight tooth and nail for its school's survival.

I want to focus on small rural primary schools. My colleagues will deal with the issue of post-primary rural schools. Just under half of the North's primary schools have fewer pupils than the minimum enrolment required under the sustainable schools policy for small rural schools.

Many smaller schools, whether controlled, maintained or other management types, face huge challenges and major changes. The statistics illustrate the magnitude of the problem. In the controlled sector,

130 primary schools out of 340 have fewer than 105 pupils, and in the maintained sector, 153 out of 341 primary schools have fewer than 105 pupils. All in all, 304 out of 735 primary schools are below the quota.

The Department of Education tells us that existing small schools may work together to meet need. One way to do so is through federation, which is an arrangement whereby small schools on separate sites come together to form a single school. In the context of maintaining smaller schools, federation is worth exploring. It may be a viable solution in defined areas. Federation involves two or more primary schools working together under a single board of governors and principal, and it is one way of helping to ensure the future viability of small schools. I think that it makes good sense.

The most attractive form of federation can help to keep pupils enrolled and taught in their home school, and that is preferable to running a split-site model with Key Stage 1 pupils on one site and Key Stage 2 pupils on the other. Rather than smaller schools having to compete with each other for survival, federation offers two or more smaller schools in an area the opportunity to avoid closure through coexistence and co-operation, and combined enrolments offer the chance to realise the prospect of accessing future capital funding.

I welcome the fact that federation has been tried in some areas and that it may offer a solution in other areas. In the North, it is a relatively new concept, but it has worked successfully in other parts of Britain for some years. I realise that if federation is to work it must first address the education issues, which means having at least three teachers in each school, due to the three stages of primary education. In addition, it must be economically efficient. In many cases, federation can help two or more smaller schools to meet the sustainability criteria that are outlined in the sustainable schools policy: a quality educational experience; stable enrolment trends; a sound financial position; strong leadership and management; accessibility; and strong links with the community.

Rather than rushing to amalgamation or closure as a means of managing the schools estate, is it not better, in order to ensure that every possible opportunity is given to smaller schools to survive, to fully explore the federation option? In the past five years, only two proposals for federation have been considered by the Department, which is hardly surprising given that the concept is relatively new here and that little work has been done to support its development.

I believe that the time is right to explore the possibilities of federation for sustaining small schools. A pilot scheme is needed to explore what, if any, additional resources would be required to run federations and whether or not that could be balanced

against a range of other issues, including the cost of travel time to children. For example, through federation, senior management can be reduced: one principal for two or three schools, with vice-principals or senior teachers managing individual sites. An additional resource could be generated by each school's retaining its small school allowance.

I am glad to see the Minister here, and I ask her to seriously consider providing the resources that are necessary to run a number of pilot schemes to fully explore the possibilities of federation, so that we might develop a robust model to act as a template for education providers as they consider the primary school estate in the context of area-based planning.

I turn to the Alliance Party's amendment. It is not necessary to amend the motion, which is broad and wide enough to encompass what the Alliance amendment proposes. Our motion does not preclude cross-sectoral projects involving combinations of integrated, maintained, controlled or Irish-medium schools, although such combinations would depend on local circumstances. For that reason, we are happy to support the Alliance amendment.

This issue affects Members' constituencies, especially for those who represent rural areas. Almost every MLA from a rural constituency will be confronted by this problem. It is time that we address this problem in a way that protects the rural communities. I propose not that schools which do not meet the educational criteria for sustainability should be allowed to continue, but that schools that can work together in viable federations should be allowed the opportunity to do so.

Go raibh míle maith agat.

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

“; and in particular to fully explore the potential for integrated schools or other versions of shared education as the most realistic means to preserve local education in many rural communities.”

We have no problem with the SDLP motion, which we consider timely and relevant. We hope that the Minister will take note of the call to develop ways of ensuring the viability of our rural school network. Like Dominic Bradley, I am mainly concerned about the situation of primary schools.

The purpose of my party's amendment is to highlight one of the more obvious solutions, which is to consider integrated education in certain situations and the broad principle of shared education in general. The sustainable schools policy document is fair and realistic. There is no dispute about the statistical data cited or the demographic trends. The problem is how to deal with the situation which arises when the enrolment numbers decline below the minimum level and with the contrasting demands of financial

sustainability, the quality and breadth of the education provided and the upkeep cost of the school estate, as against the contribution of the school to community cohesion and historical and emotional links to that community, which Dominic Bradley has so ably and eloquently stressed.

The policy makes various references that appear to counter the argument that only enrolment numbers are relevant. For instance, it highlights the need to:

“uphold an education system that plays a powerful and positive role in the normalising of society, helping to make it sustainable and vibrant, with greater sharing amongst communities.”

I will return to that quotation.

The policy also encourages schools to become more integrated into the wider community, including by providing informal education opportunities beyond the school. Again, that is to do with the role of the school as the hub of the community, which Dominic referred to.

That vision statement leads me to the amendment, which seeks to ask the Minister to include the potential of shared education across the traditional sectors and the integration of schools in areas where it is the most viable option. The provision of a new integrated school may in some situations be appropriate, but I prefer the coming together in a single institution of controlled and maintained schools, and the sharing of facilities, staff, premises and anything else to ensure the viability of local schooling arrangements.

Many rural schools are recognised as essential components in the life of their areas. We have to recognise that, in some situations, closure is unavoidable. In Lagan Valley, in recent years, we have had the painful experience of watching five small primary schools, all within a mile or two of each other, close down, at Drumbeg, Hilden, Drumbo, Hillhall and Lambeg. It is unfortunate, but as is the case with banks, post offices and the local shop, some schools simply do not have enough customers.

Our amendment emphasises the point made in the motion: although the viability quota is extremely important, it need not be the point on which a school falls, and every available option, however radical, should be explored in a local situation to preserve a valued local resource.

6.15 pm

I refer again to the vision statement and the powerful and positive role that a small school can play in the normalising of society and in encouraging greater sharing among communities. What could be more normal or play a greater part in normalisation than the bringing together of our children in schools for their education? We can talk about integrated or shared education, or we can call it whatever we want, but we have 50,000 empty desks, and that number is

increasing. Small schools across the Province are making contributions to their local communities, but they are threatened with closure.

If the various authorities can bring some fresh thinking to the problem, I believe that it can be solved. I know that the Minister keeps an open mind about the establishment of new integrated schools, and, as the policy develops and attitudes soften, I hope that she will engage positively with the terms of the motion to install pilot projects and, as proposed in our amendment, explore the potential solutions offered by the integrated movement and other shared education models. I urge Members to support the motion as amended.

The Chairperson of the Committee for Education (Mr Storey): First, I will speak in my capacity as Chairperson of the Committee for Education. In July 2008, the Committee provided the Department of Education with a substantive response to the Department's policy paper on sustainable schools. Some of the issues and concerns that were raised by the Committee, which the Minister of Education responded to in December 2008 — before publishing her sustainable schools policy in January 2009 — related to the viability of smaller schools. The point was made that minimum enrolments are too high, and the final policy document was strengthened in various parts. For instance, paragraph 1.11 of the sustainable schools policy now reads:

“The set of criteria set out in this document is much broader than enrolment thresholds and are intended to provide a framework for earlier consideration and action as necessary so that options can be considered which best meet the educational needs of the local community.”

It was suggested that the viability criteria for rural primary schools be lowered to around 80 pupils, as opposed to 105. The response highlighted that primary schools with a register of 80 pupils can be sustained for the future, based on the needs of the local area, and a school accessibility criterion has been included for rural schools.

The Committee raised the point about two or more schools working in federation, and Members will note that paragraph 6.13 of the policy document includes federation in the list of main forms of working together to address the need for sustainable schools. However, the policy document is silent on how those would work in practice. For instance, how would school funding arrangements work? That, and other practical arrangements, needs to be set out by the Department so that small schools know exactly what they can do to be sustainable and continue to benefit their local community.

I will also make some comments as a Member. We welcome the opportunity to raise the issue of the future viability of rural schools, but there is an elephant in the room, as there always is when it comes to this issue. I challenge every Member, from any of the parties

present, to face up to a reality: there are too many schools. Here is another reality: very few of us have the political courage to say that particular schools must be closed. Although it is good for Dominic Bradley to say that we value our rural schools, some sectors in the education system are all about the preservation of their own sector at all costs, without any reference to anybody else. That is the reason why we have the situation in which controlled primary schools have been closing at a greater rate than maintained primary schools. That is no way to deal with the situation.

