
Northern Ireland Assembly

Monday 17 May 2010

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

Members observed two minutes' silence.

Assembly Business

Public Petition: Whitehouse Primary School

Mr Speaker: Mr Mervyn Storey has sought leave to present a public petition in accordance with Standing Order 22.

Mr Storey: I wish to present to the Assembly a public petition in relation to the delay in the rebuilding of Whitehouse Primary School and nursery unit in Newtownabbey, which, as Members know, was destroyed by fire on 18 July 2009. I am sure that the petitioners welcomed the Minister's announcement last Friday that it is now her intention to give the project the go-ahead. That is extremely welcome news for all concerned. However, having been asked to present the petition on behalf of the Committee and in light of the circumstances, I felt that it was only right and proper that the effort to collate some 6,000 petitions was reflected through the presentation of the petition to the House today.

The principal of Whitehouse Primary School presented the petition, which contains more than 6,000 signatures, to me, as Chairperson of the Committee for Education, on the afternoon of Wednesday 12 May. Some 200 parents, pupils and staff gathered at the front of Parliament Buildings. The Committee had previously agreed that I should accept the petition and present it to the Assembly on behalf of the Committee. The petition takes the form of a letter to the Minister of Education seeking a date on which building work on a new school for Whitehouse Primary will commence. I am happy to report to the House that the Minister's press release of Friday stated that work should begin in a few weeks. Therefore, Mr Speaker, I present the petition to you in accordance with Standing Orders. I can confirm that, contrary to what has

been suggested, the colours of the box do not represent either the SDLP or Glentoran Football Club. They are the proud colours of Whitehouse Primary School.

Mr Storey moved forward and laid the petition on the Table.

Mr Speaker: I will forward the petition to the Minister of Education for information.

Executive Committee Business

Licensing and Registration of Clubs (Amendment) Bill: First Stage

The Minister for Social Development

(Ms Ritchie): I beg to introduce the Licensing and Registration of Clubs (Amendment) Bill [NIA 19/09], which is a Bill to make provision in relation to liquor licensing and registration of clubs.

Bill passed First Stage and ordered to be printed.

Mr Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Construction Contracts (Amendment) Bill: Second Stage

The Minister of Finance and Personnel

(Mr S Wilson): I beg to move

That the Second Stage of the Construction Contracts (Amendment) Bill [NIA 16/09] be agreed.

I begin by apologising for my late attendance in the Chamber on Monday 10 May, which necessitated the rescheduling of the Second Stage of this Bill. I hope that Members appreciate that it was not my intention to be discourteous to the Assembly in any way; rather, it was the fact that it took me longer than I had anticipated to get down to the Chamber and that the business of the House continued.

I assure the Member for East Antrim Mr Roy Beggs, who seems to be fixated on my movements and words, that my late attendance had nothing to do with double-jobbing. I notice that he is not in his place, which may be because he is doing one of his three jobs as a farmer, a local councillor and an Assembly Member. I assure him that I was not distracted by duties at Westminster. I was in Parliament Buildings, and it simply took me longer than I had anticipated to get to the Chamber. It had more to do with my lack of agility and the fact that the Minister of the Environment did not take as long as I thought that he would in his Second Stage debate. I apologise to the Assembly; I did not mean to be discourteous in any way.

The Bill proposes amendments to the Construction Contracts (Northern Ireland) Order 1997. That Order was intended primarily to allow the swift resolution of disputes by way of adjudication and to improve payment practices, issues that have long beset the construction industry. The 1997 Order derives from Part II of the Housing Grants, Construction and Regeneration Act 1996 in England and Wales. Known as “the Construction Act”, that legislation had its origins in Sir Michael Latham’s 1994 seminal report ‘Constructing the Team’, which set out recommendations to improve the workings of the construction industry and to tackle its damaging adversarial culture through the promotion of greater integration and collaborative practice. In 2004, Sir Michael was asked to review the effectiveness of the Act. He concluded that, although, in the main, it worked well, some improvements would be helpful. A series of public consultations was carried out in GB, and detailed discussions were held with

various umbrella groups representing all parts of the industry. The ultimate outcome of those deliberations was a number of amendments to the Construction Act, set out in Part 8 of the Local Democracy, Economic Development and Construction Act, which received Royal Assent in November 2009.

While the amendments to the GB legislation were still being developed, my predecessor Nigel Dodds launched a public consultation on proposals to amend the Construction Contracts (Northern Ireland) Order 1997. That exercise was carried out between 8 April and 3 July 2009. The Department of Finance and Personnel's proposals, as set out in its consultation, closely reflected the amendments being put forward for the Construction Act at Westminster. That approach was adopted because the amendments being considered in GB reflected the outcome of extensive consultation with the construction industry and its clients over a number of years at national level. The amendments represented a distillation of proposals aimed at improving the operation of the Construction Act, while achieving a proper balance across the frequently conflicting interests in the industry. The changes also embraced the twin benefits of ensuring parity of legislation and securing a level playing field for the Northern Ireland construction industry, objectives seen as important prerequisites to any changes.

Although the response to the consultation was limited, DFP proposals were generally welcomed by the Northern Ireland construction industry. For example, what critical comment there was tended to reflect the view from one sector that we were not proposing sufficient change, while another sector expressed the view that matters between private contracting parties should not be subject to statutory intervention. Those differing viewpoints serve to underline the continuing need to promote balance between the diverse commercial interests of the various sectors of the construction industry.

The proposals in general attracted broad agreement, and there was emphatic support for the principle of the maintenance of parity with the ongoing amendments to the corresponding legislation in GB. For example, even in the case of a respondent disagreeing with a specific point, the response would be qualified by saying that, notwithstanding his point of view, parity with GB would be more important.

In considering how to approach the weaknesses that were identified in the current Order, three options were assessed. We could do nothing and rely entirely on guidance to the industry; we could target specified areas in which existing measures are seen not to be working effectively; or we could carry out extensive regulatory intervention. The measures that I propose in this amending Bill follow the approach taken in GB in seeking, where possible, to consolidate the already good track record of co-operation between the industry and government. I propose legislative intervention only in cases in which there is no realistic alternative. Essentially, these interventions will fine-tune the existing framework rather than make a wholesale change.

I turn to the content of the Bill and will quickly run through each of the clauses. Clause 1 removes the prohibition of the application of the 1997 Order to contracts that are wholly in writing. The courts have interpreted "wholly in writing" strictly and have determined that even contracts that were initially in writing but were subsequently varied by oral instruction fall outside the 1997 Order. That prohibition has led to disputes over contracts being excluded from the 1997 Order which otherwise would have benefited from being resolved through adjudication.

Clause 2 deals with the application of construction contracts. The 1997 Order currently defines "construction contract" and "construction operations" and contains an all-or-nothing power that allows the Department to disapply all of its provisions from certain types of contracts. I propose to amend the 1997 Order to enable the Department to disapply any, but not necessarily all, of the provisions. That approach will allow us to ensure that many of the valuable features of the 1997 Order, as amended by the Bill, can continue to apply; for instance, the right to stage payments, the right to adjudication and the right to suspend performance in the event of non-payment. It will also allow us to respond proportionally to future contractual innovation.

Clause 3 relates to the adjudicator's power to make corrections. I propose to require parties to a construction contract to provide for an adjudicator to have the power to correct any obvious clerical or arithmetical error in his or her decision — the so-called slip rule.

Clause 4 concerns adjudication costs. The Local Democracy, Economic Development and

Construction Act 2009, on which our public consultation was based, includes a provision that renders ineffective, with one exception, any agreement between contracting parties about the allocation of adjudication costs and expenses. That exception relates to instances where agreement is made in writing after one party has given notice to the other of its intention to refer a dispute to adjudication.

12.15 pm

During its passage through Parliament, the Local Democracy, Economic Development and Construction Bill was amended to provide for a further exception. That amendment means that it will also be permissible for parties to contract, in writing, to allow the adjudicator to make his or her allocation of costs and expenses. Although views on that measure were not canvassed during the Department of Finance and Personnel's consultation, I propose to include that amendment because it represents good practice, and, most importantly, would maintain the goal of parity, which was already accepted by those who responded.

Clause 5 concerns the determination of payments due. I propose measures to clarify the requirements for contracts to include adequate mechanisms to determine what periodic payments become due under contract and how obligations under those contracts should be dealt with.

Clause 6 deals with notices that relate to payment. To deal with the issues of ambiguity and improve the transparency of the process, I propose detailed measures to address matters concerning the various mechanisms that relate to the issue of payment or withholding notices. The proposals make separate provision for instances in which the contracting parties have agreed that the duty to issue notices may lie with the payer, the payee or some third party. Accordingly, they also set out regimes for dealing with failure to issue notices on time or to make due payment.

Clause 7 deals with the requirement to pay the notified sum. In the interests of improving cash flow, I propose measures to make it a statutory requirement to pay the sum that is specified in payment notices, except in some circumstances; for example, insolvency. Clause 8 refers to the suspension of performance for non-payment. I propose to amend the provisions that relate to a contractor's remedies, including the right to

suspend work when due payments that have been properly notified have not been made.

The Bill comprises a number of separate amendments that relate to various measures in the Construction Contracts (Northern Ireland) Order 1997. Principally, I propose to increase accessibility to the process of adjudication under that Order. That will allow disputes to be resolved without parties having to resort to more costly arbitration or litigation. The measures that I propose are also intended to improve cash flow in the industry by improving transparency of procedures and removing the ambiguity relating to the issue of notices and payment mechanisms. Those measures are intended to resolve shortcomings that have been observed in the working of the original GB legislation, which was replicated here in the 1997 Order. The proposals relate to important issues. If enacted, they will provide real and practical benefit to the construction industry in Northern Ireland.

The Deputy Chairperson of the Committee for Finance and Personnel (Mr McNarry):

The Committee Chairperson is unable to be here, so perhaps this is a first: my apologising for a Shinner. However, I assure the House that I am not setting a precedent. The Chairperson of the Committee for Finance and Personnel is absent owing to another engagement.

Over the past two years, the Committee for Finance and Personnel has engaged with the Department on its plans to amend the Construction Contracts (Northern Ireland) Order 1997 and the associated Scheme for Construction Contracts in Northern Ireland Regulations (Northern Ireland) 1999. I will probably mention some matters that were raised by the Minister, but it is important that the feelings of the Committee are relayed to the House.

On 4 June 2008, the Committee received an initial briefing from DFP officials on the Department's plans to consult on proposals that were aimed at improving payment practices in the construction industry. Members heard that the proposals related to three broad areas: the adjudication process, the payment framework and the right to suspend performance. The aim of the proposals was to encourage parties to a construction contract to resolve disputes by adjudication, rather than by recourse to other options, such as litigation, which is very costly in time and money. The proposals were also

intended to provide greater transparency and clarity on payments. Members heard from the officials that, rather than wholesale reform, the proposals represent measured reform of adjudication and payment practices in existing legislation.

At its meeting on 30 September 2009, the Committee was apprised of the outcome of DFP's consultation. Members heard that the response to the consultation was modest, with only seven replies having been received. Given that similar amendments were going through Westminster at that time, departmental officials considered that the low response rate possibly reflected a supposition that the same amendments would subsequently be made here. In that respect, the Department's officials were keen to stress that full consideration would have been given to any alterations or changes that arose as a result of the consultation that DFP undertook. That said, the officials confirmed that respondents indicated support for maintaining parity with the position in the rest of the United Kingdom and that there was broad support for the proposals that were consulted on by DFP.

At its meeting on 21 April 2010, the Committee received a pre-introductory briefing on the draft Bill. DFP officials confirmed that the draft Bill's provisions differed only slightly from the proposals that were consulted on to reflect minor amendments that had been made to the corresponding GB legislation. Those changes related to the power to disapply any or all of the provisions in the 1997 Order with respect to descriptions of construction contracts as specified in the relevant Order and with respect to pre-dispute agreements on the allocation of adjudication fees.

During the evidence session, members asked whether removing the requirement for fully written contracts would, in fact, make an adjudicator's job more difficult, when the intention of the clause was to make the role easier. The departmental officials advised that, although contracts may be written initially, the majority of them evolve over the course of construction work and, therefore, many changes are not agreed in writing. Therefore, it was important to note that the removal of that requirement should broaden the adjudicator's role and his or her ability to deal with all aspects of a contract, whether written or verbal.

Committee members also questioned departmental officials further on the response to the consultation, raising a number of additional issues during the session, including the rationale for amending the legislation, adjudication fees and public procurement requirements. Overall, the Committee was generally satisfied with the briefings and the clarification that has been provided by the Department to date. During Committee Stage, members will engage with DFP officials and other stakeholders on the details of the Bill. In the meantime, I support the principles of the Bill and the motion, and I believe that that is the general view of Committee members.

Mr Hamilton: I speak in favour of the motion, and I echo Members' support for the principles of the Bill. I do so in particular because of the two main planks that the Minister offered as the thrust of the Bill: improving the payment process by attempting to inject clarity and transparency into the payment of moneys due in construction contracts, enabling, where possible, better cash-flow management and, secondly, the attempt to engender a less costly and time-consuming process for resolving disputes.

We all know the importance of the construction sector to the local economy, and that has been seen most acutely in the worst of times, rather than in the best of times, because that sector has borne the brunt of the economic downturn, whether in unemployment, loss of productivity or loss of skill sets. We have seen the construction sector suffer a great deal over the past 18 months to two years. Anything that the House can do, it should do. That could include approving the spending plans, which have offered great assistance to the construction sector, that the Minister and his colleagues brought forward for capital investment. Indeed, in some cases, that assistance represented the only work that people in the sector were able to get. We could also try to improve the process, which is what we are doing with this Bill, knowing as we do how important the sector is to our local economy.

I hear construction companies say regularly that, although the loss of business, the loss of contracts and the lack of contracts coming through the system is bad, poor cash flow is one of the biggest problems that they face. Any business may lose trade or business, but cash flow coming through will allow that business to be sustained, as that money will allow overheads

and costs to be paid and people to be kept in employment. If that cash flow is not coming through, it will be difficult to pay those bills, and it will make life difficult with the banks. The lack of cash flow is often the excuse that banks put forward for increasing fees or withdrawing facilities. Given that the sector depends very much on good cash-flow management, clause 5, which relates to determination of payments due, and clause 7, which relates to the requirement to pay a notified sum, are important. The clauses that are trying to improve the cash flow management of construction contracts are also important.

The House knows how expensive disputes over contracts can be to the public sector in time and money. We have seen many high-profile cases where disputes have cost the public sector in Northern Ireland a great deal of money and have delayed important construction contracts for a long time. When the Committee for Finance and Personnel examined the procurement process in Northern Ireland, it spent a lot of time concentrating on disputes, and it found how costly they can be to the public sector. Indeed, such disputes can also be costly to construction businesses. We should support any approach to get a more amicable solution to disputes over contracts, whether that be over the timeliness of payments or of jobs not performed. Therefore, I welcome the inclusion of the relevant clauses in the Bill.

Finally, the maintenance of parity with the rest of the United Kingdom is critical. As the Minister outlined, there was some dispute over some of the clauses during the public consultation. However, one theme that was constant throughout was that people in the sector wanted to see the maintenance of that parity. I also welcome the fact that, as the Minister said, this Bill is only for matters for which legislation is required; it is not a wholesale change of the whole system for the sake of it. Indeed, if such legislation is required, the Bill is the only option available to the Minister to improve the system of construction contracts. With that in mind, I welcome the Bill and support its Second Stage.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. The Minister and Mr McNarry, who spoke on behalf of the Finance Committee, comprehensively and expertly set out the Bill's intention. As a member of that Committee, I support Mr McNarry's remarks.

Sinn Féin recognises that there are too many possible scenarios of conflict or dispute to allow a total guarantee or reassurance to be given. However, we were given sufficient grounds to believe that the Bill's intention on transparency and expediting the process of dispute or conflict resolution and its ability to minimise the resort to legal redress is in the broad interests of the industry. Disputes affect not only the primary contractors but often the suppliers and those who rely on being able to provide services in the food chain and those who may have difficulty maintaining their necessary cash-flow levels.

Therefore, very briefly — I hope this will be the shortest speech that we will hear on the subject — this is a good Bill, which deserves the support of the Assembly.

12.30 pm

Mr O'Loan: I also support the Bill in principle. The Minister and the Deputy Chairperson of the Committee for Finance and Personnel have told the House that the purpose of the Construction Contracts (Amendment) Bill is to amend the Construction Contracts (Northern Ireland) Order 1997. That Order was a replication of the Construction Act 1996, which sought to deal with the issue of payment practices in the construction industry in what was intended to be a final way; however, that has evidently not turned out to be the case. It was felt that amending legislation was required in Britain, and departmental officials here felt that the 1997 Order had the same weaknesses and advised that it should also be amended.

When officials gave evidence to the Committee on the Bill on 21 April 2010 they stated that:

"At the heart of the initiatives...were the concepts of partnering, collaboration and integrated teamworking".

They also said that they had:

"tried to eliminate any scope for lengthy disputes or poor payment practices, which have constantly bedevilled the industry."

They went on to say that:

"The Construction Act had been expected to enforce best practice to ensure a fair balance and commercial power throughout the demand and supply chain."

Although the original legislation was intended to do all those things, there is a perception

that it has not and that it needs to be amended to achieve the three principles of partnership, collaboration and teamworking; to resolve disputes by adjudication rather than by going through the courts; and to create a level playing field in any dispute, whether it is resolved by adjudication or by the courts. It is not entirely clear what way the dice are currently loaded, but there is some suggestion that the stakes are not evenly balanced in dispute situations.

I was somewhat concerned that the evidence that officials gave to the Committee and the answers that they gave to my specific questions indicated that there was a limited response to the consultation on the Bill, with only seven responses having been received. On the face of it, that would seem to indicate that there was not a groundswell of opinion; however, there may be more views beneath the surface, and I am also unsure whether there was a level playing field on the consultation. The public sector is often the client in those situations, and it has a very strong voice, having representative bodies that can articulate its case very professionally, and there are professional bodies in the construction industry that are equally capable of presenting their views. However, the private sector is much less structured, and even large firms may not have the capacity for or experience of engaging in that type of consultation. There are many small firms in the supply and construction sides of the industry that have not expressed their views. I have some concerns about that, which were not fully answered by officials, and I did not see enough evidence of a proactive attempt to consult key stakeholders, particularly those that I mentioned.

There are eight clauses in the Bill, which, as the Minister indicated, are quite technical in nature. Therefore, it is a perfect example of a Bill that we should support in principle, while welcoming the fact that the Committee will examine it in detail. Given the highly technical nature of the Bill, I cannot say that I am looking forward to that task with immense anticipation. However, it is one of the jobs of work that happen behind the scenes in the Assembly, and it will be very important to the entire construction industry. Considerable reference has been made to the need to maintain parity in the UK, and certain stakeholders have argued strongly for that. That point must be taken seriously, but many construction firms that operate in Northern Ireland also operate to a significant degree

in the South. Therefore, I ask the Minister whether the issue of parity with the South of Ireland has also been considered. It would be unfortunate if, in trying to maintain convergence with Britain, we were to diverge further from the equivalent legislation that applies in the Republic of Ireland. If the Minister were to address that point, I would be grateful, and we can also consider it in Committee. I give my broad support, in principle, to the legislation at Second Stage.

Dr Farry: I shall endeavour to make my contribution even shorter than that of Mitchel McLaughlin. The Alliance Party supports the legislation, which is largely technical. If the response to the consultation so far has been limited, that may be rectified in Committee. The Committee for Finance and Personnel will undertake that shortly and can tease out the detail. We should welcome and move forward with the principle of the legislation.

Given the particular economic challenges that face the construction sector not only in Northern Ireland but elsewhere, the legislation is timely. Prompt payment is important for the cash flow of all businesses, including those in the construction sector. I also recognise that cash flow is particularly important in the type of business environment in which many small firms and independent traders work.

Disputes about contracts cause delays, which have not only financial but economic costs, including lost opportunities to move forward. I suspect that the temptation for disputes to arise is even more acute in the context of an economic downturn, because of the pressures that businesses face in trying to survive in a difficult environment. I hope that the legislation will help to protect Northern Ireland from that.

Without straying too far into the next motion, I shall follow on from Declan O'Loan's comments on parity. It is important to recognise that the market in Northern Ireland is not and should not be viewed as a segment on its own, cut off from what is happening elsewhere in the UK or, indeed, the island of Ireland. It is important, in the first instance, that we follow what is happening at a UK-wide level but also that we recognise the all-island dimension. If there is divergence, we should use the forums available to us in Northern Ireland to create as much harmony as we can across these islands. Without harmony, we would be at a competitive disadvantage, because

our being out of step would create a barrier to companies from elsewhere working here. That would make it difficult to ensure that we receive best value not only in the private sector but in the public sector. Therefore, we have a strong economic and financial interest in ensuring that we improve the current regime as far as possible. Along with other Members, I look forward to discussing the Bill in greater detail in Committee.

The Minister of Finance and Personnel: I thank all Members who took part in the short debate on what some described as a complex issue. It has been a rather historic afternoon. Mr McNarry knows what I am going to say. I noted two points from his speech. He apologised for the Sinn Féin Chairman of the Committee, which must be a first. He started with one startling statement and concluded with an equally startling one, when he said that he totally supported the motion. It is a first for Mr McNarry to apologise for Sinn Féin and to support a DUP Minister. Although it will make this place less exciting and, probably, my job less enticing, I hope that he keeps taking the medicine that he took this morning, so that we get that combination.

Mr McNarry: That is my contribution to unionist unity. You have to play your part.

The Minister of Finance and Personnel: I suppose that that is right. It is his plank for unionist unity. I thought that I would remark on that before I started.

Mr McNarry and Mr O'Loan raised the issue of the limited response to the consultation. As Mr Farry pointed out, if there has been some defect and if people have either not had, not taken or missed the opportunity to respond to the proposals during the consultation, they will have an opportunity to do so during the Committee's investigation. One of the good things about devolution is that there is an opportunity for legislation to be properly scrutinised, and people can come along and express their views to those who will make the decision about the legislation.

I must say in defence of the Department that, as well as meeting all the other statutory requirements, it notified over 40 bodies that will be dealing with the relevant issues that the legislation was being proposed and gave them the opportunity to respond. We received only seven responses. When similar legislation was being dealt with in GB, 71 responses

were submitted, and one of those was from a Northern Ireland-based body. Only 13 responses were submitted for Scotland. Proportionally, therefore, we had about one tenth of the responses that were received for GB as a whole, so one might argue that we had a proportionally higher response rate than other parts.

Mr O'Loan also said that very few responses were received from SMEs, an area that will be affected by the legislation. I do not think that any SMEs responded, but the Member will know that many smaller businesses tend to look to their central organisations, which are better equipped and have better expertise, to deal with consultation responses on their behalf. I suspect that many of their views were incorporated in the collective responses from the bigger bodies. There will be an opportunity to be heard during the Bill's Committee Stage, and it will be interesting to see whether some of those who did not make their voices known during the consultation will want to come to the Committee and speak about it.

We have tried to reflect those views in the legislation. As I said in my opening speech, the central plank was, first, to maintain parity, for which there was a demand; secondly, not to introduce an over-prescriptive statutory requirement on firms; and, thirdly, to try to identify where issues had arisen with the defects in the Construction Contracts (Northern Ireland) Order 1997 and to address those, and we have tried to do that.

One other point to come through was the importance of the Bill to the industry. Cash flow is important at this time. The parts of the Bill that deal with notification of payments being issued, with the requirement for those payments to be made and with allowing a wider range of people to issue those notices and the requirements in contracts such as the requirement that the default position will be adopted in respect of any contract for which there is no notice will help businesses to ensure that they get paid on time for work that they have specified. Of course, they will have to specify the work and justify the claim that was made. Transparency and cash flow are important.

Furthermore, the adjudication process will help many small firms that cannot afford the costs of litigation and of employing barristers and experts to go to court. One Member mentioned

the adjudication process and fees. Anyone who is entering that process, if they have any sense, will ask the adjudicator to lay down their daily fee and the length of time that the work is likely to take. There will be a limit to the amount of time as well.

12.45 pm

It has been a useful debate. There is general assent, but, as some Members have said, that may be due to the technical nature of the Bill and the fact that Members have not gone into all the potential issues. However, knowing the Committee, I am sure that it will do that during the Committee Stage.

I thank Members for taking part in the debate and for the way that they have worked with the officials. I note that the Deputy Chairman recognised that the engagement with officials to date has been useful. That is the way that it should be, and I hope that that will continue throughout the Committee Stage. I commend the Second Stage of the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Construction Contracts (Amendment) Bill [NIA 16/09] be agreed.

Forestry Bill: Further Consideration Stage

Mr Speaker: I call the Minister of Agriculture and Rural Development to move the Further Consideration Stage of the Forestry Bill.

Moved. — [The Minister of Agriculture and Rural Development (Ms Gildernew).]

Mr Speaker: As no amendments have been selected, there is no opportunity to discuss the Forestry Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

Private Members' Business

Economic Regeneration

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

Mr Butler: I beg to move

That this Assembly calls on the Executive to explore, through the North/South Ministerial Council, ways to develop policies in conjunction with the Irish Government which benefit both economies on the island, with particular consideration being given to the potential benefits of the harmonisation of VAT rates, taxation systems and corporation tax; and further calls on the Executive to work with the Irish Government to develop an all-island economic recovery and development plan, aligned with an investment strategy, to help address the adverse impacts of the present economic climate.

Tá mé an-sásta a bheith ag caint faoin rún sa díospóireacht seo inniu, agus tá súil agam go mbeidh an Tionól ag tabhairt tacaíochta di. The amendment to the motion is acceptable. I do not see anything wrong with it, and it does not take away from the overall motion. Therefore, as far as our party is concerned, we accept the amendment.

The case for an all-Ireland approach to economic regeneration should, first of all, be non-party political. The case for closer economic links has to centre on the benefits that that will bring to the people we represent. The most compelling reason is that it makes economic sense to work together on this small island to help to better everyone, including the business community, those who are employed, those who are unemployed and have lost their job in the recent economic downturn and those who are about to enter the workforce.

All the economies on these islands face difficult times. The Twenty-six Counties has experienced huge job losses and cuts in public expenditure. The British economy is about to experience deep cuts in the public sector, as it attempts to

deal with one of the worst recessions that it has witnessed in modern times, while the North's economy, as the Assembly knows only too well, has felt the worst effects of the recession in job losses and an increase in unemployment.

The case for an all-Ireland approach to economic matters has been made strongly by the Government, the business communities in both jurisdictions and trade unions. Independent research and reports also demonstrate the benefits of an all-Ireland approach to economic regeneration. In 2007, for example, the then chairman of Ulster Bank, Sir George Quigley, stated that the Assembly should promote an all-Ireland economy through a single joined-up effective agency, with the IDA and Invest NI no longer competitors but fully collaborative.

The Economic Reform Group's research shows that there are increased opportunities for cross-border economic development. It found that one in six firms in the North of Ireland and one in twelve in the South engage in cross-border co-operation. The Irish Government's 'National Development Plan 2007-13' states that:

"All-island collaboration offers a unique and relatively unexploited source of competitive advantage for both the North and the South."

The 'Comprehensive Study on the All-Island Economy', which was commissioned by the British and Irish Governments in 2006, is one of the most extensive reports on the development of the country's economy. The report examined the strategic context for North/South economic co-operation and looked at the strategic rationale and economic basis for all-Ireland collaboration. The Irish Business and Employers Confederation (IBEC) and the Confederation of British Industry (CBI) have a joint business initiative that aims to enhance co-operation and improve competitiveness for businesses in both the North and the South.

The Irish Congress of Trade Unions (ICTU) represents the country's trade union movement and works with other organisations, such as government and business agencies, to develop all-Ireland economic prosperity for its members. There have also been concrete benefits from all-Ireland economic co-operation, which include major investment by both Governments that is projected to be in the region of €100 billion or £68 billion in a 10-year period. The Irish Government have committed major investment to key strategic cross-border routes, such as

those between Dublin and Belfast, between Derry and Letterkenny and between Sligo and Enniskillen. They have provided nearly €8 million to assist the development of the City of Derry Airport.

The North's economy has potential to improve if economic activity and policies are developed on an all-Ireland basis. A considerable market of six million people exists in this country to develop such policies. Since the Good Friday Agreement, trade between the two parts of the island has steadily increased. Thousands of businesses from all over the island trade with each other daily. Hundreds of thousands of people live their life on both sides of the border; they reside in one jurisdiction but shop, study or work on the other.

Economic planning and development on the island has been carried out in a back-to-back fashion for many decades. Due to lack of joined-up development in areas such as road, rail, air and sea transport, businesses have suffered reduced economic opportunity. Constant fluctuations in VAT, corporation tax, excise duty and currency have created barriers to economic development on both sides of the border. Further research and analysis should be carried out into the benefits of having one currency — the euro — on the island of Ireland.

There have been many positive developments as regards all-Ireland co-operation. The all-Ireland energy market has provided for a competitive, sustainable and reliable electricity and gas market. The recent announcement by regulatory authorities on both sides of the border of a move towards the harmonisation of electricity and gas prices on the island is a welcome development. Alignment of the two markets will reduce supply costs, raise customer service standards and attract new investors. InterTradelreland, which was set up under the Good Friday Agreement, has developed many North/South business opportunities. Since 2003, more than 1,300 businesses from across the island of Ireland have benefited from its help in creating jobs and generating trade.