It worries me that the Department has a guru, Mr Weist. He is a man of wisdom; he is one of the wise men — I am not sure whether he comes from the west or the east. However, he comes from the United States and has visited the Department on several occasions over the past number of years. What has Mr Weist told us? He has told us that we have 900 schools, whereas Montgomery County in Maryland, where there is roughly the same number of pupils, has 125 schools. I was no whizz-kid at school, but I know that Mr Weist is telling us that we have too many schools, or as he described it to me when I met him, there are too many cattle on one patch of ground. We must face that reality, but we should face it with the caveat and bottom line that no sector should get an advantage.

The Minister made a statement to the House yesterday on area planning in education. We must ensure that sectors are protected but that no sector has an advantage.

In conclusion, a pilot scheme of school federations was run in the Western Board area. However, several problems were identified. The board indicated clearly that there were problems with the cost of running the scheme, with agreeing location, with boards of governors and with administration. Given that, I think that —

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

Mr Storey: Although the aspiration behind that scheme was admirable, we must give serious consideration to the practical outworkings of such a proposal. Our rural schools are at the heart of our rural communities, and they must be protected.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I support the motion.

Given that I also represent a rural constituency, I am only too aware of the significance that a rural school has for those who attend it and for the wider community. As Dominic Bradley pointed out correctly, the rural school is often the hub of the community. Rural schools are not just the place where children are educated; they are often used as a meeting point and a venue for community events. The closure of such

schools has an impact not only on the educational experience of the child, but on the community as a whole.

The wording of the motion emphasises the numbers element of the sustainable schools policy. However, we cannot look at the issue as a simple numbers game. The Department's policy sets out several other criteria that must be considered when making decisions on a school's sustainability. We should examine them. They are concerned with the quality of the educational experience that is provided, and we obviously want our children to have the best possible start and the best possible facilities to enable them to learn. Those criteria also cover: stable enrolment trends; the sound financial position of the school; strong leadership and management; and accessibility.

When the Assembly discussed rural schools previously, many Members were aware of the fact that children are often bussed past their local schools to go to schools outside their area. We must take a stand and encourage people to send their children to local schools. The sixth criterion in the Department's policy is the need for strong links with the community. As I said, rural schools are at the heart of our communities.

Those criteria were developed after consultation with the Department of Agriculture and Rural Development (DARD) and the Rural Development Council, and I very much welcome the approach that the Department took. I also commend the Department on all the decisions that it has made that affect rural communities.

However, the reality is that there are smaller schools that fear for their future and that feel very vulnerable at this time. We must use this debate to send a clear message to the Executive that the Assembly is committed to developing sustainable rural communities.

As I said earlier, this is not just a numbers game. The sustainable schools policy also refers clearly to providing a framework for the early identification of emerging problems, with the possibility of taking remedial action. That framework would not be used in a mechanistic fashion to close schools; it is merely about tackling problems before schools reach the irreversible position when rationalisation becomes the only answer. We must tackle the problem before schools get to that stage.

As the Chairperson of the Committee for Education said, there is no getting away from the fact that in a time of budgetary restrictions, we must be realistic and deal with the fact that our school population is declining. After all, we have 50,000 empty school desks. We must also be more creative in our consideration of the long-term way forward.

The motion refers to using pilot schemes to explore the way forward, and it is my understanding that the

various school sectors are implementing such pilot schemes already.

A Council for Catholic Maintained Schools (CCMS) review of primary school provision in my area of Clonoe had a positive outcome, and people were happy with that. We need to encourage more of that sort of work, and we need to continue to be innovative and creative and to put the interests of the child at the heart of all decisions. Dominic Bradley referred to federation schools, and we need to examine such schools. They are a new concept, but anything that protects smaller rural schools must be seriously considered.

Mr McCallister: I thank the Members who tabled the motion for doing so. The Ulster Unionist Party has consistently urged caution on the rationalisation of rural schools. Local schools in rural areas play a vital role at the heart of local communities, and to dismantle a local school is often to dismantle that local community.

The Rural Development Council's submission to the independent strategic review of education stated that:

"The support role of a school in rural areas, particularly its capacity to contribute to social and community well-being and broader social and economic goals...means that there should not be a substantial time/distance gap between a school and households or communities within its overall required catchment area."

The important fact to keep in mind is the disproportionate impact that rural school closures will have on children from a more disadvantaged background. That is precisely the conclusion of the Rural Development Council, when it goes on to say:

"Children from poorer backgrounds are disproportionately affected by travel problems within rural areas. Such children are more likely to be dependent upon the school bus for travel to and from school, and therefore have difficulty in accessing both informal and formal after-school hours activities."

The Ulster Unionist Party raised its concerns about the Minister's sustainable schools strategy when it was launched. Almost a year into the strategy, that caution seems to have been warranted. The motion correctly highlights that rural schools are at risk, and that is especially true of rural primary schools. The motion correctly suggests that pilot projects be used to develop options to save those schools.

Rural schools offer real benefits. Smaller class sizes equals more attentive teachers, and being closer to home helps children to be happier, secure and better behaved. That is why we must be innovative. The Ulster Unionist Party has not been shy in making suggestions. My colleague David McNarry still has on the back burner a private Member's Bill on community use of schools and is waiting for the Minister to report back to him with her proposals. We also tabled an amendment to the Education Bill to allow schools to come together to form joint management schemes, giving them the potential to share facilities and services to remain viable. I hope that the Minister

supports the amendment, because it is the type of thinking that we need and that has been lacking in the Minister.

I noted the Minister's announcement on school entitlement. The Minister claimed that that would now form part of her overall strategy. However, I fail to see the consistency in the Minister's approach. On the one hand, she is centralising education delivery in Northern Ireland by creating the largest quango in Europe. She is also talking about choice and flexibility and claims that every pupil must go to the nearest school. On the other hand, however, she creates policies that will mean the closure of the nearest school for many in rural localities. We will be able to make the sort of progress that all Members want to see only when the Minister gives head teachers and boards of governors genuine freedom to find local solutions to the real problems in rural schools and elsewhere.

I am somewhat sympathetic to the Alliance Party's amendment. However, the party is wrong to prescribe a particular solution to the problems of rural schools. Integrated education may not suit many communities, and, with its reduced thresholds, it can often lead to extra pressures on local schools.

6.30 pm

Mr Lunn: I thank the Member for giving way. In what way does he think that the Alliance Party is prescribing one solution, when its amendment calls on the Minister

"to fully explore the potential ... or other versions of shared education"?

What is specific about that?

Mr Deputy Speaker: The Member has an extra minute.

Mr McCallister: Why then did the Alliance Party not word its amendment to read "in other sectors"? The amendment is too narrow and too prescriptive; that is why the Ulster Unionist Party has issues with it.

We must give schools and communities the freedom to come up with their own solution, and that is our argument for maintaining the viability of our smaller schools. We will, of course, support the motion.

Mr Ross: I congratulate the Members who tabled the motion. Northern Ireland has a large rural population, and that must be borne in mind when making policies. On some of the Committees that I have sat on, Members, particularly those opposite, talk continually about rural-proofing policies, whether public transport or gritting the roads. In the Committee for the Environment, we hear about the situation in rural communities and how conditions affect them. There are differences in how policies will play out in urban and rural areas.

Nevertheless, the closure of schools, whether urban or rural, is an emotive issue, and people automatically oppose such closures. However, there is little doubt that the effect of closures is much greater in rural areas. As has been said, the closure of schools can rip the heart out of rural communities and oblige children to travel greater distances to find an alternative school. The schools are more than just somewhere where children go to learn; they are often the heart of a rural community, and many community groups hold events in them. People in rural areas can come together in schools, particularly in areas where there are isolated minority communities. It is important that we recognise the role that schools play in rural areas.

The viability of small schools must be judged on more than enrolment figures. I know that Members have referred to that fact, but it is important to mention it again. We must look at the role that schools play in an area. However, as the Chairperson of the Committee said, we must face the fact that it is not viable to have small schools all around the country when there are so many empty desks. We must all face the fact that sometimes we must take the tough decision to close a school. Nevertheless, just as it is not sustainable to have empty desks, it is not sustainable to close down all schools that do not meet the viability criteria; we must judge all schools on their individual merits. The closure of more than 300 primary schools across the country is something that no Member wants.