The opportunities and benefits of all-Ireland economic planning have never been more pressing, given the present economic climate facing both economies. In particular, the North's economy will continue to be underdeveloped because of its dependence on and domination by the British economy. It has no fiscal

independence or power to raise taxes, which means that the North's regional economy is overdependent on the public sector to create employment. The North has always been peripheral to strategic economic planning by the British Exchequer, with decisions in London inevitably reflecting the economic needs of the south-east of Britain. The recent Westminster election underlined how far down the list of the British Government's priorities the North is: it was not mentioned even once during the election campaign, and, when David Cameron mentioned it, it was to say how many cuts he would make in the North if he became Prime Minister.

An issue on which there has been some convergence of opinion recently among the political parties here is corporation tax. Although positions may differ on the actual rate, there is clear consensus across the political and economic spectrum that corporation tax needs to be harmonised across the island. Developing the island's attractiveness to international investment should be a key priority for the North/South Ministerial Council. Working through the NSMC, we must place the focus on enhancing the island's business environment and securing maximum collaboration in export promotion. There must at least be enhanced collaboration between the IDA and Invest NI in promoting the island for inward investment, but both bodies should eventually be merged into a single inward investment agency for the island of Ireland. More work should also be done through the NSMC to remove obstacles to mobility between both jurisdictions. The recent development of a dedicated cross-border mobility website to help people who want to move across the border to live, work or study is to be welcomed.

The need for a skilled all-Ireland workforce is a key resource for a more prosperous all-Ireland economy. The NSMC needs to consider how we can build on the all-island skills study report and improve the all-island skills base so that it contributes to all-Ireland economic development.

Resolving outstanding political matters arising from the Good Friday Agreement and the St Andrews Agreement has dominated politics in the North for the past number of years.

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

Mr Butler: Now we have an opportunity to turn our focus and attention to developing economic policies for the benefit of everyone. Go raibh maith agat.

Dr McDonnell: I beg to move the following amendment: Insert after "corporation tax;"

"calls for the full implementation of the November 2001 cross-border 'Study of Obstacles to Mobility' report commissioned by the North/South Ministerial Council;"

It is a privilege to move the amendment. I thank Mr Butler, Ms McCann and Mr McLaughlin for tabling the motion. It is an excellent motion, and I am trying to add a minor amendment to widen it and make it practical. The motion recognises that, at any time, we should be trying to create as much flexibility and mobility in our economy as possible. It recognises that flexibility and mobility are particularly important at this time because of the economic circumstances in which we find ourselves. The SDLP amendment focuses not just on identifying the problem and discussing it but on doing something practical about it.

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

The amendment refers to a study that was carried out at the request of the NSMC in 2001. The study set out to do a number of things. Its terms of reference were:

"To identify the obstacles to the mobility of persons, in either direction, between North and South on the island of Ireland, including: persons living in one jurisdiction and working, or seeking to work, in the other; persons who have lived and worked in one jurisdiction but who either have moved, or wish to do so, to live and work in the other jurisdiction; students whose original residence is in one jurisdiction but who are studying, or wish to do so, in the other jurisdiction; and persons who have lived in one jurisdiction and now live, or wish to do so, in the other jurisdiction, without working for remuneration."

The study was also asked to assess the obstacles to people's mobility in key areas, including direct and indirect taxation; vehicle importation and registration; social security; pensions; health; education; training; recognition of qualifications; employment law; housing; and childcare. In other words, the study had a wide remit. It was also asked to consider and recommend ways in which barriers might be eliminated in either the public or private sectors as appropriate. After long deliberations, it

reached a number of conclusions that I wish to draw to Members' attention.

1.00 pm

The study accepted the fact that a wide range of obstacles affected people's mobility across several sectors. I am acutely aware of that through my work in the medical profession and, in some cases, through my dealings with students. The recommendations dealt with those obstacles. Individuals and companies also face obstacles to mobility. For example, a combination of factors may adversely affect a decision to move. These are gloomy days, but, not so long ago, we could have removed some of those obstacles if we had taken a big slice of the financial services sector into east Belfast. The obstacles faced were found to affect lower income groups adversely and disproportionately. The costs of those obstacles are borne by individuals and companies across the spectrum. The problems that we face are not unique to Northern Ireland or the island of Ireland as a whole. Countries across Europe face similar frontier issues in respect of the economy and the restrictions that affect the way in which people operate and do business. Finding solutions to those obstacles requires various efforts from providing information to legislating.

I wish to provide more minor detail about some, not all, of the recommendations. The study made 50 recommendations on information sharing; taxation; pensions; social security benefits; health, which is a big issue for me; childcare; housing; transport; education; training and employment; and telecoms, which affects us all because of roaming charges. If my friend Mr Campbell visits somewhere such as Magilligan in his constituency, he may suddenly be hit with high roaming charges for using his mobile. We are all hit with such rates if we are within 10 miles of the border; telephone companies rip us off. The study also made recommendations about banking and insurance, and, my God, I am sorry that we did not take up some of those recommendations a few years back before the current crisis.

I wish to provide some detail about the recommendation on taxation. The study recommended that information be shared between the North and the South and that a joined-up approach be taken to taxation so that people are not taxed twice. Quite often, individuals who work in the North but live

across the border and vice versa pay tax in both jurisdictions on the money that they earn. Vehicle registration taxation is very high in the South, yet someone who lives in the South but works in the North must buy a car in the South and register it there. I mentioned double taxation, and the study recommended better tax reliefs. It also recommended that pensions be co-ordinated to ensure that people who move either North or South fit in. The study also recommended that social security benefits be integrated. The fact that information is not free-flowing creates difficulties for many honest people and opportunities for those who want to claim benefits fraudulently on both sides of the border. This extends, I am told, not just to Northern Ireland/Ireland but to those who wish to defraud the social security system by travelling from various cities in the English midlands to Dublin and vice versa.

There are a range of issues that we need to come to terms with. There is little political sensitivity involved, and, in many cases, it is a question of good management.

There is a very strong case — it is in the North's interest — for allowing people access to healthcare on either side of the border. I want Northern hospitals to accept Southern insurance, because, for example, where a new hospital is being built in Enniskillen, Fermanagh, that could bolster the hospital and make it more sustainable.

The cost of housing was a major problem and, although it may have eased quite a bit, access to finance is, nevertheless, much more difficult. There is a clear need for a cross-border loan scheme that takes into account the fact that many people from Belfast travel or move to Dublin to work for a period of time and, equally, that people move in the other direction. Due to an oversupply in housing, there may not be a lot going on at the moment in the Dublin and Southern building scene. However, at the time of the big boom in the construction industry, Northern Ireland builders needed better access to Southern projects.

I draw attention to the need for an all-island transport strategy. God knows, with the volcanic ash cloud that is hovering over us, those of us who have to go to another place this week are not sure whether we will get there. There must be significant improvement on roads that serve both jurisdictions, such as the Omagh-

Ballygawley road or the Omagh-Aughnacloy road, which are very important. There has been some co-operation; however, it is important that that is sustained. Cross-border air and rural bus services all feed into the transport strategy.

I could talk at length about education and training, in which there needs to be mutual respect for qualifications. I am particularly concerned that, for some reason, the senior medical training boards in London have decided that doctors, consultants, physicians and surgeons from Belfast, who, traditionally, have taken their exams through the Royal College of Surgeons in Dublin, somehow or other do not possess the necessary qualifications.

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

Dr McDonnell: In many cases, in real terms, those qualifications are very good, if not better than those that are needed.

I could talk about banking and insurance. However, I have made my point through all that I have listed. I am glad to propose the amendment and to support the motion.

Mr Campbell: The mover of the motion from Sinn Féin indicated at the outset that this issue is not party political. I suppose, in some respects, he is correct but only in respect of the party aspect. It may not be party political, but this issue is most definitely political. It appears that the acumen that devised this proposal is similar to that which we heard expressed by the deputy First Minister on Friday, when, in the company of the First Minister, he attempted to have a "Well done, David" moment. Fortunately, that backfired, as one hopes that this motion will. We will oppose the motion and the amendment for precisely those political reasons.

I have no difficulty with neighbouring countries, particularly those with no language barriers, co-operating to their mutual benefit. It would be patently absurd to create artificial barriers to beneficial proposals that could impact on the lives of people in either state. However, that is not what the motion is about.

People in Northern Ireland were not enamoured of the idea of going into an all-Ireland economy when the Celtic tiger was leaping and bounding ahead, so why on earth would anyone think that we would be more minded to go into one now? Last month, unemployment in the Republic hit

13.4%, which happens to be about double the unemployment rate in Northern Ireland. There are 432,000 people unemployed in the Irish Republic, and, according to many economic commentators, were it not for outward migration to the United Kingdom, more than half a million people would be unemployed. Despite that, the proposer of the motion wants us to join a banal scenario, which would leave us in an even worse situation.

Often, when comments are made about proposals such as that in the motion, criticism of those comments begins with the accusation that the unionist who opposes the proposal is looking over his or her shoulder at the TUV. Normally, that is what is said. That cannot be said today. It is also normally said that the comments are being made because there is an election coming. That cannot be said today. There is no electoral or TUV reason behind the comments that I am about to make. Some of us make such comments before, during and after elections, and we do not change. Some people need to wake up, smell the coffee and move into the twenty-first century, because people in Northern Ireland will not vote to move into some sort of all-island economy. In fact, there is much talk about referenda. I would be delighted to hear about a referendum in the Irish Republic that would ask whether the public would favour an all-island economy if it were to cost everyone £2,000 a year, every year for the rest of their life. I would dearly love to see that question in a referendum and to see the answer.

Last year, construction output in the Irish Republic fell by 32%. Capital investment fell by 28%. Politically, the issue of an all-Ireland economy is a dead end, and it is going nowhere economically. Northern Ireland and the Republic need to co-operate, and we need to do so on a basis that benefits the people here initially; if people in the Irish Republic derive benefit from it, so well and so good.

Mr Kennedy: Like the previous Member who spoke, after reading the motion, I was struck by the sentiments that drive the call for harmonised economic policies north and south. The sentiments were exactly that — sentiments. They may be nationalist or national sentiments, but they are sentiments that are driven by political dogma rather than economic imperatives or even common sense.

There are many ways in which the economies of Northern Ireland and the Irish Republic interface and interdepend. Over the past few days, the people who will sit on the Northern Ireland Advisory Committee of NAMA have been named. We also heard that up to 150 developers from Northern Ireland will have £4 billion worth of loans that were taken out during the property boom, transferred to NAMA. NAMA was established by the Irish Government to buy and manage debt held by Dublin-based banks after house prices crashed. It was also revealed that a number of Northern Ireland developers owe NAMA in the region of £100 million each. Of course, the economies of Northern Ireland and the Irish Republic are, therefore, intertwined. However, despite that, our economy in Northern Ireland remains deeply wedded to the United Kingdom economy.

1.15 pm

Northern Ireland manufacturing sales for 2008-09, the last year available, totalled about £16.2 billion. Of that, some £12.5 billion was overseas trade. Out of that overseas total, almost £6 billion went outside the UK, which means that our annual manufacturing trade with the UK is worth some £6.6 billion. That is well over 53% of the total manufacturing overseas trade and some 44% of total manufacturing sales. Sales to the Irish Republic account for 10.4% of total manufacturing sales and 28.6% of manufacturing exports. In addition, exports to the Irish Republic are falling year on year and fell in value in 2008-09 by some 9%. There is no question, therefore, about the identity of our major trading partner: it is the rest of the United Kingdom by a considerable margin, and the proposers of the motion would do well to take note of that.

Of course, that does not mean that corporation tax should not be reduced. Of course it should, and my party proposed that, along with the creation of an enterprise zone covering the whole of Northern Ireland, as a means of achieving a rebalancing of our public and private sector work imbalance. The aim, therefore, should be a reduction in corporation tax not a harmonisation. If that is the result, well and good, but the motivation must be reduction not harmonisation. The call for harmonisation is just another example of Sinn Féin trying to claim credit for a reduction in corporation tax as if it were designed to bring us into the orbit of an Irish economy. Heaven forbid that we should

queue up to join one of the problem economies of the European Union, which does not even share our currency, although how long it may be allowed to remain in the euro zone remains to be seen. We take no pleasure in that, but those are the simple, economic facts.

Therefore, Sinn Féin need not try to present the issue as one of harmonisation with the Irish Republic. It is not. It is only the creation of a level playing field with a competitor economy that for years used its corporate tax policy to attract inward investment and to mount what amounted to unfair competition with our efforts to attract inward investment. We do not agree with or subscribe to Northern Ireland being part of an all-Ireland recovery plan, not because we do not respect the Irish Republic or wish it well but because we are predominantly part of the UK economy and our economic recovery is bound inextricably to that of the rest of the United Kingdom. Therefore, we will oppose the motion and the amendment.

Dr Farry: The Alliance Party welcomes the debate. It is with some regret however, that we cannot support the motion, because it goes way too far in talking about fiscal harmonisation on the island of Ireland, which would be at the expense of the current fiscal harmonisation with the rest of the UK. It is an either/or choice. The position is similar with regard to what Mr Butler said about potential monetary harmonisation. The SDLP amendment is, in itself, fine, and identifies an area in which there are barriers to be overcome. However, it does not alter the fundamental thrust of the motion, which, as I said, goes way too far. We tabled our own amendment, which preferred a more balanced approach, but, regrettably, that was not taken up.

It is important to disassemble the economic, financial and monetary aspects of the motion and look at them separately. There are areas where we should be doing more. However, there are also areas where there are important limitations and restrictions. We should recognise those and, in some cases, keep them in place for good, sound economic reasons, leaving aside the political arguments that were made.

There is scope for economic co-operation and mutual development. A certain segmentation of markets exists on the island of Ireland, and there is scope for much better integration. That would be to everyone's benefit, not least to the consumers who would benefit from the

integration of prices. There is potential for the development of particular clusters, such as the green economy and tourism. We can market ourselves on an all-island basis in some respects.

We should invest further in the infrastructure of energy, transport, communications and information technology. We should also consider how best to harmonise the regulatory environment to provide a more competitive situation for investment. Overall, much more can be done on the economic front. Equally, however, we must be realistic about all-island competition. We offer different investment products, and there will, inevitably, be competition for the location of investment on the island of Ireland. Naturally, we will try to attract investment to Northern Ireland. To do that, we need to take various measures, not least of which is the reduction in corporation tax. However, even if we were to have an all-island approach to investment, the notion that we would benefit from that is somewhat flawed.