Innovative ideas are required and, to coin a phrase, we need to think outside the box. The Member who proposed the motion was not explicit about what he was talking about. My party discussed the federation system in the past, and a system of having one principal over several schools is worth examining. At the same time, I am aware that there were problems when federation was piloted in the Western Board area.

The Chairperson referred to the difficulties with costs, locations, boards of governors and timetabling. However, that should not put us off the idea, although it highlights some of the difficulties that need to be ironed out. Nonetheless, if the Assembly believes that federation could safeguard some rural schools, it is worth considering, and it is a principle that I endorse. That is not to say that rural schools should not close; some closures are necessary. However, if federation can save schools, we should support it.

Mr Storey: I have always been sceptical of fanciful terms such as sustainable schools, federations and area planning; they are a cop-out when dealing with the number of schools.

Does the Member agree that one of the fundamental issues that must be dealt with is the need for genuine collaboration among rural schools? Does he agree that they should not be allowed to have an advantage either

in their administrative arrangements or in the policies that they implement that gives them an extra place at the table? There should be genuine collaboration in rural communities, irrespective of the sector to which a school belongs.

Mr Ross: That is absolutely right. As the Member mentioned earlier, in many cases, unfortunately, there is a certain degree of self-preservation on such issues. The Member is right to say that we need to have genuine collaboration among rural schools.

To conclude, I will talk about the Alliance Party's amendment. I note what the party is saying. When schools can work together, that should be encouraged. However, specifically to propose integrated education as a solution misses the point that there are empty desks in schools right across the country. The proposal that the Alliance Party has made consistently over the years, which is that we should have an additional sector — the integrated sector — is ludicrous. If there are empty desks in state-controlled schools, those desks should be filled, rather than have the Alliance Party harp on about having an additional sector, which would compound the problem rather than solve it.

Although I am content to support the original motion, I do not think that I will support the amendment.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. A common theme is running through the majority of contributions thus far, and that is that we need to support and enhance our rural schools network. Some of the contributors to the debate may have slightly different points of view as to how we go about that, but, if we can agree on the broad theme, that is a good start.

The sustainable schools policy is not simply a numbers game. It does what it says on the tin: creates a sustainable schools network for rural and urban communities. There is a differential, even in the numbers, for rural communities, recognising the unique pressures that rural communities face and the uniqueness of rural community life.

What is important about the sustainable schools policy is that it offers informed early intervention in schools that may have falling enrolment numbers and prevents them reaching a stage at which the first attention that anybody pays to them is when rumours circulate about their closure. That in itself is a death knell to many schools, because parents, often rightly so, believe that their children's education is going to be affected by a school that has falling enrolment numbers and may close within a specific period.

The sustainable schools policy is about offering support to schools in urban and rural communities — in this case, rural communities — and ensuring that early intervention allows schools to maintain their numbers, to consider alternatives, such as federated

projects, which has been mentioned today, and to look at how they can collaborate with their local community to ensure that the school remains open. However, as has been mentioned, there will be cases in which, despite the best efforts of all concerned — whether that be the board, the CCMS or the Department — schools will close. That is the reality of the situation, but it should not be the first option, and, in my opinion, it will not be the first option under the sustainable schools policy.

The proposer of the motion said — I will paraphrase — that a rural school reflects the viability of the rural community. That is an accurate statement, and it also opens the debate wider, because, if rural schools are to be viable, rural communities have to be viable. After all, it is the community that will supply the school with pupils. For that to happen, there must be a cross-departmental support network for the rural communities.

I note and welcome the DARD rural White Paper, which considers community life in rural communities — childcare facilities in particular — to ensure that rural families can maintain a network in their community. Support for community infrastructure in rural communities is also needed. DSD or the social services arm of DHSSPS could provide that support, but money and resources need to be brought to bear on those networks. Jobs must be available in rural communities if communities are to be viable, not just in the agriculture industry but in others, such as the light engineering industry, which thrives and develops in rural communities. Industry needs support from DETI and others to ensure that it can start up in rural communities, because, without jobs and community infrastructure, there will be no schools in rural communities. That is the simple fact. There must be a cross-departmental approach to supporting rural schools and rural communities.

Mr Storey: Will the Member accept that the converse is also the case? If there is no local community and no local school, there will be no young people to take jobs and sustain the economy. It is not a case of having either jobs or schools; a combination of both is needed.

Mr Deputy Speaker: The Member will have an extra minute.

Mr O'Dowd: I certainly agree with that. It is a circle of life in that sense; one cannot exist without the other. The only reason that a school will close is if its enrolments fall. One way or another, parents make that decision. The location of the school may no longer suit their needs, and they may move out of the area because of a lack of jobs, investment and community infrastructure. Parents who live in rural areas are not always first- or second-generation members of rural communities, and they may naturally go back to urban centres to school their children, because that is where

their family support network is for babysitting. Those factors must be taken into account.

I will not lengthen the debate by repeating what has been said. Sinn Féin supports the motion and is relaxed about the amendment. The amendment offers opportunities — the Alliance Party is not just offering a single option with it — and we support it.

Lord Morrow: The DUP came to the Chamber today with the idea of supporting the SDLP motion, but, regrettably, the SDLP has incorporated the amendment into its motion, which rules out our support. We intend to test the opinion of the House on the issue, as we cannot support the amendment. The Member from the Alliance Party who proposed the amendment said that he did not have a problem with the motion, so it is a bit confusing to see an amendment on the Order Paper. If the Alliance Party has no problem with the motion, why does it want to amend it?

Mr Lunn: Does the Member not understand the difference between an amendment and an addition? The amendment adds to the motion; it does not simply amend it.

Lord Morrow: The Member must have a different Order Paper to me. His amendment is listed clearly on the Marshalled List of amendments, and it is listed as “Amendment 1”. Perhaps, he will take another look and conclude that is not me who is confused but someone else, but that is a side issue.

The debate can be useful, although I am not sure that it will come to any great conclusions. As Members have said, it is good to focus on rural schools and their future. Rural schools are the heartbeat of a rural community. Sadly, in the past few years, there has been a real decline in the number of rural schools. The number of rural schools that have closed is frightening. Eventually, that impacts on rural communities.

I do not wish to misquote the Minister. She feels that she has been misquoted at times, so I will try not to do that. She said:

“We need to put children’s needs at the centre – it is our duty, our responsibility and we must rise to the challenge.”

Those are her words, not mine.

As Mr Storey said, the Minister, the Committee for Education and the Assembly face the challenge of how we see the shape of rural schools in the future. Are we merely paying lip service to rural schools? Do we feel that “rural schools” is a good phrase to use that clicks with certain people and might attract a few votes one day? I hope that no party and no Member will get caught in that scenario. We must declare either that we are sincere about the future of rural schools or that we see them in a different light. My party and I are sincere; we want the future of rural schools to be

maintained and kept. That can be achieved only through having a firm strategy. The Assembly looks to the Department of Education and its Minister to introduce that strategy. To date, we have not been convinced. We still could be, however. We implore the Department and its Minister to think rural and to think long and hard before they go down a road that will disadvantage rural children. Those children must not be disadvantaged simply because they live in rural communities.

6.45 pm

We cannot become urbanised, urban-thinking people on every matter. There has been much talk about transport and how it must be extended to rural communities. That is good, and the Assembly must do it. However, by the same token, does the Assembly not need to ensure that rural schools are viable and have a future? How should that be done? Surely criteria must be established that differ from those that apply in urban areas.

The numbers game is played continually. Rural education — indeed, all education — is measured in pounds and pence. That is how its future is decided. Sometimes I believe that that is the wrong road to go down. Rural education and the future of rural schools cannot be measured simply in pounds and pence. More fundamental, deep and lasting concerns must be considered.

We say to the Minister that she has an opportunity to show transparently that she has the needs of rural communities at heart. We want her to apply most of her energy in that direction in order to ensure that small rural schools have a future. Those schools are and can be viable. They are important to the future of rural communities.

If the Assembly is to keep rural communities alive, it must keep rural schools alive. The Assembly must start — I use Mr Ross's phrase — to think outside the box. Until now, efforts have not been sufficient or adequate. It is time that the Assembly thought seriously about those issues. I look forward to hearing proposals and suggestions from the Minister and her Department on this important matter.

Mr B McCrea: I share Lord Morrow's concern. When the motion was originally put to us, we were prepared to accept it. However, we had difficulty with the Alliance Party's amendment, and we still do, given the fact that the SDLP is considering adopting it.