Even before the Celtic tiger got into difficulty, the Dublin Government were talking about encouraging financial services companies to come up to Northern Ireland. Those opportunities were at the tail end of the investment and could not easily be accommodated in Dublin, but there were back office ventures that could have gone to Belfast. They were not at the top end of the investments but at the lower end. There is and always will be competition. That said, I would not dismiss the Celtic tiger too readily, despite its difficulties. I disagree with Danny Kennedy: there is no prospect that the Republic of Ireland will be forced out of the euro. The Irish economy has strengths and will, no doubt, rebound in the near future.

The Alliance Party is much more worried about what the motion says about fiscal and monetary matters. I look forward to the UK joining the euro. That will not happen during this Parliament, but, in the longer term, the UK should join. Northern Ireland cannot join the euro independently of the rest of the UK. The motion implies full-scale tax harmonisation, but I am afraid that that is a financial fantasy. The stark reality is that, leaving aside the politics, Northern Ireland has to be part of a wider UK system. Our tax base is simply far too small to support public services and economic development. Some 40% of our expenditure is supported in that way. To become much more financially sustainable, we

must challenge and overcome that situation, but it will not happen overnight.

We must also challenge UK regional policy. Simply speaking, it is much easier for 60 million people across the UK to support the current situation than it is for a nation of four million people to do so. We support tax-varying powers for the Assembly but only in the context of a divergence from the rest of UK policy rather than the full fiscal autonomy for which others seem to be arguing. Fiscal autonomy with the Republic is not a realistic option. From a financial point of view, opportunities exist for the better provision of public services and for greater co-operation in that regard. The border clearly distorts how we provide our services.

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

Dr Farry: We can consider that matter in a constructive manner in the months and years to come.

Lord Browne: I oppose the motion and the amendment because they reflect misguided nationalist aspirations, rather than making economic common sense. Any Sinn Féin or SDLP Members who have read the financial pages of the newspapers over the past few weeks must realise that their adamant opposition to any spending cuts is viewed as political nonsense in the Irish Republic. Are they not aware that, in the Republic, the ratio of the annual Budget deficit to GDP is the highest in the euro zone and that the European Commission proposes to impose financial penalties on any state that fails to meet the 3% deficit requirement? In those circumstances, were the Irish Government to embark on the kind of all-Ireland economy recovery and development plan that the motion proposes, that would inevitably involve a substantial increase in public spending. The Republic could risk financial penalties or even expulsion from the euro zone.

Although the parties opposite may be loath to accept it, the Northern and Southern economies have drifted apart in recent years. The UK has retained the freedom to set its own interest rate and exchange rate policies, while the Republic has surrendered control of those policies to Brussels. As a result, the UK enjoys much greater flexibility in planning for economic recovery. To suggest that the Executive should

draw up common economic policies with the Irish Government is totally inappropriate.

Members know that the harmonisation of tax rates and systems is a long-term policy objective of the European Commission. However, progress has been limited, and tax competition still exists among member states. Indeed, the new Secretary of State for Northern Ireland announced his intention to bring forward proposals to promote the growth of private sector business in Northern Ireland. If the proposed measures include increased investment incentives or a reduction in the rate of corporation tax, they might promote healthy competition between North and South in attracting investment. Such a tax competition would be more beneficial to Northern Ireland than any attempt to harmonise tax rates.

Recovery from the worst financial crisis since the Great Depression is still fragile, and this is not the time to embark on grandiose economic plans that neither the Irish nor UK Governments can afford.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and the amendment.

I listened intently to the Member for East Derry. I always try to pick some sense out of his remarks, but, in this case, I found it impossible to do so. His only rationale for opposing the motion and the amendment is that they are political. That is why we are here: to talk politics. He offered no notion of how the DUP would deal with unemployment, high levels of deprivation, including poor health and inadequate housing, or the unacceptably low quality of life and living standards for those on the lowest rung of the social ladder.

Let us face facts: before there was a global crisis, before the Tories and the Lib Dems got into power and before we had 30 or 40 years of British direct rule, the economy here did not work. It was always a basket case. Let us deal with the logic. We are on a land mass. We are not arguing for a united Ireland. Obviously, our party is for a united Ireland. We think that that is the best solution, and, in time, perhaps the Member for East Derry and others will come round to the logic of that position.

Mr Kennedy: Will the Member give way?

Mr Adams: No, Danny, thanks.

We are arguing for harmonisation. We are arguing for common-sense relationships, which the three parties that have spoken against the motion signed up to in the Good Friday Agreement, the St Andrews Agreement and the Hillsborough agreement. We are trying to stitch together things that are of benefit to ordinary citizens.

Two years ago, the Minister of Finance and Personnel, Nigel Dodds, acknowledged that the Executive have only a limited set of levers under their control to manage the economy. For me, the rationale is that we should have more control. We should have more sets of levers.

There needs to be a two-pronged approach, with new ideas, solutions and strategies. That approach involves dealing with the British Government to get as much control over as many levers as possible to manage the economy and working with the Irish Government through the Executive and the North/South Ministerial Council. This is about getting down to business and dismissing ideas not because they are political but because they are not practical and will not work. It is about harmonising VAT rates, looking at taxation systems, agreeing a single rate of corporation tax and eliminating all barriers to workers' mobility throughout the island. It is about not having two competing agencies, Invest NI and the IDA, arguing and competing with each other.

It also means —

Mr McDevitt: Will the Member give way?

Mr Adams: No thanks.

It also means that the same assistance that is given to foreign investors should be available to local businesses.

The Irish Academy of Engineering, in partnership with InterTradeIreland, recently published a report called 'Infrastructure for an island population of 8 million'. That report, which the DUP will ignore to its cost, deals with projections for the island for the next 10 years or so, and it maps out some of what it thinks will happen. One projection is that there will be eight million people on the island, with four million living along the Belfast/Dublin corridor. The report states that appropriate infrastructure investment along that corridor will allow us to compete with other major European zones. It also argues for major infrastructure

investment in growth city regions of Ireland, including Belfast, Newry, Enniskillen and Derry. No Members on the Benches opposite objected when the Irish Government came forward with investment for the big infrastructural roads around the A4 and the A8.

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

Mr Adams: Thank you, a LeasCheann Comhairle.

1.30 pm

Mr Elliott: I will provide clarification for Mr Adams on his last point. I certainly did object to Republic of Ireland investment for the A5 project, simply because I thought that the concept was wrong. It is clear that Sinn Féin Members are trying to impose some sort of all-Ireland economic state. The electorate in the South of Ireland rejected their proposals, so they are trying to impose them up here.

Mr Campbell: Will the Member give way?

Mr Elliott: I have just started, but I will give way.

Mr Campbell: Does the Member accept that there is some benefit to be had by people who pay taxes in Northern Ireland and then buy and build holiday homes in Donegal?

Mr Elliott: I am sure that that is right, and I am happy to listen to the Member if he wants to elaborate on that point.

I have no difficulty with co-operation. Co-operation is needed in many areas, but we must accept the reality that we are often in competition with each other. I visited a factory in my constituency recently. Its management team told me that they did not want an all-Ireland economic situation. Indeed, I assume that some members of that team support the party on the opposite Benches that moved the motion. The company can label some of its products "UK", and, as it also has an office in Drogheda, it can label other products "Ireland". That gives the company the distinct advantage of marketing its products in places where each of those labels clearly has a better marketable value. Around 70% of that company's market is in the UK. It wants a UK label because products that are totally Irish would not have the same value. However, it can market the other 30% in the Republic of Ireland and other parts of Europe where the Irish label may be more attractive.

There is a strong case for reducing corporation tax in Northern Ireland to bring it into line with that in the Republic of Ireland. Although it would cost the Executive initially, such a move has the potential to transform our local economy and to make the island much more competitive. However, for two simple reasons the Ulster Unionist Party will not support the motion. In the first instance, we cannot support the political motivations behind it, and our second reason is based on the economic and fiscal reality that we face today. This motion calls for the harmonisation of tax systems between the Republic of Ireland and Northern Ireland. How exactly would that work? The motion ignores the annual £9 billion difference between tax take and public spending in Northern Ireland. As a region, until we successfully grow our private sector, we rely on being a part of the strong United Kingdom economy to maintain public services, and that means being a part of the United Kingdom's tax system.

The motion also ignores the fact that the euro zone is in complete turmoil. It disregards the multibillion euro payout for Greece and the subsequent and even more expensive rescue package for the threatened single currency. The Republic of Ireland makes up one of the four countries known as the PIGS — Portugal, Ireland, Greece and Spain — which are the potential recipients of such a rescue package. There is growing frustration and anger in Germany and a belief that the German taxpayer and economy are holding together those four countries and the future of the currency itself. However, the offshoot of what has happened is that there is likely to be much greater centralisation of tax and fiscal policies in Brussels.

The president of the European Central Bank has stated that there will have to be profound changes to the oversight of fiscal policies in the euro zone. The euro zone is in serious difficulties, and Sinn Féin and the SDLP want us to harmonise our tax system with that of one of the weakest euro zone countries.

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

Mr Elliott: In order to get Europe's deficit under control, the Republic this year will cut the pay of public sector workers by up to 8%.

Mr Deputy Speaker: My apologies. Mr Elliott has an extra minute.

Mr Elliott: Thank you very much, Mr Deputy Speaker.

The Republic will also make cuts of some €760 million to welfare, and child benefit will be cut by up to €16 million per month. Such actions have caused Mr Adams to suggest that the Irish Government have failed the people.

Mr McCallister: Does the Member agree that it is strange to hear Sinn Féin MPs and MLAs arguing that the Brits should pump more money into Northern Ireland, and yet Sinn Féin wants us to harmonise with the Republic of Ireland, which is cutting its Budget wholesale?

Mr Elliott: Because only a short time remains to me, I will cut to the chase. Perhaps the one option for tax harmonisation is to bring the Republic into the sterling zone. I have not heard that suggested by Members on the Benches opposite, but it may be the logical conclusion.

Mr Attwood: In this debate and in similar ones in recent months on the Budget Bill and on European funding, it seems that we miss the wood for the trees. Let me explain what I mean. Paul Butler rightly said that the need to join up economic activity on the island of Ireland has never been more pressing. Life has changed, changed utterly, as a result of the global recession. Alasdair McDonnell rightly said that we should be doing something practical about it. As I see it, both motion and amendment try to merge those themes: a pressing need and a need to do something about it. That is all that the motion does.

Gregory Campbell rightly differentiated between the political and the party political. The election is over now. Given the pain that may be coming and in view of what NAMA said last week about the toxic assets on its books in the northern part of the island of Ireland, which total up to €5 billion, we need to shake ourselves. We must step back from the potential party politics around this issue and, as things have never been more pressing and in view of what Alasdair McDonnell said about doing something practical, consider whether there is the opportunity to do so. If we do not make that judgement call positively, then, in the view of the SDLP and of a vast range of other people well beyond party politics, we will regret it at our leisure.

In previous debates in this Chamber, I referred to the fact that the head of an economic agency in the North told the SDLP a number of months

ago that, in his view, there were only 10 years to get North/South right. I have not said previously who that person was, and people may have a view about him. However, at a recent conference I referred to that fact again, and that person was in the audience and acknowledged afterwards that he had said that to me. That person was David Gavaghan. He has left the SIB, but in his view we had only 10 years to get the North/South economic relationship right. Therefore, do not listen to Paul Butler, Alasdair McDonnell or anybody else whose agenda may be party political; listen to the likes of David Gavaghan, who told me that the island of Ireland — North and South — is in danger of losing its economic position because of the economic growth of the East, coupled with the fact that countries in South America, with a combined population of one billion, are about to start competing in the global market in the way that India, China and Korea have done in the past 10 or 20 years. That will happen as the global market moves and accelerates in a way that we have not seen, even in relation to the Chinese, the Indians and the Koreans.

David Gavaghan went further by saying that, if we do not get it right in the next 10 years, Dublin and Belfast will suffer more. I hope that David Gavaghan forgives me for making those points. I do not wish to drag him into a party political debate, but I want to make a point about what people with an insight on such matters are saying. I could quote many other people — the heads of banks, economic agencies and businesses — who share that belief, and that is the argument that unionism and unionist Ministers must begin to address.

Whatever about harmonising taxes and the other worthwhile proposals in the amendment, Governments North and South have commissioned research over the past 10 years that has produced a body of evidence that is a starting point for doing what the SDLP believes should be done on a North/South basis. Paul Butler referred to the all-Ireland skills study. Alasdair McDonnell referred to a report into mobility that was commissioned 10 years ago. There is also a health report containing 37 recommendations on how to join up North/South health provision to improve front-line services, save money and improve the welfare of our people in the North and South. Those are practical, operational, real value proposals.

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

Mr Attwood: That should be the starting point, not the end point. If we do not take that opportunity now that the election is out of the way, Gregory Campbell, we will not forgive ourselves.

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness): I thank the Deputy Chairperson of the Committee, Mr Butler, who proposed the motion, which is timely and fits in with the work that the Committee has embarked on to regenerate our economy. Addressing such issues is of great value. I think that everyone is united on the need for corporation tax in Northern Ireland to be reduced to a level that coincidentally if not deliberately matches that in the Republic.

Does my friend want to intervene?

Mr Campbell: I thank the Member for giving way. He is right in the first part of what he said: there is unanimity across the Chamber about the need for and the desirability of a reduction in corporation tax. However he is aware that that involves two issues: first, to what new rate, and, secondly, what will we have to pay before benefiting from that decision?

1.45 pm

The Chairperson of the Committee for Enterprise, Trade and Investment: I felt that there was consensus, certainly among economists if not politicians, that lowering the rate of corporation tax was desirable because we share one island, our economies are interlinked and greater investment in both jurisdictions would be of net benefit to both economies. Direct foreign investment would be particularly attracted by a reduction in corporation tax.

If the word "harmonisation" were taken out of the motion, perhaps there would be greater political unity on the issue. However, there is consensus that the argument in favour of a reduction in corporation tax is irresistible. Our public finances and the block grant would take a hit, but that is not an insuperable political problem; we could address it sensibly over the next number of years. Indeed, corporation tax does not have to be reduced immediately; it can be done on a tapered basis. Nonetheless, it is a fundamental development that is necessary for us to effect a step change in our economy. That

is driven by the fact that we have a neighbour whose economy has been transformed largely by reducing corporation tax. There is an indisputable argument in that regard that I invite unionist colleagues to embrace.

My time is running out, so I will speak very briefly as an SDLP Member. Vision, imagination and ambition are required to regenerate the economy, North and South. Of course, the economy and economic policy are political issues, but we should not overpoliticise them. They should not become partisan issues because attempting greater co-operation will benefit both parts of this island. If we were to rely on the United Kingdom market alone, we would be failing ourselves. In the South, there is a market of more than four million people on our doorstep that we cannot ignore.

In these difficult times, we must all work to regenerate our economy and the Southern economy. That should be done within the context of the European Union, which provides us with the mechanism for co-operation. Research and development in Ireland is at a low level when compared with our European colleagues. It is important that we raise the level of R&D, which can be done usefully in conjunction with our Southern counterparts.

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

The Chairperson of the Committee for Enterprise, Trade and Investment: That would be of great benefit to both parts of this island. I make a plea to my unionist colleagues: let us put aside partisan feelings and work on a sensible, concrete programme of regeneration, North and South, within the context of the European Union.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I am grateful for the opportunity to speak on this motion. There runs a fear through this Chamber every time a motion is seemingly cross-border or mentions harmonisation. We should move away from that and try to have a vision of the areas on which we can work together. There is not the slightest need for half the difficulties that raise their heads and then sometimes cancel out the whole thrust or possibilities of a motion. Tom Elliott should understand that if you run a business or one island or, indeed, one farm, it is common sense to operate it as one entity and not to have it split into several bits, as we have this island for so long. If even the bits on which we can

agree could be brought together, that would be progress.

In an interview in 'The Journal of Cross Border Studies in Ireland', Taoiseach Brian Cowan stated:

"North-South cooperation is a manifestation of normalising relationships in Ireland."

The Irish Government have never passed up an opportunity to develop policies to further areas in which we might work together, which is why the motion has massive potential. The key to developing pragmatic, all-island policies is to ensure that planners do not plan as though the world ends at their jurisdiction's border. Although I welcome the motion, it needs to encompass much more. The main impediments to a unified approach to attracting foreign direct investment to the whole island are the differences in the regulatory systems, North and South. To enable commercial transactions to take place seamlessly on a North/South basis, we need to bring about complete harmonisation of the regulatory environment.

I also suggest that we expand co-operation into science and technology, innovation and R&D. In the South, more than £4 billion is spent in that area, but we do not spend nearly enough. Such investment would help our third-level institutions and their students to play a greater role in that area. The key to all of that is to pool resources North and South for the benefit of all.

Members on the Benches opposite spoke about the recession in which we find ourselves. Recently, the Conservative Party mentioned the fact that Britain is borrowing something like £300,000 a minute just to pay the interest on what it borrowed to keep things running for the past number of years. Therefore, the economy is in quite a mess over there as well, and it is from there that we expect to get our block grant. We have no say about how much pocket money we get from the block grant. We either get it or we do not, and we spend what we can on what we have to spend it on. That is all that we can do, which is why we must be prepared to think outside the box and think further about our island without feeling threatened. Trying to run the economy better is a threat to no one.

Although the South has macroeconomic difficulties, there is a lot that we can learn from its approach to trade and industry over the past 20 years. Because of regulatory approaches, much was not done right, but maybe that is

a lesson that we can learn from so that our children do not find themselves in the same position in the future.

Spending cuts will come, and we will not be able to do anything about them. Nevertheless, on the subject of people having their say, when our fishermen and farmers negotiate in Brussels, they would not say that it would be better to be on the British end of things.

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

Mr McHugh: People in the South can certainly show us what to do in that area. It makes sense to co-operate.

Mr McDevitt: Mr Butler is in favour of the amendment, Dr McDonnell is in favour, Mr Campbell is against, Mr Kennedy is against, Mr Farry is against, although with his usual caveats — maybe he is on the fence —

Dr Farry: I shall be voting for your amendment.

Mr McDevitt: You are for our amendment, but against the motion. My apologies, Mr Deputy Speaker; I will speak through you. Mr Wallace Browne is against the amendment, Mr Gerry Adams is for it, Mr Tom Elliott is against it, Mr Alex Attwood is for it, Mr Alban Maginness is for it, Mr Gerry McHugh is for it, and I shall be voting for it too.

It is as well that the Galleries are empty, because, despite the seriousness of the motion and the fact that it was well drafted, it raises issues that may some day become contentious among Members about whether we will benefit at a regional level.

I would welcome some clarification from the Sinn Féin Member who winds on the motion as to whether its members are talking about absolute fiscal discretion. For example, are they talking about income tax? Despite that, we are not talking about doing any of these things; we are simply talking about looking at how they could be done. I do not know a single businessperson in this region or in these islands who is not interested in looking at all the available options. It sends a poor signal from the Chamber that we have not been able to raise the debate to a level at which we can discuss the options on their merits. It runs against everything that vibrant economies are built on. It runs against the success that both our great islands have been built on.

What set the Republic apart in the past decade was a strategic vision to invest in certain areas of its economy. That vision happened to have been fuelled by a property boom, and that boom has led to a property crash. The bits of the economy that are still there and are vibrant and stable and the bits of FDI that have not left are those that are built on the strategic decision about a decade ago to invest in what was then known as the knowledge-based economy and what we today call innovation. Ironically, that is the same strategic decision that we are trying to take here in Northern Ireland. We have seen the MATRIX report, and we have seen and considered the report from the independent review of economic policy under Professor Richard Barnett. They tell us clearly that, if we are to build a future on our great industrial heritage and on our commitment to and success in light engineering — it is pervasive, not just in cities but in rural communities — we must transform that success into added-value jobs that are sustainable in the long term. We must use that success to attract foreign direct investment. In other words, we have to align what we are already good at with what we teach in universities, what we want to research in them, the type of skills that we wish to promote in further and higher education institutions and the incentives that we have available to attract those jobs.

I do not think that any of us disagree that we lack the key incentive of a lower headline rate of corporation tax. Indeed, that has been widely reflected in the debate. It is sad for me and, I suspect, for those who have bothered to listen in that, instead of having a debate about the bits of this island that could work much better together and the elements of our economies, North and South, that should be closely knit together and about the fact that marketing ourselves abroad when it comes to foreign direct investment as we do in tourism with an equally attractive and compelling fiscal proposition makes common sense, we came in here and rattled off the proverbial in the usual old way. We cannot begin to look at the size of the problems that genuinely confront us as a region until we stop doing that and until we can all see beyond the smallness of our own politics. Mr Attwood mentioned Mr David Gavaghan, the retired chief executive of the Strategic Investment Board. We do not have endless time to come to the very obvious conclusion that, if our region is to survive and

these islands are to be reborn, people have to have good jobs.

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

Mr McDevitt: For those good jobs to exist and for that investment opportunity to arise, we must all be able to debate the economy on its merits, not its politics.

Mr McLaughlin: Go raibh maith agat, a Leas Cheann Comhairle. When I looked around the Chamber at the start of the debate, I hoped to see sitting on the Back Benches some of the Ministers for whom the propositions before us would have had some direct relevance. They could have attended and perhaps contributed in that capacity. In fact, the lead spokesperson for the DUP turned out to be Gregory Campbell. I cannot say that I was surprised or particularly disappointed by his comments. He acknowledged, indeed conceded, that the motion was not party political, but it was most definitely political.

Then, of course, he proceeded to give us a party political rant. I do not think that he read the text of the motion, and I question whether some other Members who spoke, particularly those who opposed the motion and the amendment, did either. We are talking about exploring possibilities and potentials. We are so afraid of exploring what would be in the interests of the people who elect us to here, and that includes potential scenarios, even if one does not want to concede that they are any more than that.

2.00 pm

The proposer of the motion itemised a significant body of work conducted by both Governments, trade and business associations, the trade union movement and the North/South Ministerial Council, all of which addressed the benefits of collaboration and the development of an all-island economy. Members should not bury their head in the sand and say that it does not matter. Sinn Féin will not consider the failure of this regional economy, which goes back the best part of 90 years, because that is how long the subvention that is talked about has been in existence. It has been in existence primarily because, at that early stage, the then Stormont Government — the one-party unionist Government — acknowledged that they could not balance the economy. They could not balance the books.

Options are available other than continuing to rely on a subvention for the foreseeable future. Sinn Féin's position is that the best benefit to us all would be a united island and a united Ireland economy, and it will continue to argue that case. Even though Sinn Féin proposed a motion more than two and a half years ago that argued for additional fiscal powers for the Assembly, it is encouraged by the fact that most of the parties are now discussing that option. I take some encouragement from that, despite the rhetoric that we have heard today. People may judge the debate on the body language demonstrated and, perhaps, on the more extreme rhetoric. However, we should acknowledge the fact that most Members who spoke in opposition to the motion talked about the merits of co-operation and acknowledged that there could be mutual benefits.

Several Members referred to the existing bodies. They could also have referred to NAMA and the appointment of representatives here to look after the interests of our regional economy. There was legitimate concern over a possible fire sale by NAMA and over the extent of the property portfolio that NAMA now controls. The Irish Government are effectively the single largest investor in the Northern economy. What did the DUP Minister do when the Oireachtas ratified the NAMA legislation? He immediately went to Dublin to talk to his counterparts, which I publicly welcomed in the Chamber. I could have argued on a partisan basis that that was an example of all-Ireland co-operation. However, the Minister's actions made common sense; it was in our mutual interests for him to go to Dublin. That is the direction from which people should come to the discussion.

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

A sensible and constructive amendment to the motion was tabled. I welcome that approach, because the amendment added value to the motion, as was its intention. Would it not be better if that sense were reflected across the Chamber? We all have responsibilities, and no one here is arguing that the economy in the Twenty-six Counties represents the exemplar model; it clearly does not. Sinn Féin has made many criticisms of the economic structure and the manner in which the Irish Government have applied economic policy in years past. Sinn Féin is not in the business of critiquing British Government economic policy — their economic policy is their business. We must

consider how we can achieve what is the agreed number one priority of rebalancing and growing the economy here. We cannot do that without taking account of the fact that we exist on an island and without the necessary fiscal tools. I defy any Member to argue that we can achieve the objective of growing the private sector of our economy without those necessary tools. If people think that they can achieve that, they are welcome to try, but I would like to hear their rationale and argument. That is why I found Stephen Farry's comment that the motion went too far particularly interesting. That means that exploring the potential is a step too far for the Alliance Party. Perhaps Members from that party will reflect on those comments, because —

Mr Elliott: Earlier, a Member spoke about the prospect of an all-island regulatory system. Does the Member accept that the failure of the regulator in the Irish Republic to deal with the recent Quinn Insurance dilemma in a practical and workable way had a detrimental effect on the employees and businesses in the South of Ireland and in Northern Ireland?

Mr McLaughlin: The Member has made a fair point, and he should perhaps apply that logic to his earlier comments.

When motions are tabled from this side of the House with the aim of developing and enhancing the power of the Assembly to regulate its affairs, they are often regarded as problematic. Today, we again heard Members defending UK economic policy and comparing it with the Irish Government's approach. That is not what the debate is about, and that mistake is constantly made. We should be talking about what we can do to develop our economy, taking account of the social, economic and political realities around us.

With direct reference to Mr Elliott's intervention, I quote the joint Government study on all-Ireland co-operation:

"There are many important steps which can be taken. For example, on regulatory issues, both Governments are continuing to work together to address the differences in the regulatory environment in order to develop a truly all island economy."

That is a comment from the British and Irish Governments. Members should read those reports, because they are the road map that point to the direction that we should take.

The issue of whether there will be an all-island political system is a different debate, for which Sinn Féin is ready at any time. However, let us be sensible about how we can represent the economic interests of this region. We cannot do it alone, by burying our heads in the sand or on the basis of the powers that Westminster gives us at present. We require additional powers and the opportunity to co-operate and to explore all the potential of that co-operation. That is what the motion and its helpful amendment argue for.

I do not expect Members to change their mind today or, given the upcoming election, in the next year. However, I ask the unionist parties and the quasi-unionist Alliance Party to consider whether this is a sensible way forward for the Assembly. The current approach condemns us to presiding over whatever size of an economic cake Westminster decides to give us. No matter how many times the British Government come back to take a big chunk out of that cake, we will try our best to divide it up among the Departments. However, we will also continue to preside over Budget deficits, which mean that we cannot deliver the full range of services to which the people whom we represent are entitled. I urge the Assembly to support the motion as amended. Go raibh míle maith agat.

Question put, That the amendment be made.

The Assembly divided: Ayes 42; Noes 46.

AYES

Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Dr Deeny, Mr Durkan, Dr Farry, Mr Ford, Ms Gildernew, Mrs D Kelly, Mr Leonard, Ms Lo, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr McCarthy, Mr McCartney, Mr McDevitt, DrxMcDonnell, Mrs McGill, Mr McGlone, Mr McHugh, Mr McLaughlin, Mr Murphy, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr Attwood and Mr McDevitt.

NOES

Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan,

Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr Kennedy and Mr G Robinson.

Question accordingly negated.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes it ease until that time. The Question on the motion will be put after the question for urgent oral answer.

The debate stood suspended.

2.30 pm

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

Oral Answers to Questions

Finance and Personnel

Mr Deputy Speaker: Question 1 has been withdrawn.

Migration: Public Services

2. **Ms Lo** asked the Minister of Finance and Personnel whether his Department intends to spend the £1 million, from the UK migration impacts fund, to address specifically pressures on public services relating to the transitional impacts of legal migration. (AQO 1228/10)

The Minister of Finance and Personnel

(Mr S Wilson): The Communities Secretary, Hazel Blears, and the Home Secretary, Jacqui Smith, announced details of the migration impacts fund on 19 March 2009. As a consequence of that decision, the Northern Ireland Executive received £978,000 additional current funding for 2009-2010 through the Barnett formula. However, as the Member will know, allocations received through the Barnett formula are unhypothecated; that is, we make the decision as to how they are spent. Just because something comes under a certain budget head at Westminster does not mean that we put it under the same budget head here. The additional funding that arose was considered by the Executive and by the Assembly in the 2009 June monitoring round.

Ms Lo: As that money is specifically to ease pressures on public services in relation to migrant workers, should it not be ring-fenced to particularly target areas such as health, education, employment and learning and, to a degree, the voluntary sector, which has carried out front-line services for migrant communities?

The Minister of Finance and Personnel: The Member raises an interesting point. However, if we simply took it for granted that money allocated to us under the Barnett formula was ring-fenced for the purpose decided at Westminster, there would not need to be a devolved Assembly here in Northern Ireland. We would simply take it that the money had been

allocated to us for a certain purpose, and we would use it for that purpose.

The whole point of having the Assembly is that we decide what the spending priorities for Northern Ireland ought to be. Of course, as this matter was considered in the June monitoring round, there were opportunities for Departments and Ministers to bid for the money if they believed that there were particular needs concerning the issues the Member mentioned. Indeed, Committees — I am not sure which Committee the Member is on — could have raised the matter when they were discussing the monitoring round bids. All I can say is that no bids were made in the June 2009 monitoring round for the type of issue that the Member has suggested, nor was there a demand for that when the monitoring round was debated here in the Assembly.

Mr Leonard: Given what the Minister said about the workings of the Assembly and the reason we are here, has he had any specific discussions with Executive colleagues about creating an emergency fund for those who, due to immigration status, cannot access public funding for services that they need?