My party's concern with the amendment is largely down to its language and the way in which it has been put forward. There may indeed be occasions when integrated schools are part of a solution. Above all, however, my party supports parental choice. Situations can be found, particularly in rural areas, where the problem is that there are too few children for too many schools. I listened intently to what the Committee

Chairperson, Mr Storey, had to say about the difficulty with falling pupil numbers in schools, which leads to closures.

The Bain report illustrates the fact that 60.4% of rural primary schools have pupil numbers that fall below the required threshold of 105. Furthermore, 77% of rural secondary schools fall below the threshold of 500 pupils. That presents a bit of a dilemma. If the same criteria are to be applied to urban and rural areas, many schools will close. That is why I agree with Lord Morrow's suggestion: different criteria must be considered for rural schools, because different issues must be taken into account. Rural schools must be kept open because they form an integral part of rural communities. I believe that the Assembly is required by statute to do that.

The debate raises an increasing number of contradictions in the Minister's position. On the one hand, she claims that she wants equality. However, the Rural Development Council maintains that people who come from rural backgrounds suffer disproportionately from the closure of rural schools. Therefore, if she is trying to look after those folks, that is not a good plan. On the other hand, she claimed yesterday that she wants children to attend their nearest school. That shows that the Minister's view is particularly urban-centric. The criteria that she has put in place mean that what is now the nearest school for children in rural areas may be closed, which means that those children will have to travel further than their urban counterparts. Where is the equality in that?

Rural schools are the heart of our rural communities. Neither the Minister nor her Department have addressed the issues properly. Innovative solutions are needed, and it is obvious that one size does not fit all and that we need to find a range of solutions. That is why I am concerned about the Alliance Party's amendment, which refers to integrated schools, and I say that as someone who has been interested enough in such schools to invite their representatives to Stormont. I believe in the integrated sector, but I do not understand why the Alliance Party has singled out one sector at the expense of others. Why was the Irish-medium sector not included in the amendment? During interventions, Members were asked what they did not understand about the phrase "explore the potential". What part of the phrase "and in particular" does the Alliance Party not understand, because such words seem to suggest that there is only one way?

Lord Morrow: I thank the Member for giving way. He raised a valid point about Irish-medium schools that I had intended to raise. It is no wonder that the Minister has a smile on her face. She has made special provision, for the sake of a better term, and she used different criteria. Can we not have the same innovative

thinking, for the sake of a better term, to address the issue of rural schools?

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

Mr B McCrea: I thank Lord Morrow for his helpful intervention. The Minister claimed that she has a co-ordinated strategy. However, even this week, when making her statement about the report 'Together Towards Entitlement' and when talking about other policies and the ESA, she gave out mixed messages about choice and flexibility.

We need to give local schools the tools to come up with their own solutions. Neither the Minister nor the Department knows better than parents, and they do not know better than local communities, which should be able to find their own way forward on this issue. I am disappointed in the Alliance Party's amendment, because it is unnecessarily prescriptive. I urge Members to support the original motion, which calls for pilot projects, and, as Dominic Bradley said, is sufficiently broad. We should not be prescriptive and risk discriminating against other sectors.

Mr Dallat: I support the motion. We live in a society in which 25% of the population cannot read or write at a level that gives them the dignity to apply for a job that they would like, so I am entitled to question anything that comes from the Department of Education, and that includes its sustainable schools policy.

I was a teacher for 30 years in the Republic and in the North, and, as such, I have strong views about the future education of our children. Closing schools that are perfectly viable and deliver sound education does not appeal to me in any shape or form. I reject the notion that small schools cannot deliver a comprehensive curriculum, because they are doing that and a great deal more.

Harry Ferguson and John Boyd Dunlop did not go to a big school. Indeed, most famous inventors who are known throughout the world for their ingenuity did not. God knows, some of them did not go to school at all.

Like others, I feel passionately about the future of our rural communities, and I reject the notion that closing rural schools is a way of putting the heart back into those communities. Such communities have already been ripped apart because of neglect by government Departments, flawed planning laws and a failure to value what is important and worth fighting for.

Much has been said about empty desks in schools, but I wonder whether the Department has ever bothered to find out why desks are empty. Is it always because of demographic changes and falling population, or is it possible that some schools are underperforming and parents are refusing to send their children to them? Is it morally right that good schools

with fewer numbers should be culled to fill those desks? I think not.

In the Republic, there was an announcement recently that all national schools, which are the equivalent of primary schools here, must have a minimum enrolment of at least 60 pupils. Not surprisingly, there has been a public outcry, and Protestant schools in particular have opposed it, because they would largely fail to meet that new quota. However, every indication is that the Government will have a change of heart, and, if I were their political adviser, I would strongly advise them to do so. Here, the numbers have been set much higher, so let us hope that our communities will feel as passionately as our Southern counterparts about the issue and raise the roof of the Department of Education and get it to stop this madness.

The situation for secondary schools in rural communities is much worse, with the minimum enrolment set at 500. Implementing that requirement would cut a swathe through large parts of the rural community. The Department should be creating incentives to develop the community school concept that was embraced in the South many years ago but which was thrown out in the North in the 70s.

Good schools and good teachers do not need to pack children in like battery hens in order to deliver a comprehensive education, and the practice of doing that may well be contributing to the low levels of literacy and numeracy that I mentioned earlier. For example, a lesson in road traffic studies can be an exciting experience in history, mathematics, science and, indeed, road safety, just as a lesson in business studies can be an exciting world tour in geography, modern languages, transport, economics and many other subjects that children find fascinating. Such lessons teach children about the real world, but the people who are pushing through the proposed measures do not live there.

I sincerely hope that the Minister takes the message in the motion to heart. No one is arguing that there should be no change; change happens all the time. However, small schools need the support of the Department to develop projects that ensure that they remain viable and attractive to the catchment areas that they serve. That requires imagination, creativity and vision on the part of the Department. To date, I have seen little evidence of that.

A working example of a federation exists in the Garvagh and Glenullin area, where two small schools are now experiencing a population explosion. Does the Minister, who has expressed great commitment to the development of language and culture, accept the fact that having no schools and teachers in the areas where those

aspects of life are under threat and underdeveloped will mean that there is no hope of success?

I am very proud to support the motion, and, as a rural dweller, I sincerely hope that the Minister will respond positively to what has been said here today.

Mr Irwin: I thank the Members who tabled the motion. Indeed, one of them represents the Newry and Armagh constituency that I, too, represent. In that constituency, there are many small rural schools that are an immense asset to their communities. The benefits that small rural schools bring to their communities and to the development of children who wish to be schooled in a rural setting are hard to quantify. However, one thing is certain: those schools are a cherished part of the infrastructure of Newry and Armagh.

When I last spoke in the Chamber about rural schooling, I urged the Minister to halt rural school closures except where local agreement had been reached, and I asked her to ensure that the rural proofing of the sustainable schools policy was underpinned by criteria that were appropriate and realistic for schools serving a rural community. In that debate, I referred to Keady and Aghavilly primary schools, which are small rural schools that cater for the Protestant community in that area.

The issues faced are similar in both sectors, and it is clear that the parents and teachers involved cherish the schools and want to keep them open.

7.00 pm

I represent a largely rural constituency and, along with other Members from that constituency, have been involved in many meetings about trying to keep some of our smaller rural schools from closing. In each case, the obvious concern has been pupil enrolments and how a small rural school can increase its enrolments.

Applying the viability cut-off is a broad-brush approach, and, as has been argued, one that does not take into account each school and its connections and ties with the community. Simply closing a school using a quota system is not best practice and gives scant regard to the impact that such an action would have on the community and the children. Those children would have to move from their local area to travel to larger schools that are often many miles away.

I urge the Minister to place a greater value on our rural schools and to seek ways to safeguard those schools, which are a vital part of our rural fabric. I have seen successful amalgamations in my constituency; for example, the amalgamation of Annaghmore and Tullyroan primary schools. However, that is not always practical or possible, as amalgamation is not always suitable to the needs of an area.

I could say more on the condition of some of our small rural schools and on the need for urgent upgrades

to classrooms, play facilities, parking, and so on. The Minister has a remit to ensure that existing schools are suitably equipped and in a sustainable state of repair.

There is much to consider and much work to do if we are to say with certainty that the sustainable schools policy will safeguard our rural way of life. I await with interest the response of the Minister on those many issues, as I know for sure that the small rural schools, which are under threat, will not go down without a fight.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. Today's debate focuses on small schools, and I welcome the opportunity to explain how the sustainable schools policy fully recognises the particular needs of rural communities.