The Minister of Finance and Personnel: There is a mechanism in place already. Monitoring rounds take place four times a year in the Assembly, when Departments declare reduced requirements. Funding from those reduced requirements is put into a central pot, and Ministers can bid for allocations from that central pot. That is the mechanism should an emergency arise during the year. Of course, for planned expenditure, it is up to Ministers, Departments and Committees to make applications or raise issues before the final Budget for the year is set. As I know to my expense — I spent long hours here during the Budget debates in February and March, and I thought I was living in this place — there is ample opportunity at that stage for Members to raise issues on the Floor of the House if they feel that the Budget does not reflect those pressures.

Mr McDevitt: What specific approaches and bids has the Minister received from the Office of the First Minister and deputy First Minister, which has responsibility for dealing with actual crises that may have arisen in the past year or that could arise in the future?

The Minister of Finance and Personnel: In 2009-2010, when the migration fund was made available to us, no bids were received from any Departments. I will point out to the Member and the Assembly that, although the money was made available in 2009, to date there has been no indication that any money will be made available this year. That comes back to the point made by another Member for South Belfast Ms Lo. We could have ring-fenced the money from Westminster. However, that funding was a one-off event; year-on-year funding for that purpose will not be provided. Therefore, a programme might have been started that could not have been continued.

Mr Craig: I thank the Minister for that information. Will he tell the House whether any Northern Ireland Department has highlighted funding pressures in relation to the migration fund?

The Minister of Finance and Personnel: No Department has bid for money to deal with the pressures that migrants might place on it. However, I understand the Member for South Belfast's point. Very often, there is a big influx of pupils at schools in certain areas where migrants congregate. There was an influx of nurses who came to work at Whiteabbey Hospital and their families to my constituency. One of the local primary schools then found that a large number of the children spoke English as their second language, and that created certain pressures. The Department of Education is responsible for making provision for those children. In fact, the common funding formula enables that to happen. However, if Departments consistently identify such pressures, they have an opportunity, through the monitoring rounds or the budgetary process, to make that known and to make bids. Of course, Members of the Assembly also have an opportunity to do that. They can raise the issue with the Minister, the Committee concerned or at debates in the House to try to raise awareness and to persuade Departments to make bids where such needs are identified.

Chancellor of the Exchequer

3. **Mr Easton** asked the Minister of Finance and Personnel when he intends to meet the new Chancellor of the Exchequer. (AQO 1229/10)

The Minister of Finance and Personnel: The First Minister and deputy First Minister have spoken to the First Lord of the Treasury by phone

and are expecting him to visit Northern Ireland very soon. After that, I will be seeking an early meeting with the rest of the new Treasury ministerial team. I need to raise a number of important issues with the incoming Treasury ministerial team, not least the approach to and the timing of the next comprehensive spending review.

Mr Easton: Does the Minister plan to look at ways of simplifying financial issues and creating better transparency of the Estimates and the Budget with the Treasury? Does he agree that that would be in the interests of Northern Ireland?

The Minister of Finance and Personnel: The Treasury alignment project in England was the result of concerns that MPs raised about the transparency of the Budget and the ability to prove accountability. However, as the Member will know, the way in which we conduct our budgetary process and present our accounts are matters for the Assembly. Therefore, I will not be raising them with Treasury officials or Ministers. However, the Member raises an important point. During debates in the House on the Budget, Members raised, time and again, issues about the complexity and transparency of the information available, the elongated process and whether the information was in a form that was useful to Members. I also heard criticism of Ministers who did not present information to their Committee during the Budget process. I am interested to know Members' views on how we might improve transparency, presentation and the way in which we deal with the budgetary process. However, I will not be taking those matters up with Treasury officials or Ministers.

Dr Farry: I hope that the Finance Minister and the Executive will continue to make the case that Northern Ireland should be exempt, as far as possible, from cuts. However, does the Minister accept that, in making that argument, we need to show the Treasury that we are prepared to put our house in order financially on issues such as water charges? How does the Minister plan to make that case to the Treasury?

The Minister of Finance and Personnel: The Member makes a very important point. I have said that we will simply not succeed if we hold out our hand and tell the Treasury that, at this particular time in our economic history, we in Northern Ireland want to keep all our money or, indeed, want more. We have to make a comprehensive case.

The Member is concerned about the way that we have evaded and avoided the issue of water charges. However, this Assembly has, to a certain extent, led the way on public sector pay, for example. We are the only region in the United Kingdom that has stopped bonuses to senior civil servants. In setting the context for a tighter pay round, we introduced spend to save measures that encourage Departments to look forward, and we set aside money in the Budget so that Departments could make substantial savings in the future, the criteria for which were designed to ensure that Ministers and Departments did plan ahead to make those savings. I am sure that the issue of water charges will be raised when I meet the Treasury Minister. He knows it is my view that, if we are going to dip into people's pockets, we have to ensure that the House has taken the necessary action to make all available savings and has collectively addressed the cost of administration and some of the consequences that that may have for each of us. That must be done if we are to persuade people that we are serious about efficient public spending.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. In answer to Mr Farry's question, the Finance Minister said that this House will have to take all measures possible before it dips its hands into the taxpayers' pockets. Therefore, does he agree that the Exchequer will find it strange that he, as Finance Minister, was not present for the debate on how the Assembly and Executive deal with the Dublin Government and bring forward policies that will benefit both economies on this island? Surely, the Exchequer would say that he should be working with his nearest partner to reduce waste.

The Minister of Finance and Personnel: I do not want to give the Member a lesson in how the business of this House is conducted. However, he knows that the Business Committee decides whether a debate requires a ministerial response, and, if it does, the relevant Minister is assigned to be in the House to answer the debate. I can only assume that his colleagues on the Business Committee were happy that that debate did not require a ministerial response.

My record shows that I do not run away from the fact that we live on an island where there are certain cross-border economic relationships that we cannot ignore. That is unlike the Member's party, which wants to ignore that most important of relationships between this part of the United

Kingdom and the rest of the United Kingdom, with which we do the vast majority of our trade, from which we get the vast majority of our investment and from which we get an £8 billion subsidy every year. Whether in my previous role as Environment Minister or in my current role as Finance Minister, my record is not one of ignoring the existence of the Republic or of not engaging with its Ministers. We have to get this into perspective.

Mrs M Bradley: Will the Finance Minister tell the House what preparatory work he has done and submitted to the Treasury to protect the block grant for Northern Ireland?

The Minister of Finance and Personnel: We are working in the dark at the moment. We have not had a comprehensive spending review. We do not know when that will start, over what period it will last or what period it will look at. Before the election, we made the case to the previous Government that we needed certainty. We have already put down a marker that it would be difficult to sustain very deep cuts to a Budget in the middle of a financial year in which, following a huge debate, we have already reallocated money and Departments already have their spending programmes in place. We have signalled those warnings to the Treasury. We have indicated that we need some certainty and, at the very least, a three-year vision so that Departments can plan. In all of this, we can make our views available to the Treasury, as other Administrations have done. At the end of the day, Westminster Ministers will make the decision.

2.45 pm

Northern Ireland Authority for Utility Regulation

4. **Miss McIlveen** asked the Minister of Finance and Personnel for his assessment of the independence of the NI Authority for Utility Regulation and the need for politicians and departmental officials to avoid any actions that might undermine the authority's independence. (AQO 1230/10)

The Minister of Finance and Personnel: The statutory basis of the Northern Ireland Authority for Utility Regulation as a non-ministerial Department is central to the independence of the organisation and to its role of protecting consumers' interests. With that in mind, the Northern Ireland Assembly should have a

particular interest in ensuring that Northern Ireland has a strong, effective and independent Utility Regulator to oversee the operations and pricing regimes of the local utility companies. That is particularly important in the context of maintaining consumer confidence in the developing and more diverse arrangements for the delivery of utilities in Northern Ireland. Given the recent fluctuations in utility costs for local customers, the role of the Utility Regulator has added importance.

Miss McIlveen: I thank the Minister for his answer. Will he give an assessment of the need for and benefits of independence of regulation, particularly when the utility is publicly owned?

The Minister of Finance and Personnel: I will address the second part of the Member's question: it does not really matter whether the utility is publicly owned, mutualised or privately owned. In a situation in which the normal market and competition within the market do not operate, of course regulation is needed. That is especially the case when it comes to utilities, because the utilities involved, whether they be gas, water or electricity, are of such importance to individuals and households. First, regulation is important because of the nature of the products that the Utility Regulator looks after. Secondly, it is important because of price fluctuations, which we have seen for some of the products and services that I mentioned. Thirdly, it is important that independence be maintained, because consumers will always be suspicious if the party that makes the judgements is seen to have an interest in one side or the other.

Of course, if a Minister were regulating the utilities, consumers would tell him or her to bear it in mind that the gas or water company invests in Northern Ireland and that some of the utilities come under the remit of his or her Department. Therefore, from the point of view of consumer confidence, given the services that the regulator deals with, it is important that the office is seen not to be on the side of one group or another.

Dr McDonnell: Does the Minister support the apparent need for a firm regulatory framework, specified over a number of years and including targets and measureable outcomes, for Northern Ireland Water? The introduction of such a framework would mean that not only the water company but the public and the Assembly could all have an agreed set of objectives.

Everybody would be in the clear, and there would be no dark corners or misunderstandings.

The Minister of Finance and Personnel: I know why the Member has identified water. It is important that we have a regulator, because, as Dr Farry said in his supplementary question, we may be looking at the cost of water being put directly on consumers at some stage. If that happens, we must ensure that we have in place an organisation that does not squander the money collected. The organisation must also have an investment programme that is designed to reduce the cost of water.

A good, clean water supply and a proper sewage disposal system are important for public health, so it is important that Northern Ireland Water be properly regulated and that we have a proper plan for it. Proper regulation is also important given the effects that a chaotic water market could have, especially when it comes to sewage disposal, on infringement fines from the European Union, if we miss targets for reducing pollution etc. Given that we are to invest about £3,000 million in the sewerage and water system over the next 10 years, we also want to ensure that that money is spent wisely and to the best effect.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. Given that fuel prices here are much steeper than anywhere else in Europe, is the Minister content that his Department and DETI are doing enough to make sure that the pricing mechanisms that companies employ are fair and transparent and that the consumer gets the best value for money?

The Minister of Finance and Personnel: I am not too sure whether the Member is referring to fuel prices generally or to fuel oil, which has not been mentioned so far. I emphasise again, however, that it is not the role of my Department, DETI or of any other Department to regulate the price of fuel in Northern Ireland, regardless of whether it is electricity, gas or oil. Indeed, if that were the case, I suspect that people would not be all that happy, because they could argue that I, as a Minister, had a vested interest in protecting a public utility. Indeed, if a private utility were involved, it could be argued that I was perhaps being influenced by that utility's investment proposals. That is why we have an independent regulator.

Fuel oil is not regulated. The regulator indicated that, if the Assembly decided that it wished to have fuel oil regulated, he would be happy for

that to be in his remit. However, given that the market for fuel oil is mature and fairly competitive, we are probably talking about regulation in energy efficiency, service standards and protecting the vulnerable, rather than about prices, because the market will tend to regulate prices when there is a large number of suppliers.

Civil Service: Back Pay

5. **Mr McQuillan** asked the Minister of Finance and Personnel for an update on the current status of the Civil Service back pay. (AQO 1231/10)

The Minister of Finance and Personnel: The vast majority of eligible Northern Ireland Civil Service staff have moved on to their new pay scales and have received the associated pay arrears. The next stage of the process is to advise staff of their individual settlement amounts. That will be communicated to staff shortly. In parallel, NIPSA is to contact its members who have registered equal pay claims at industrial tribunals to consult them about the legal process involved in withdrawing those claims. In addition, the Department will require staff in the affected grades who have not registered equal pay claims to sign an agreement to accept the proposed terms of the settlement.

Mr McQuillan: I thank the Minister for his answer so far. Why are the staff who left before 1 August 2008 excluded?

The Minister of Finance and Personnel: Staff who left before 1 August 2008 are excluded because equal pay legislation makes it clear that former employees have six months in which to lodge an equal pay claim with the industrial tribunal. The proposal is to settle all equal pay claims that NIPSA lodged. On that basis, those who left six months before the claims were lodged were excluded. That is the legal position. We would not have the authorisation to spend money outside what the law requires us to do. Indeed, I would imagine that the Public Accounts Committee may ask questions if we went beyond the legal remit that the legislation has given us. The legislation is quite clear, which is why staff who had left before that date and had not lodged claims were not included.

Mr McLaughlin: Thank you very much, a LeasCheann Comhairle. I thank the Minister for those updated responses. Is the Minister

aware that a growing lobby disputes the outcome of the settlement, given the individual circumstances of some people? I am referring to recently retired civil servants and to civil servants who were on secondment for part of the period that the settlement covers. In those circumstances, will he reconsider the appointment of an independent adjudication panel to address those issues and formalise outcomes?

The Minister of Finance and Personnel: Although the Member's invitation to reopen the whole question may seem enticing, especially to those of us who have been lobbied by various groups, we must first bear it in mind that the negotiations and their terms of reference were entered into on clear terms with NIPSA — the representatives of the workforce — and the Department. People knew what the terms were. Secondly, as I said earlier, we have a statutory framework within which we must operate. Thirdly, it is not in my power to enter into agreements for people who are not covered by my Department.

It is quite clear that the people in my Department who were covered were people who worked for the Northern Ireland Civil Service. Once we open Pandora's box to include those who have retired, how far back do we go? Do we include those who have been retired for one year, 10 years or 20 years? The Assembly has debated how we should pay for the pay claim, which has been costly and may still cost jobs in Northern Ireland. The Assembly has already seen how difficult it is to deal with the total cost. For all the reasons that I have given, although it may be an attractive proposition, I must resist inviting an independent adjudicator to look at the matter.

Mr O'Loan: I welcome other Members' support for retired staff. That support was not so evident when I raised the issue in the Committee for Finance and Personnel. I want to ask the Minister about staff employed by the PSNI and other NDPBs who are equivalent to those in the Civil Service who received the back pay settlement and who, in many cases, were seconded from the Civil Service. Is there provision in the budgets of those organisations to make a back pay settlement, not merely to pay the new scales, which in at least one case, I believe, have already been agreed? Does the Minister support the position that those people ought to have the same full settlement as

mainstream members of the Northern Ireland Civil Service?

The Minister of Finance and Personnel: First, it would be totally inappropriate of me to answer for the circumstances in other Ministers' Departments. I know that discussions with the Minister of Justice are ongoing about those who worked for the Northern Ireland Office and the PSNI. He will have to ascertain whether an equivalence exists and, if so, what the settlement should be. If that is agreed, the way in which it will be financed will require the submission of a business case. The same applies to the NDPBs: each organisation will have to examine its legal status and the terms of its particular memorandums of understanding to determine whether there is a requirement.

I suspect that the answer to the first part of the Member's question is that, since there was not a full appreciation of the nature, cost and extent of the pay claim, there will not be money in those organisations' budgets. At that point, Departments and bodies will have to make a business case for the money or decide how to use or reallocate existing resources to pay for any legitimate claim that is lodged.

EU Funding

6. **Mr Kennedy** asked the Minister of Finance and Personnel what improvements have been made by Departments in the administration of EU funding over the past three years. (AQO 1232/10)

The Minister of Finance and Personnel: Under the current round of EU funding, Northern Ireland has four structural funds: competitiveness, employment, Peace III and INTERREG IVa. The relevant programme authorities are DETI, DEL and the Special EU Programmes Body. DFP works closely with all three to identify efficiencies and promote a culture of continuous improvement. My Department has also overseen the production of a comprehensive management control system for the conduct of EU funding in Northern Ireland. The European Commission subsequently assessed and approved the controls.

I hope that Mr O'Dowd is listening so that he knows that I am not insular and that I do not ignore the fact that we have a land boundary with the Irish Republic. Quite clearly, he is not listening. At my last meeting with Mr Lenihan, we identified savings of £4.5 million in

administration so that more money would be available for the delivery of programmes.

3.00 pm

Health, Social Services and Public Safety

Multiple Sclerosis

1. **Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what further services or support his Department intends to offer people with multiple sclerosis and their families. (AQO 1241/10)

11. **Mr P Maskey** asked the Minister of Health, Social Services and Public Safety whether and when people with multiple sclerosis will have access to the drugs cladribine and fingolimod, given that we have the second-highest prevalence of multiple sclerosis in the world. (AQO 1251/10)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): With your permission, Mr Deputy Speaker, I will answer questions 1 and 11 together. People diagnosed with multiple sclerosis (MS) have access to a wide range of health and social care services, including physiotherapy; occupational therapy; community nursing; speech and language therapy; dietetics; social work and social care; domiciliary care; day care; and daytime opportunities in respite, including specialist respite care. Their carers are also offered a carers' assessment to determine individual needs. MS patients may also be seen in consultant hospital services.

My Department is exploring ways to provide better support, education and training to clinicians, patients, families and carers of people with neurological conditions, including those with MS. A disability strategy, which will include neuro-disability, is being developed. That will complement existing strategies and partnerships to improve the health and well-being of all people with a disability in Northern Ireland.

The drugs cladribine and fingolimod are not yet licensed for use in the UK. I would not expect new drugs to be available on the Health Service until they have been licensed and their safety and clinical cost-effectiveness have been assessed. People in Northern Ireland currently

have access to a number of specialist drugs for multiple sclerosis, such as beta interferon.

Mr McCarthy: I thank the Minister for his response. He may be aware that, recently, the MS Society held a representative gathering in the Long Gallery. One of its biggest problems is the lack of provision for neuro-physiotherapy. Will the Minister indicate when improved and increased physiotherapy for MS patients will be available throughout Northern Ireland? I acknowledge that he referred to that issue.

The Minister of Health, Social Services and Public Safety: There are currently 89 specialist physiotherapists with neurological disability skills in Northern Ireland, and they are spread across all the trusts. There is a shortage of physiotherapists wishing to specialise in neuro-physiotherapy. We have a regional network for neuro-practitioners, and I am also developing an allied health professionals (AHP) strategy. That will focus on services that AHPs need to provide and services that we do not provide enough of.

I introduced targets two years ago, and waiting times for physiotherapy have been transformed. No one waits longer than 13 weeks between a first referral and first treatment, and I intend to bring that time down. In June 2008, 1,650 people waited for over 13 weeks, so we have made real strides and improvements. However, the physiotherapy service requires investment.

Mr Ross: The Minister will be aware of a disproportionately high number of MS sufferers in my constituency of East Antrim. Will he confirm whether neuro-physiotherapists are working exclusively with those who are suffering from strokes in the Northern Trust area? That is the perception among those suffering from MS.

The Minister of Health, Social Services and Public Safety: The Member will not be surprised to hear that I am unable to confirm such an assertion. There are 22 physiotherapists with neurological disability skills in the Northern Trust. There are 174 physiotherapists in the Northern Trust as a whole, many of whom have the capacity to support both stroke and MS sufferers. I will inquire and write to the Member. There are an estimated 3,500 MS sufferers in Northern Ireland, and it is one of the conditions that I would like to do more to support. I hope that the strategy will help to better inform me on how to focus our services.

Mr McClarty: I welcome the Minister's recent announcement of a £50,000 investment to enable the establishment of an MS network. Does the Minister agree that even more needs to be done to help MS sufferers but cutting the health budget will make it even more difficult to help MS sufferers and many other worthy causes?

The Minister of Health, Social Services and Public Safety: What Mr McClarty says is absolutely and undoubtedly true. The people who voted to cut the budget need to reflect on the patients who are suffering as a result of the cuts. I have increased investment in disease-modifying therapies. Physiotherapy is an important part, but disease-modifying therapies through drugs are also a very important part of the treatment.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware of or has he been apprised of the information that is available to the Department on the use of low-dose naltrexone in the treatment of MS and other illnesses?

The Minister of Health, Social Services and Public Safety: I will have to write to Mr McGlone, as I am not aware of that issue offhand.

Brand-named Drugs

2. **Mr Weir** asked the Minister of Health, Social Services and Public Safety what is the average cost of brand-named prescribed drugs compared to generic equivalents and what percentage of drugs dispensed are brand-named. (AQO 1242/10)

The Minister of Health, Social Services and Public Safety: My Department's policy position is that, in all appropriate circumstances, medicine should be prescribed generically rather than by brand name. My aim is to achieve a generic dispensing rate of 64% by March 2011. That is comparable to the current UK rate and will equate to a 50% increase in generic prescribing in Northern Ireland since 2007. As a result, I am on target to create overall efficiency savings from the prescribing budget of some £88 million.

Mr Weir: I thank the Minister for his response. What strategies is he putting in place to ensure that generic drugs are used more frequently than brand-named drugs?

The Minister of Health, Social Services

and Public Safety: Our Go Generic policy is achieving results, and we have made gains as far as the use of generic drugs is concerned. When I came into the job only a few years ago, the generic dispensing rate was 43%, and it is now up at 59%. I anticipate that the target of 64% will be achieved in 2010-11, which compares favourably with England. We were far behind England three years ago, but we are now within touching distance. The generic dispensing rate in England sits at 68%, and I anticipate that we will reach 64% next year. Prescribing is a very much a matter for doctors and GPs, but the Go Generic policy is that generic drugs will be prescribed when appropriate.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I welcome the initiative from the Minister and the Department. It is the way forward, but who monitors it? I am well aware of GPs prescribing brand-named drugs and pharmacists dispensing generic drugs. How do we follow up on any shortfall to ensure that the money returns?

The Minister of Health, Social Services

and Public Safety: The Business Services Organisation has an important role to play in monitoring and ensuring that pharmacists give patients the drugs that the doctor prescribed on the script. It would be a very serious matter if chemists and pharmacists were not following that process.

We plan to invest in and modernise the entire prescribing and follow-up process through electronic prescribing. We are moving towards a new drug tariff that will look not simply at the price of drugs but at the factory door price. We are also working on the development of a formulary for Northern Ireland. That is a very important piece of work. Some 8,000 items will be on it, so that work will not be completed within one year. Those are the steps that I am taking, together with the establishment of a pharmacy contract, which is in development. A number of key elements must come together to allow us to get full value for money from the drugs budget.

Mr McDevitt: Does the Minister accept in respect of the negotiations on the new pharmacy contract that there is a need to explore the possibility of giving pharmacists a much more active and direct role in the prescription of drugs to ensure

that some medics do not abuse their authority by opting out of the prescribing of generic drugs?

The Minister of Health, Social Services and

Public Safety: Any suggestion that GPs opt out of prescribing generics would be a leading remark about our GPs, whom I rely on as the gatekeepers of the entire system. Anyone who makes remarks like that must be able to substantiate them.

Pharmacists operate our minor ailments policy, whereby they may prescribe a number of treatments and medicines without the patient having to go to a GP. Ultimately, however, the GPs manage that process, and the new commissioning system that I have put in place is led by professionals on the ground. GPs are the gatekeepers of the entire system, not just for acute, older people's or children's services but for our drugs policy.

DHSSPS: Joint Feasibility Study

3. **Mr P J Bradley** asked the Minister of Health, Social Services and Public Safety when he plans to publish the joint feasibility study commissioned by his Department and the Republic of Ireland's Department of Health and Children, which has been with his Department since February 2009. (AQO 1243/10)

The Minister of Health, Social Services and

Public Safety: I have consistently said that I support working more closely with the Department of Health and Children if that can deliver tangible benefits to the population. On 29 March, I wrote to Minister Harney to set out my position on that piece of work. I have considered the study, and I am not persuaded that the report should progress further at this time. We will, however, continue to work with the health authorities in the Republic on practical and deliverable projects that have a clearly defined benefit for the population, such as the current radiotherapy project at Altnagelvin Area Hospital.

Mr P J Bradley: The Minister said that he is not prepared to publish the report at this time. Will he give a precise date for publication?

The Minister of Health, Social Services and

Public Safety: It is my intention to publish the study, but it is not, strictly speaking, my property alone. It was a joint project that was set up by Paul Goggins, the then Minister with responsibility for health, and Ms Harney. It is half our report, half Ms Harney's. I wrote to her

on 29 March to set out my position. I await her response, and then we will consider how to move forward. Her agreement is necessary to allow me to publish the study. Those are the mechanics of the process. I have no problem with publishing the report, but I must go through the required steps.

Mr McCallister: Does the Minister agree that, because his is the only Department that has met its review of public administration commitments and because he is focused on reducing bureaucracy, now is not the time to set up something new that would further increase that bureaucracy?

3.15 pm

The Minister of Health, Social Services and Public Safety: Members will, in due course, get an opportunity to read the report and make their own determination. However, the report that I read does not explain costs or benefits; it asks for further research, consideration, investigation and so on. I always seek opportunities for co-operation, but it must be co-operation that delivers practical results and benefits for the population of Northern Ireland. Although I will have further discussions with my counterpart from Dublin, as far as I can see, such opportunities are not contained in the report.

Mr McCallister is right: my Department is the only one that has delivered all its RPA requirements. The Budget has gone a long way towards creating efficiencies to allow us to deliver health and social care services in Northern Ireland. My Department's budget is smaller than is required to run the Health Service in Northern Ireland, and I do not have money left over for extras unless I am certain that they will deliver benefits.

Mr O'Dowd: I find it interesting that the Ulster Unionist Party is harping on about RPA, given that it blocked the RPA in education. If my party had taken the same attitude towards health, there would be no RPA in health either. How and ever, from listening to the Minister's responses on the subject, I suspect that the reasons for non-publication are political rather than clinical. The Department of Health is in dire need of financial assistance in using its scant resources. Surely, therefore, the duplication of services along the border is a drain on Mr McGimpsey's resources and on those of Minister Harney. The sooner the report is published and implemented, the better.

The Minister of Health, Social Services and Public Safety: The Member will have an opportunity to read the report in due course. My problem is that I do not see anything in the report to implement. It is long on discussion and on the need for further discussion, but I am looking for practical steps.

As far as the cross-border issue is concerned, the Member accuses me of being politically rather than clinically motivated. Before doing so, he should take account of my work on paediatric and congenital cardiac services, suicide prevention, GP out-of-hours provision, child protection and the satellite radiotherapy facility at Altnagelvin Area Hospital, to name but a few. If I were as political as he claims, none of that work would be going forward. Also on the subject of co-operation along the border, I presume that Mr O'Dowd wants me to shut Daisy Hill Hospital and let all hospital patients go to Louth County Hospital.

Mental Health and Learning Disabilities

4. **Mr D Bradley** asked the Minister of Health, Social Services and Public Safety when he plans to bring forward a single Bill on mental health and learning disabilities. (AQO 1244/10)

Mr D Bradley: Ceist uimhir a ceathair, a LeasCheann Comhairle.

The Minister of Health, Social Services and Public Safety: I presume that Dominic Bradley means question No 4.

On 10 September — *[Interruption.]*

Mr Deputy Speaker: Order. The standard procedure is that the Member repeats what he said in English.

The Minister of Health, Social Services and Public Safety: On 10 September 2009, I announced that my Department would take the lead in preparing a single Bill which will encompass mental capacity and mental health provisions, to be introduced in the next Assembly mandate in 2011. Subject to Executive approval, the wide-ranging Bill will be enacted in 2013, and it will provide additional protections for those who lack the capacity to make decisions for themselves about their health, welfare and finances.

Mr D Bradley: Question No 4, Mr Deputy Speaker.

Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire fosta as an fhreagra a thug sé. Ba mhaith liom a fhiafraí de an gcreideann sé gur chóir go mbeadh an Bille seo bunaithe ar chearta.

I thank the Minister for his response. In his view, should the Bill be rights-based?

The Minister of Health, Social Services and Public Safety: Without getting into the legal terminology into which the Member may wish to draw me, there are important benefits in the Bill as far as mental capacity and mental health provisions are concerned. The Bill's purpose is to put in place substitute decision-making arrangements for those who are unable to make their own decisions. However, that process must include strong protections for the individuals concerned. It will have a wide application and cover decisions about a person's medical treatment, welfare and financial affairs. As far as possible, it will also encourage participation in the decision-making process to ensure that the views of the patient and others are taken into account. It is very much about ensuring that decisions are made in the best interests of the individual concerned.

Mr G Robinson: Will the Minister state whether epilepsy will be covered specifically in any such Bill?

The Minister of Health, Social Services and Public Safety: This issue very much follows on from the strategy that came from the Bamford Review of Mental Health and Learning Disability, which includes dementia, autism and acquired brain and stroke injury. Epilepsy would not be covered by a Bill that encompassed mental capacity and mental health provisions. However, that is not to say that patients who suffer from epilepsy will not be covered; they will be covered, but perhaps because of another condition that they have, such as a learning disability.

Dr Farry: I welcome the Minister's commitment to a single Bill. I believe that Northern Ireland has the opportunity to be a world leader in the area. What actions can his Department take in advance of the next Assembly's consideration of a Bill, particularly on the Bamford action plan and any equality impact assessment of the legislation?

The Minister of Health, Social Services and Public Safety: The equality impact assessment will be consulted on in August of this year. I plan

to have the policy cleared by the Executive in the autumn as we move to drafting the single Bill. I have cross-departmental support for implementing the Bamford review, and I am moving forward with that. All the Ministers who are involved are, without exception, very positive about the Bamford agenda.

Mr Deputy Speaker: The Members who were due to ask questions 5 and 6 are not in their place.