I also welcome the opportunity to highlight that we cannot continue unchanged into the future. We cannot pretend that there is not demographic decline nor can we hide from the reality that very low pupil numbers make it difficult to deliver a high-quality educational experience for young people that is characterised by a broad and balanced educational experience for pupils. We must also be aware that very small post-primary schools struggle to provide pupils with access to a full set of subject choices that can be pursued to the highest level.

I pay tribute to my colleague Michelle Gildernew and say that my Department will be actively working with her in relation to the rural White Paper. To that end, I met some of the farming organisations to discuss the range of issues pertaining to our rural schools.

Some Members have thrown around numbers and alleged that there have been endless school closures. I want to set the record straight. Since May 2007, there have been 41 school closures: that encompasses 25 primary schools, two Irish-medium units, two nursery units, two special schools and 10 post-primary schools. Of the 25 primary schools closed, 23 had fewer than 50 pupils at the date of closure, and of the 10 secondary schools closed, nine had fewer than 100 pupils.

I understand that the enrolment thresholds in the sustainable schools policy have caused concern, particularly for small rural primary schools and the communities that they serve.

Aibhseoidh mé arís nach bhfuil treochtaí rollaithe ach ar cheann de na sé chritéar a chuirtear san áireamh agus inmharthanacht scoile á meas. Thar aon rud eile, is é an soláthar d'oidreachas ardchaighdeáin an rud is tábhachtaí.

I emphasise again that enrolment trends are only one of the six criteria to be considered in assessing a school's viability. Above all, the provision of a high-quality education is the key consideration. I reiterate that schools will not be closed simply because their

enrolments fall below the thresholds. The criteria, and their associated indicators, provide a framework for the early identification of emerging problems and possible remedial action.

The issues that affect rural schools are reflected in the sustainable schools policy. Maurice Morrow said that we should have different criteria for rural schools: we do. The policy includes a lower enrolment threshold for rural primary schools and a criterion that looks at accessibility and provides guidance on how long we expect children to travel between their homes and their schools. The policy also includes a criterion for a school to have strong links with the community, which ensures that local community involvement with schools and the contribution that schools make to their communities are included in any consideration of a school's viability.

The rural nature of the North of Ireland means that there will always be a significant number of small, rural schools. Apart from a short period in my life, I have always lived in a rural community. I still live in a rural community.

The common funding formula includes specific factors. Members asked that special measures be provided for rural schools: we already do that. There are minimum funding levels designed to help small rural schools to meet the needs of their pupils, particularly in the delivery of the curriculum. In addition to the small schools support factor, minimum funding thresholds are applied in the foundation stage of the primary curriculum and primary principals' release time funding.

I commend the contribution that some small schools make to educational attainment and community cohesion. However, we must also recognise that many small schools encounter difficulties, not only with delivering the curriculum but in operating within their budgets. The challenge has become greater in primary schools in which there are more than two age groups in a composite class. Small post-primary schools also face a number of challenges, particularly in ensuring the continuing availability of sufficient specialist teachers to allow them to provide effective teaching and assessment in all areas of the curriculum.

The sustainable schools policy does not seek a one-model-fits-all solution to the problems brought about by demographic decline. Rather, it provides a consistent framework in which any review of a school's viability can be handled carefully and sensitively, taking account of local circumstances on a case-by-case basis.

Cuideoidh an polasaí do scoileanna inmharthana linn chun a chinntiú go bhfaigheann gach páiste oideachas den scoth, beag beann ar a gcúlra nó ar an áit ina bhfuil siad ina gcónaí. Ina theannta sin,

cinnteoidh sé freisin go mbainfear an úsáid is fearr as na hacmhainní atá ar fáil don oideachas.

The sustainable schools policy will help us to ensure that all our children get a first-class education regardless of their background or where they live. Equally, it will make the best use of the resources available for education.

The motion calls on me to enact suitable pilot projects to develop ways of maintaining the viability of our smaller schools. I ask the House to recognise that my Department and its educational partners are already implementing or bringing forward a range of policies and projects to address that. The entitlement framework will guarantee all post-primary pupils aged 14 years and above greater choice and flexibility by providing them with access to a wide range of learning opportunities, irrespective of where they live or the school that they attend.

The framework will help to ensure that all pupils, however remote their location, are not disadvantaged. The establishment of area-learning communities, where schools work together and with further education colleges and other providers, and the use of distance learning methods where appropriate, will enable schools to collaborate to ensure that there is sufficient breadth and balance in courses.

As the amendment notes, the development of shared educational facilities is a practical means of preserving local education in rural communities. The development of a shared educational campus in Omagh is an example of how my Department aims to shape the way that education is delivered here. It provides an example of an alternative and innovative way to address viability issues faced by rural schools with reducing pupil numbers.

Trí áiseanna a fhorbairt a ligeann do scoileanna comhoibriú thar an gcuraclam, tá féidearthachtaí iontacha ann chun bealaí nua a fháil le teagasc, foghlaim agus foirgnimh scoile a chomhroinnt.

The development of facilities that allow schools to collaborate across the curriculum offers exciting possibilities for new ways to share teaching, learning and school buildings. I understand that the Council for Catholic Maintained Schools (CCMS) has been examining the potential for federated projects in a number of parishes, and I am confident that the new education and skills authority (ESA) will introduce a range of creative and innovative projects that, like the shared educational campus in Omagh, will develop ways of maintaining the viability of schools through collaboration and partnership while ensuring that investment in the education estate provides the best outcome for children.

My overall objective is to create a system of strong, sustainable schools. John O'Dowd was absolutely right when he talked about vibrant, strong, sustainable

communities. That is the key; we cannot consider schools alone. We must consider the range of governmental policies on decentralisation, jobs and the need for communities to work together. Our education system needs to be planned on an area basis to provide high-quality education for our children and young people. Equality must be its cornerstone.

The sustainable schools policy is a key element of the policy framework that I will put in place. The 'Every School a Good School' policy, the revised curriculum, transfer 2010, the review of Irish-medium education, the special education and inclusion review and the entitlement framework are at the heart of that policy. Members will note that, at its heart, transfer 2010 ensures that rural schools are protected. Moreover, it ensures that rural dwellers are not disadvantaged by linking criteria for entry into post-primary schools. As area-based planning develops, those policies will drive the delivery of education and the consequential reshaping and investment in our schools estate.

I will take the amendment in the spirit in which it was intended. I do not believe that Trevor Lunn and his party are trying to say that the integrated sector or the Irish-medium sector should receive preferential treatment. I believe that they are saying, and it is my Department's view, that the integrated sector was not treated fairly in the past and that we need to deal with that inequality.

This morning, I visited Lagan College and had discussions with the young people there. It is wrong that that school had to endure a delay to the investment that it deserves. Last week, I visited Coláiste Feirste during the launch of new computer packages in Irish. The Irish-medium sector and the integrated sector have the most Portakabins in the North of Ireland. That needs to be changed, and I hope that all Members will support this important amendment.

The new area-based approach represents a significant change in planning provision in schools, preschool and youth facilities. It will afford another opportunity to consider the role and structure of small rural schools in the wider context of education provision in local areas. Transport was mentioned earlier. Currently, our children travel 1.4 million miles a day on school transport. If, and when, our transfer 2010 proposals are put in place, our children will travel 400 miles a day. That will result in a significant reduction in transport costs and carbon emissions. I have often said that I can do more to reduce carbon emissions than the Minister of the Environment and the Minister for Regional Development combined.

Yesterday, I informed the House of the findings and recommendations of the 'Together Towards Entitlement' report, which considered an area-based

approach to planning for the delivery of the entitlement framework. The report highlights the need for, and importance of, an area-based approach to planning, and I will work closely with the ESA, school owners and promoters and schools to develop that approach in the best interests of all young people.

To achieve that end, I will, where necessary, explore all opportunities for collaboration and partnership, and I will provide small schools with the support that will allow them to continue to provide a first-class education for our children. However, I will not be afraid to make difficult decisions to ensure that all our children receive a first-class education experience.

7.15 pm

Leis seo a bhaint amach, amharcfaidh mé ar gach deis atá ar fáil le haghaidh comhoibrithe agus comhpháirtíochta, nuair is gá, agus cinnteoidh mé go bhfaigheann scoileanna beaga an tacaíocht atá de dhíth orthu chun oideachas den chéad scoth a thabhairt dár bpáistí. Ní bheidh aon eagla orm áfach, cinntí deacra a dhéanamh a chinnteoidh go bhfaigheann gach páiste eispéireas oideachais den chéad scoth.

Dr Farry: I pay tribute to the Minister for her comments on shared education and integrated education, which were extremely positive and represented a realistic recognition of the opportunities in those areas. We can build on that platform.

It is worth cross-referencing this debate with our earlier deliberations on public spending. There are pressures on the education system. We must recognise that the current empty school places are unsustainable and that the situation will get worse. There will have to be a process of rationalisation, and we will have to implement the sustainable schools policy.

Mr Storey: Does the Member not accept that there is a contradiction in his argument? On the one hand, he commends the Minister for giving an accolade to integrated schools, and, on the other hand, he talks about the cost. He knows that the Deloitte document clearly states that, because we have too many sectors, it costs Northern Ireland plc millions of additional pounds, yet he advocates a sector that will cost our education system more money to run. Hypocrisy.

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

Dr Farry: First, the Member needs to withdraw the call of hypocrisy, if he wants to do so.

Mr Storey: No.

Dr Farry: On a point of order, Mr Deputy Speaker. The Member has accused me of being a hypocrite, which is unparliamentary language. Will you ask him to withdraw the comment?

Mr Deputy Speaker: Members have been asked to moderate their language on several occasions in the past. I will give the Member an opportunity to reflect on that, and, perhaps, withdraw the remark so that we can move on. Otherwise, I will pass the matter to the Speaker for a resolution.

Mr Storey: I did not call the Member a hypocrite. I said that his position was hypocrisy. If the Member is happy to have the matter referred to the Speaker, I am quite happy to take whatever punishment that the headmaster feels is necessary.

Mr Deputy Speaker: Please continue, Dr Farry. *[Interruption.]* Order.

Dr Farry: I shall continue in the good traditions of British parliamentary democracy, which the Member does not abide by, and I will move on. I will address the comments that the Member made in the course of the debate.

We have to be balanced and reflect the importance and cohesion of rural communities, and I take on board John O'Dowd's comments in that regard. The motion faces up to the problems and does not duck the situation. Dominic Bradley made that clear in accepting that there is a sustainable schools policy in place that sets thresholds.

The Alliance Party amendment seeks to highlight a potential way forward that builds on the motion. I will address Lord Morrow's point: the amendment is an addition to the motion; it does not detract from it. It provides further clarity and identifies a potential opportunity in addition to the SDLP motion, which we support.

I want to respond to the comments that have been made in the debate about integrated education and shared education. Mr Storey made a point about rationalisation and the need to rise to the challenge. I have done that in my constituency, where I supported the closure of an integrated school that had only 20 pupils. Although I support the integrated sector, I am not prepared to shy away from tough decisions. My record is clear.

Members must recognise that the amendment refers to integrated education and other forms of shared education. The term "shared" implies potential co-operation between different sectors. The Alliance Party recognises that shared education can be offered in a range of ways.

Rural communities experience particular difficulties in maintaining sustainable schools. By and large, the schools in those communities belong to various sectors. If rationalisation occurs on a sectoral basis, the likelihood of no local option being available will be much greater, as will the risk of children having to be bussed to schools in other villages or towns.

However, if parents are allowed to make a pragmatic choice, they may choose an integrated school. That school would not necessarily have to be a newbuild; it could be the result of an amalgamation of schools. Alternatively, parents may opt for one of the many forms of shared education, including shared campuses, which may represent a more realistic and sustainable way of providing local education in those communities.

Integrated education raises a wider issue. I accept that a range of educational sectors exists in Northern Ireland, as will probably be the case for many years to come. I make no apology for advocating integrated schools. I do not agree with Mr Storey that integrated education is a further fragmentation of an already fragmented system. Integrated schools are, potentially, the most financially, as well as educationally, sound way of moving forward. To that extent, my comments are consistent with the Deloitte report.

I am disappointed by the approach of the Ulster Unionist Party. Every time it is asked to back up its rhetoric on a shared future with its stance on testing, it fails. The antics of the UUP in the Chamber, in trying to spook the other parties, stands in contrast to its sole remaining MP, who has been a strong advocate of integrated schools and shared education. It is a pity that the UUP does not learn a lesson from the fact that she is the only member of that party who is capable of being elected to Westminster.

Mr Gallagher: I want to clarify Lord Morrow's comment on the amendment: the SDLP has not adopted it as part of its motion. We are happy for the amendment to be put to the vote, of course, and to support it.

This is the second debate on schools this year. I thank Members who contributed to the debate on small schools that took place before the summer recess. *[Interruption.]*

Mr Deputy Speaker: Order. There are too many conversations going on in the Chamber.

Mr Gallagher: The motion was tabled because the problem of over-provision of school places has been recognised, and steps must be taken to address that. However, we face that problem against the background of the Bain report, which highlighted two issues: the financial implications for schools because of their enrolments, and the capacity of schools to deliver the new curriculum. That new curriculum is so broad that I doubt that anyone in the Chamber could name any of its 27 subjects. If schoolchildren were asked about the new curriculum, they would sigh and groan because they are not sure what it is all about. That is what we are up against.

The Minister mentioned her sustainable schools policy, which contains some good points but requires

more work. It introduced a maximum travel time of 45 minutes. I make it clear to Members, and perhaps the Department of Education will also take on board, that the message about the sustainable schools policy is not being received. The educational professionals have not heard of it, and people in other authorities know little about it, to the extent that they scratch their heads when it is mentioned. That may have something to do with the fact that the Minister introduced the policy, which faced some criticism, in the middle of the night that preceded the debate on small schools.

There is more to education than economics. Economic constraints should not determine the future of our rural schools, which, as Members have said, are so closely linked to communities. Some Members mentioned educational factors. Pupils who live with the consequences of social deprivation and disadvantage need good pastoral care and support, and our rural schools do an excellent job in providing it.

There are environmental as well as educational considerations. The sustainable schools policy may be in place, but it is not understood, and the thrust is towards centralisation. In my constituency, for example, the plan is to bus all the children to Enniskillen. I am sure that representatives of other constituencies could highlight similar examples. We do not counter that by keeping all our schools open. I have not heard the Department, or anyone else, mention the concept, but it is clear that all those who contributed to the debate want a strong network of good rural schools.

Everyone who cares about education must recognise the need for that, so the Department, the various authorities and everyone else must start working towards meeting that challenge. My colleague Dominic Bradley spoke about federated projects, which are a very good idea. The Alliance Party spoke about cross-sectoral support. School authorities have a great deal more work to do on joint provision. If we set school authorities the task of creating a network of good rural schools, they will begin to work more closely together in some areas. We must build on the positive signs that are emerging from various school authorities.

We draw encouragement from some of the Minister's points, although she did talk about the rural White Paper. Other Departments are watching progress on the rural White Paper closely, but it has still not been published. I advise the Department of Education to tell the Department of Agriculture and Rural Development to hurry up and produce it. John O'Dowd, Sinn Féin's education spokesperson, was right about the great damage being caused, particularly to smaller schools, by the threat that hangs over them. The sooner someone gets to work on the rural White Paper, the better it will be for everyone.

The Minister also mentioned shared facilities, but the Omagh site is not the best place to start the development of shared facilities. Representatives of the different sectors in the various parishes and townlands are interested in joint provision at a local level, and they should be encouraged in that.

The views of the Alliance Party are summed up in the amendment, and we do not disagree with those views.

Mervyn Storey spoke about our acceptance of the Bain report's minimum enrolments. I have already mentioned why we should not do that. Let us temper those thresholds and make them more appropriate to our circumstances, particularly in the rural constituencies of Northern Ireland.

7.30 pm

Michelle O'Neill pointed to the sustainable schools policy and the six criteria. I find that the message about the 45-minute criterion has not been received on the ground. The Department should ensure that something is done about that. John McCallister outlined quite rightly and very clearly the problems of social deprivation. He said that the disadvantages faced by children in rural areas will be further emphasised if we go down the road of centralisation, whether at primary or post-primary level.

We all understand what Alastair Ross meant when he said that rural schools are at the heart of our community. They are crucial. John O'Dowd put his finger on the issue when he said that we are in a situation in which the rumour mill runs ahead of what we do here. The Department and the other authorities need to get up to speed. A range of other Members spoke, and one of the most passionate was my colleague John Dallat, who spoke from experience. He articulated his case very well. William Irwin also spoke from a rural perspective and pointed out well the importance of rural schools.

We have to formulate a way forward. We must work to ensure that we end up with a strong network of good rural schools.

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

Main Question put and agreed to.

Resolved:

That this Assembly notes that many of our smaller schools are under the viability quota proposed in the Department of Education sustainable schools policy and calls on the Minister of Education to enact suitable pilot projects to develop ways of maintaining the viability of our smaller schools.

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

Motion made:

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

ADJOURNMENT

Lurgan Area: Improvement Scheme for 19 Rural Cottages

Mr Deputy Speaker: I remind Members that the proposer of the topic for the Adjournment debate will have 15 minutes in which to speak. All other Members who wish to speak will have approximately seven minutes.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I have in my hand the oldest active file in my constituency office. I emphasise that because this is not a debate to get at Margaret Ritchie or the SDLP.

Mrs D Kelly: Shame on you. [*Laughter.*]

Mr O'Dowd: I know. It depends how the debate goes. I have been working on this constituency issue since the summer of 2000. It started in the same way as many constituency cases. An elderly gentleman called to my constituency office one day and spoke to me about his home. I hopped in the car and we went to look at his house. As we approached the cottage, I wondered why the gentleman had a difficulty, because the outside had recently been renovated. An extensive amount of public funds had been spent on an external maintenance scheme, which led to the building of a new roof, new drainage systems, and a lovely concrete footpath down to the front of the house. The gardens had been levelled, and the house looked really well.

When I walked into the house, however, it was like walking into the first part of the twentieth century. No work had been carried out inside the house for a considerable period. The heating system was antiquated, and the kitchen was dilapidated. That elderly gentleman lived there with his wife and his daughter, and, like many rural families, they had reared a family in the house. At that stage, all he wanted was the inside of the house to be renovated and brought up to standard.

I spoke to the area's district housing manager and, in fairness to him, the very next day we were back out at the house again. The manager shared my concern that such a large amount of public money had been spent on the outside of the house but not a penny spent on the inside. The district housing manager set about doing a bit of work on the issue of the bungalow. I have no criticism of that Housing Executive officer. He came back to me with a report some months later and

told me that, in his opinion, the house needed to be bulldozed, because, when it was looked at, the work involved in carrying out an internal maintenance scheme would be a waste of money, even though all that money had been spent on outside improvements.

So, there we were, heading towards 2001-02. At the beginning of 2002, I started to ask more questions about rural cottages in the Lurgan area. As discussions continued in the form of private meetings, correspondence and exchanges across, at that stage, the council chamber, it became clear that around 19 rural cottages in the Housing Executive's Lurgan district office area needed extensive work. Some needed bulldozing; others needed external and internal maintenance schemes.

The Housing Executive put those houses together in a single scheme, because, from its point of view, and I have no reason to doubt or argue against it, it would be more economical to include the 19 houses in one scheme and bring forward a package of funding for that scheme. That promise was made in 2003, and, being the reasonable character that I am, I accepted what the Housing Executive said about taking only two years to bring forward the scheme. In the world of bureaucracy, two years is not that bad, when one allows for planning, budgets, and all of those matters.

Therefore, we waited; and, late in 2005, Mr Simmons, the gentleman with whom I was dealing, got word from the Housing Executive that more work was going to be done to his house. It was not going to be bulldozed or rebuilt, but more work was to be done to the inside of the house. He and I questioned the Housing Executive about the wisdom of spending more money on the inside of his house, when doing so was clearly a waste of public funds.

I also spoke to the Housing Executive about a number of other cottages in the area on which it intended to spend money. The obvious question that I put was: what happened to the extensive maintenance scheme that had been promised and the rebuild? The reply was that there would be no rebuild. There was no money and no provision to do that. That was in 2005. Neither the Minister for Social Development nor I were Members of the Assembly at that time. Therefore, this is not a "pick on Margaret" day.

As 2005 went on, I continued to lobby about the 19 cottages and I visited a number of them. What struck me most about them was that if there was a row of houses or a small housing estate in an urban centre in which there were 19 properties that were unfit for human habitation, as some of these were — indeed I still maintain that the house that I initially dealt with is unfit to live in — the problem would not have been allowed to continue. However, because the 19 houses were isolated and because an individual rather than a

community voice was raised, and, perhaps, due to the nature of rural people who do not want to push themselves forward or ask for what is not theirs —

Mrs D Kelly: Yes, that is right.

Mr O'Dowd: Dolores Kelly is the obvious exception to that rule. *[Laughter.]*

The houses continued in disrepair. I was repeatedly informed between 2005 and 2007 that work would not go ahead. Eventually, we got the good news that £498,000 had been secured for a scheme on the properties.

To emphasise the poor condition of the houses in 2003, I will read from a Housing Executive letter of that year:

“A project team to review the work required to all cottages in Lurgan has been initiated and a consultant will shortly be appointed to carry out a feasibility study and analysis. Recent experiences with similar schemes would indicate that a high proportion of the cottages will require redevelopment, involving demolition and rebuilding by the Housing Association.”

That shows what a poor condition the cottages were in then. So, in 2007, it was good news when we realised that funding had been secured and that the work would take place approximately a year later. The year came and went and, lo and behold, in 2009, all the tenants received letters to tell them that the work had been cancelled.

In 2000, 2003 and 2005, a high proportion of the houses were below standard. Some of them were unfit for human habitation and, indeed, in the meantime, the wife of the gentleman in my original case had died, so they never got to enjoy their new house. Then, in 2009, the tenants of those 19 isolated rural cottages in the Lurgan area were told that there is no money, no work and no hope.

I understand the pressures that are on all Departments, including the Department for Social Development (DSD), but I brought this case to the House's attention not simply because I have been dealing with it, but because it has been ongoing for nine years. I know that Mrs Kelly has been involved, and I am sure that colleagues from across the Chamber have also been involved in similar lobbying, because the houses cover a wide geographical area and, in our divided society, they are cross-community in nature. So this is not just John O'Dowd complaining about a nine-year-old case. In fact, one of my colleagues said earlier that the fact that I have not managed to resolve the case in nine years may prove that I am not a very effective representative, and that may well be true. This debate will prove that one way or the other. I brought the case before the House to highlight that fact that after nine years, — indeed, with respect to the first house that I visited, after, perhaps, 39 years — of insufficient work being done to the property and a significant waste of public funds on, on one occasion,

an extensive renovation, as well as minor repairs being carried out.

We have an opportunity to start again; to knock down the houses that require rebuilding and to completely renovate the others. Consequently, those rural dwellers, many of whom are elderly and have reared their families — in some cases, the next generation is living in the house now, because their elderly parents have passed on — will have an opportunity to live in the same standard of housing that my constituents in the Shankill or Kilwilkie estates or in Craigavon would expect. There is no way that an urban community would put up with the standard of living in which those people must live.

I appeal to the Minister to ensure that the scheme is not overlooked again in any budgetary discussions in her Department, especially with the Housing Executive, and that it will become a priority, as it was in 2003, 2005 and 2007, in the Lurgan district housing office and in the Department for Social Development, so that those people are given equality of opportunity for housing. Go raibh maith agat, a LeasCheann Comhairle.

Mrs D Kelly: I thank the Member for securing the debate. As someone who was born and bred, and whose father still lives, in one of those rural cottages, I am quite familiar with the problems that are associated with them and, indeed, with the layout and, in many cases, the location of the cottages. I know from experience with my grandparents that when money was available, my grandmother would not allow work to be carried out because of my grandfather's failing health. I am sure that that is part of the problem. People do not want to go through the bother. There is too little social housing stock into which to decant people during major works, and people from rural areas will not move into towns, although sometimes mobile homes are suggested as an alternative means of accommodation.

I do not expect the Minister to be accountable for what happened in the past. As Mr O'Dowd said, in the past, in the years when there was no devolved Assembly, the schemes were approved but the work did not happen. I hope, and I am confident, that the Minister is putting right the organisation and accountability mechanisms in the Housing Executive and district offices, and that priority will be given to those who are most in need.

Recently, I wrote about one such cottage in the Ballycairn area, where work is to commence in the new year because it meets the needs of a disabled young man. I welcome the fact that work will commence on that and that the money is available for it.

7.45 pm

Mr O'Dowd is right in so far as rural people have lower expectations and put up with a lot more than would many people in town. My question for the Minister is as follows: as many of these homes are unfit, what impact on the waiting list would a statutory notice have, if it were served upon the Housing Executive by the environmental services department of a local council? Would that enable the Minister's Department to spend money outside of her current priorities? That might be the case in one or more instances. I wonder whether housing associations have any role to play in taking responsibility for any of these homes. They might have a budget that could assist in getting the work done. We need to have a degree of creativity in this very tight economic climate.

The cottages referred to are scattered across the Craigavon Borough Council area. Practically all the villages are represented. Very few such houses are still in public ownership, and that is to be lamented because we all know that we cannot get people to take the latent demand test, yet, when a house becomes available, all of a sudden there is a deluge of applications.

The Housing Executive must address planning for the longer term in terms of new housing stock and opportunities that might arise through co-operation with housing associations. There are still pockets of land available in public ownership across the rural areas. Have any of the housing associations made representation to the Department? That would provide opportunities in cases where homes are deemed to be fit only for demolition. That may be another solution or way out of this difficulty.

Mr O'Dowd has confined his remarks to the Lurgan area, but I have no doubt that there are such difficulties right across the North. Perhaps the Minister can inform us of the Housing Executive's overall strategic plan for rural housing, because, as Mr O'Dowd said, rural areas often get a raw deal. Is there any opportunity for collaborative working across government Departments? The Agriculture Minister has £10 million to alleviate rural poverty. Has there been any consultation at ministerial level as to how that money is best spent? Housing inequalities lead to poor health outcomes, so that is a conversation worth having at ministerial level.

Like Mr O'Dowd, I want to see priority given to older people and people with disabilities who are living in conditions deemed to be unfit. The Executive needs to take ownership of this problem. Yesterday, Members talked about poverty and health outcomes. Members want a healthier people in the North, and we must look at funding the housing budget properly.

The Minister for Social Development (Ms Ritchie): I thank John O'Dowd for tabling this

Adjournment topic, and Dolores Kelly. They have both contributed this evening.

I welcome the opportunity to clarify some of the issues raised, and I will try to address all of them. I assure Members that I will study the Hansard report, and if I have left any of their questions unanswered, I will write directly to the Member concerned.

I must first declare an interest. I was reared in what was then known as a "labourer's cottage", which my late parents bought in 1969. That was the house in which my father was brought up, so it is about 98 or 99 years old. Therefore, I know what it was like to live in such a cottage; in fact, I still live in it, although it has been renovated. I know the space standards of such cottages, and I know that many large families were reared in them. I also know what it is like to live in a rural community. People in rural communities have lesser expectations and make do with less. It is not always right for them to do that, but that is the way that they are. I sympathise with the people whom Mr O'Dowd and Mrs Kelly mentioned, because I can empathise with their position.

There can be no one in the Chamber who is not aware of the shortfall that the housing budget faces due to the collapse of the land and property market. Between last year and next, I face a housing budget shortfall of over £300 million. No one in the House or in Northern Ireland is to blame for that; it is a consequence of the economic downturn. As a result of that shortfall, difficult and sad decisions have had to be made. The Housing Executive has had no choice but to prioritise its expenditure across all its programmes, including the sort of multi-element improvement schemes that we are discussing.

I am conscious of the fact that Mr O'Dowd has been working on this case since 2000, and I would like to find out why it took so long to progress the scheme in the earlier years. Although I have been trying to do that, I would like to be able to examine it further and come back to Mr O'Dowd and Mrs Kelly on it.

Although we are talking about the 19 homes in the Lurgan area, we could be talking about any one of a number of similar schemes across the North that have not been able to proceed due to the funding pressures. Members may be interested to know that there are 3,777 Housing Executive homes awaiting a multi-element improvement scheme, at a cost of over £114 million. I do not want to deny people the chance to live in a decent home. Everyone deserves a decent home to live in but, when allocating scarce resources, the choice is whether to improve the homes of those fortunate enough to have one or provide a home for those who have none. I know what the conditions of some of those cottages are, because I have seen them

in my rural community, and I know that it is not fair to ask people to live in them.

With almost 40,000 people on the waiting list for social housing, half of whom are in housing stress, the shortfall in my budget has meant that we have to focus on where the need is greatest. I have, therefore, decided that my first priority must be to support and protect society's most vulnerable, such as the homeless, those in fuel poverty and those in need of supported housing. This year, I have set aside the resources to deliver 1,750 new homes, which is our largest number of new homes for a decade.

Members must also be aware that, paradoxically in this challenging economic climate, the time has never been better to maximise investment in social housing. For every 10 jobs that are created by expanding the social housing development programme, at least a further seven are created or sustained elsewhere in the supply chain and the retail sector. Therefore, the delivery of homes not only helps those in greatest need, but acts as a stimulus for the local economy. Construction costs have also been falling, so we can get more for our money.

According to our records, John O'Dowd first raised the issue of the cottages in Lurgan with the Housing Executive as far back as May 2003. However, Mr O'Dowd tells me that it was much earlier than that. I want to examine all of that detail, so it would be helpful if Mr O'Dowd supplies me with copies of the correspondence, so that I can have a full investigation. Dolores Kelly also has correspondence, and I want to carry out a full investigation as to why there was a delay.

As Mr O'Dowd and Mrs Kelly are aware, most of the cottages are located in small settlements on the outskirts of Lurgan. They were constructed between 1908 and 1939, which is around the same time as other similar cottages throughout the North of Ireland were built. Various improvement works have been carried out over the years, but I accept that they all require extensive renovations. There have been various delays in bringing this work forward since it was first approved by the board of the Housing Executive in 2006.

The scheme has been revised a few times since then, and it currently has a provisional start date of June 2010. Unfortunately, that is conditional on the resources being available and, as Members have already heard, there is no guarantee of that in the current financial climate. Indeed, as I said earlier, that uncertainty applies to more than just the 19 cottages in question.

The effects of the budget shortfall mean that every improvement scheme similar to this one is now subject to the same funding issue, and I know that Members understand and appreciate that fact. It should also be understood that no mainstream government investment

programme in any other Department has been decimated in the same way.

I take on board what Mrs Kelly said about the possibility of funding and the rural development sphere. I will contact my ministerial colleague Minister Gildernew about those issues, and, because there are associated health and well-being issues, I will also contact the Minister of Health, Social Services and Public Safety. I want to examine whether there are any possibilities for co-operation in that regard.

I make no apologies for repeating my call to put the housing budget on a more sound and firm financial footing. Relying on the vagaries of the land and property market alongside in-year quarterly bids is no way to fund long-term infrastructure programmes. We are all trying to grapple with that, and we have come to the realisation that housing must be put on a different financial footing.

I am not just sitting back, wringing my hands and hoping for more resources to come my way. Officials in the Department's housing division have already been working very closely with their counterparts in the Housing Executive and the housing association movement to identify new and creative opportunities that could see some of the improvement programmes restarted. Mrs Kelly referred to the role of the housing associations and work on a particular scheme in Derry, which was the subject of some debate earlier. There is no doubt that others could be investigated.

I am very optimistic about the potential that such work creates, and I am very happy to get back to Members in the coming months, once the necessary approvals for those new proposals have been obtained.

I have touched on the various issues raised by Mr O'Dowd and Mrs Kelly. I am also conscious of the need to get other Departments involved, namely the Agriculture Department and the Health Department, as I think that Members are saying to me that a special case must be made for cottages throughout Northern Ireland. I am quite happy to examine that issue and to pursue it with others, notwithstanding the fact that other Ministers and Departments are subject to the same financial constraints as me. However, DSD is different because its budget is predicated — like no other — on the income it can raise from land and house sales.

I trust that Members across the Chamber, and particularly the residents of the dwellings in question, will understand why I cannot give them a definite date tonight for the start of the work that they have been promised for a long time. However, I can assure Members that I, along with my officials, will undertake an investigation into why the delay was so long, why there has been such a history to the case and why there was little movement in the earlier stages.

Furthermore, I can undertake to conduct cross-departmental investigations to see if pots of money could be made available. Moreover, I can assure Members that the Department will continue to explore financial innovation measures with housing associations to ascertain the possibility of creating alternative financial models for carrying out improvements to those types of houses. The Department will get back to Members on those specific issues.

In the final analysis, there is only one solution among all the others that have been suggested. All the parties around the Executive table must agree that housing is too important to be a casualty of the economic downturn and that it must be put on a sound financial footing once and for all.

I thank Members for their contributions, and I will return to them at a later stage with more detailed answers. However, if Members can supply me with copies of pertinent correspondence, I will ensure that those issues are investigated.

Adjourned at 7.59 pm.