Tyrone County Hospital

7. **Mrs McGill** asked the Minister of Health, Social Services and Public Safety if he can confirm that funding will be made available to proceed with the newbuild for Tyrone County Hospital. (AQO 1247/10)

The Minister of Health, Social Services and Public Safety: I assume that the Member is referring to the Omagh local hospital, which is to be built at the Tyrone and Fermanagh Hospital site. I reaffirm my continued commitment to the Omagh local hospital. However, given the current financial climate and the uncertainty surrounding the outcome of the next CSR process, I must look at all my priorities and be certain of the availability of funding to build and operate the facility before the Omagh project can progress. That is the position for all infrastructure projects in my planned programme.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. However, I must say that his answer was not very encouraging. Will the Minister confirm that that local enhanced hospital, as it started out, was deemed to be a priority and that he wanted to proceed with it as soon as everyone agreed that it should go ahead? It is still unclear why there is a delay.

The Minister of Health, Social Services and Public Safety: I would have thought that the reason is obvious. I reaffirm my continued support for the Omagh local hospital and the changes that we made to it, which mirror the Developing Better Services programme. The local hospital has seen an increase in activity and it is busy, so I can easily justify the expenditure and investment there.

The procurement process underwent a review, and I explained to the House that I was given a financial profile that allowed only for PFI. When that was no longer value for money, I had to look at other options. I must also look at reviewing

the financial profile of the Department's capital. So far, however, I have done so without success. In addition, I have to do a business case, but I have to be certain of the financial settlement. I remind Mrs McGill that her party voted to take £700 million of efficiencies from the Health Department's budget. I also remind her that, when the House was deciding whether the Health Department should be exempt from financial cuts, Mrs McGill's party voted for cuts to the health budget. A few weeks ago, a Budget came forward that took £115 million from the health budget. Again, Mrs McGill's party voted for that. I find it somewhat ironic to hear the Member telling me that Omagh is a priority for her and that she cannot understand the problem, because not once or twice but three times she voted to take money away from health. I did not notice that point in any Sinn Féin manifesto.

Dr Deeny: I listened to the Minister's statement on finance. Now that the people of Tyrone are losing a third acute hospital, surely he realises how those people feel about him and his Department. Surely he must commit to the hospital on clinical grounds and on safety and health grounds. In Omagh, we are delighted with the cardiac unit and the X-ray services. Will the Minister give those people a commitment? On clinical grounds, the people of Tyrone need this hospital in Omagh, including continued cardiac and acute psychiatric services.

The Minister of Health, Social Services and Public Safety: For the third time, I repeat that I remain committed to the project. I also remind Dr Deeny that there is a financial bill to it all. The Omagh hospital will cost a considerable sum of money, but, when I put it to the Committee that we were looking at £190 million, Mr Deeny told me that he would not give me 190p for it. It is a pity that, at the time, Dr Deeny and others were not prepared to get behind my proposals. If they had, maybe now I would be a bit further on with delivering that vital investment for the people of Omagh and the surrounding area.

Mrs M Bradley: Is it possible to give a timeline for the completion of the new Tyrone County Hospital?

The Minister of Health, Social Services and Public Safety: It is difficult to be absolutely certain about a timeline for completing the hospital. Everything depends on ensuring that

we have the money. As part of the business case, I have to ascertain that the money will be there, not least the money to build it but also the revenue to run it. I remain committed to this hospital, because there is a clear need for a local hospital in Omagh. I have invested quite a bit of time, effort and, as Dr Deeny pointed out, political capital in pursuing the project, and I will continue to do so.

Carrickfergus Primary Care Centre

8. Mr Hilditch asked the Minister of Health, Social Services and Public Safety if the business case has been finalised for the level 2 primary care centre in Carrickfergus. (AQO 1248/10)

The Minister of Health, Social Services and Public Safety: The Northern Health and Social Care Trust has been asked to develop a business case for a health and care centre in Carrickfergus. Determining the availability of funding to support the project is a key element of that process. Until a business case has been submitted and assessed by my officials, I cannot give a commitment to this or any other project in the planning stage. In addition, given the financial climate and the uncertainty surrounding the outcome of the next CSR, I must look at all projects and be certain of funding availability before any of them can progress.

Mr Hilditch: On the back of recent news about further cuts and the reduction in facilities at Whiteabbey Hospital and given the potential benefits for the community, would it be reasonable for the Minister to think about prioritising the level 2 healthcare centre for Carrickfergus?

The Minister of Health, Social Services and Public Safety: All those factors will be taken into account. As I am sure the Member is aware, the point of situating a health and care centre in Carrickfergus is to co-locate the community teams in a one-stop shop, integrating primary and community care needs. Bringing the Carrickfergus project onto the list was one project, among others, about which I felt strongly. However, capital funding remains an obstacle. Until I have absolute certainty, I would be misleading the House by saying anything other than that it remains in question.

Mr Beggs: Does the Minister accept that a primary health and care centre for Carrickfergus and, indeed, Larne would reduce some of the

pressure on Antrim Area Hospital and that there is a degree of urgency about pursuing it?

If capital funding is not available, is the Minister considering alternative funding arrangements, such as PPPs, that might enable such a facility to be brought forward?

The Minister of Health, Social Services and Public Safety:

All those issues will be considered when drafting the business case. We are tied into value for money, which is an overriding Treasury principle, but I do not rule out any form of funding in order to get the projects that we clearly need, not only in Omagh but in Carrickfergus and Larne.

3.30 pm

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

Question for Urgent Oral Answer

Whiteabbey and Mid-Ulster Hospitals

Mr Deputy Speaker: The Speaker has received noticed of a question for urgent oral answer under Standing Order 20 to the Department of Health, Social Services and Public Safety. I advise the House that, when dealing with questions for urgent oral answer, generally only the Member who tabled the question and the Chairperson or Deputy Chairperson of the relevant Committee are called to speak. However, given the issue, the Speaker has agreed that party representatives with a constituency interest will be given an opportunity to ask a supplementary question.

Mr Dodds asked the Minister of Health, Social Services and Public Safety to explain the reasons for the bringing forward of closure of services at Whiteabbey and Mid-Ulster hospitals; and if he will intervene to give time for a review of the decision to be undertaken.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): Patient safety is of the utmost priority in the delivery of health and social care services, and I will not compromise on that position. In 2002, the Developing Better Services programme established that Whiteabbey Hospital and Mid-Ulster Hospital would be developed as local hospitals without acute services. The transition towards their new role as local hospitals has been confirmed in a number of announcements. Changes to the remaining acute services at Mid-Ulster Hospital and Whiteabbey Hospital had been scheduled to take place in the coming months. However, the trust has made me aware of pressing safety issues and difficulties in sustaining the current level of acute services, which have meant that immediate changes are required to the current A&E services on both sites and to inpatient medical services at Whiteabbey Hospital. The advice of senior clinicians is clear: this change is necessary within the time frame that the trust has set.

The Northern Health and Social Care Trust and the Health and Social Care Board have assured me that the trusts affected, including the Ambulance Service Trust, will be in a state of readiness to implement the change as planned. In addition, the trust will ensure that the minor injuries services provided on both sites from next Monday will be supported by medical cover for two months so as to provide a safe transition to the new model of service.

Mr Dodds: The question that I tabled refers to Whiteabbey Hospital and Mid-Ulster Hospital, but my remarks will mainly be about Whiteabbey Hospital. I am sure that Members from Mid Ulster will want to comment on their own constituency interest.

I am grateful to the Minister for his reply. However, he will be aware of the great distress and anger that has been voiced in my constituency and further afield at the suddenness of the decision to bring forward the closure of services. It has had a major impact on patients, prospective patients and staff. When I visited the hospital on Friday, I spoke to consultants, doctors, staff and auxiliary staff, all of whom were extremely perturbed by what they see as a breach of the agreement, which was that the A&E and cardiology services would be moved to Antrim Area Hospital in 2011.

When I met Colm Donaghy, the trust's chief executive, on Friday, he said that it was not a question of money; therefore, it must be a question of management, because the situation, as outlined by the Minister, did not happen overnight. What makes it an emergency now, when it was not an emergency previously? I ask the Minister, instead of approving the proposal from the Northern Health and Social Care Trust, to take time to review it and to allow the decision to go ahead as previously for a transition next year. Why have cardiology services been included in the transfer of services from Whiteabbey Hospital? Will the Minister address the issue raised by staff and patients about the ability of Antrim Area Hospital to cope?

The Minister of Health, Social Services and Public Safety: Mr Dodds made a number of points, and I will try to address them as best I can. With regard to the timescale, the matter was consulted on and agreed on as the way forward in 2002, so there has been a long run-in period. When I came to the Department of Health, Social Services and Public Safety, my

view was that we would sustain those services for as long as possible and for as long as patient safety allowed. The overriding principle is patient safety: it is literally your lives in their hands.

Mr Dodds asked what had changed. Let me answer him: senior clinicians are leaving the hospital and the service. The senior accident and emergency consultant told me on 26 April that she could no longer sustain the service safely, following the departure of staff on 24 May, and I had no choice but to follow the guidance laid down by senior clinicians working in the trusts. With regard to staff, I regret the short period of consultation, and I will certainly take steps to ensure that unions are better informed and better included in any subsequent decisions that have to be made on any other sites. No staff will lose their jobs, there will be no redundancies, and all service staff will maintain their employment on the current site; however, it will affect doctors and accident and emergency nurses. I am assured by clinicians and the trust that Antrim Area Hospital can cope and that the strengthening of the service by the addition of staff from Whiteabbey and Mid-Ulster hospitals will create a better service in Antrim.

At present, more than 70% of visits to the accident and emergency departments at the Mid-Ulster Hospital and the Whiteabbey Hospital involve minor injuries, so we are not talking about all visits. Of the remainder, several will not involve admissions. I have sought and been given the assurance that with the changes that are being laid down in Antrim Area Hospital, such as additional beds, the changes to the accident and emergency department will all be accommodated.

I would have preferred the service to continue for as long as possible, and I made that clear to the trusts on a number of occasions. However, when the senior accident and emergency clinician and her staff told me that patients could come to harm given the vulnerability of the service, I had no choice but to act.

The Deputy Chairperson of the Committee for Health, Social Services and Public Safety (Mrs O'Neill):

Go raibh maith agat, a LeasCheann Comhairle. This decision, which was signed off by the Minister last September as part of the CSR proposals, compounds the dereliction of health services in mid-Ulster and, again, the people of mid-Ulster have been

stripped of a health service. Some people will no longer live within the so-called golden hour of access to hospital services, and the Minister is quoted as saying that that time frame is key to survival rates in emergencies. People living in Pomeroy, for example, will not be able to access a hospital within an hour.

The sudden move is a disgrace. The Minister has abandoned the people of mid-Ulster and stripped them of their services. When the proposal was first mooted in the CSR proposals, we were told that nothing would happen until there had been full consultation with staff. The Minister said that there had been a long run-in period and that the decision had been in the ether since 2002. That may well be, but staff learned of the decision in the media last week, which is disgraceful and unacceptable. Morale is low. The Minister has not consulted trusts' staff and could not possibly do so within the two-week period. We were also told that the move would not happen until Antrim Area Hospital had the capacity to cope.

Will the Minister assure the House that additional capacity has been made available in Antrim Area Hospital? I am sure that it has not. Indeed, we have heard reports this morning of an 18-bed trolley wait, which is disgraceful. Will the Minister tell the House what investment has been made in Antrim Area Hospital to allow staff to cope with the change? We are clearly of the view that they cannot. Furthermore, what consultation has he undertaken with staff? Staff have said that that has not occurred.

The Minister of Health, Social Services and Public Safety: I am entitled to answer one of those questions and to pick the one I want to answer. The Member should be careful about going on and on and on and on. I am trying to give the House the necessary information.

I remind the Member that the Developing Better Services document was developed in 2002 by a devolved Minister from her party. Sinn Féin's fingerprints are all over DBS, and that party cannot walk away from responsibility. *[Interruption.]* The Member's comments on the stripping of services are highly emotive and are, in fact, scaremongering. There is no question of stripping services away from the Mid-Ulster Hospital *[Interruption.]* The Members from Sinn Féin can ask me questions, or they can catcall and shout at me from a sedentary position, but DBS is a Sinn Féin as well as an Assembly

plan. That party envisaged that the closures would occur at the Mid-Ulster and Whiteabbey hospitals, and I have ensured that both have a long life ahead of them. My Department did a similar thing with Omagh, although that hospital as well as the Mid-Ulster and Whiteabbey hospitals need investment. Sinn Féin can help by supporting the Health Service in the Budget, rather than voting for cuts.

The survival of the hospitals is ensured. There will be no redundancies, and all service staff on those sites will keep their jobs. The closures will affect nurses and medical staff, and the Department will work very closely with them. I will also take steps to ensure that the unions are better informed in the future.

Mr Deputy Speaker: Order. I have given some latitude to Mr Dodds who tabled the question and to the Deputy Chairperson of the Health Committee. From now on, questions must be focused and Members should ask only one question each. Furthermore, no more remarks from a sedentary position are to be made.

Mr Cobain: I will try to be as brief as possible. I thank the Minister for his guarantee of no redundancies on the Whiteabbey site, and I am sure that the staff there will also be glad to hear that. Can the Minister also guarantee that continuing investment for the Whiteabbey Hospital is at the forefront of his mind?

The Minister of Health, Social Services and Public Safety: I can. I recently invested in both the Whiteabbey and Mid-Ulster hospitals, and I have other investments planned. That investment will further strengthen both those sites and, as a result of those investments and the changes to services that I am making, we will see increased activity in both sites in the same way as in Omagh. Whiteabbey Hospital is very much part of the local hospital network and will play a key role in relieving the acute hospitals in Antrim and elsewhere.

The Northern Trust will maintain medical cover on both sites for the next two months to ensure a smooth transition. However, when people look at the steps that we are taking in the cold light of day, they will realise that it is better to have the services we have planned, not least because it will enhance and reinforce the services in the A&E and acute hospital in Antrim.

Mr A Maginness: I am reassured by and welcome the Minister's comments on

redundancies. I also remember the havoc left by Bairbre De Brún when she was Health Minister, and when she also tried to remove acute services from the Mater Hospital. Fortunately, the community revolted against that and defended the Mater.

Mr Deputy Speaker: Question, please.

Mr A Maginness: Will the Minister reassure the House that Antrim Area Hospital will be able to cope with the increased workload that the closure of the A&E at Whiteabbey Hospital will inevitably create?

3.45 pm

The Minister of Health, Social Services and Public Safety: Yes, indeed. I have, of course, sought that reassurance from the Northern Trust and its clinicians, and steps are already in place and are being put in place. It will, of course, mean that a larger team of doctors and nurses will be available to provide care at the Antrim Area Hospital A&E. Additional space will be provided at Antrim Area Hospital, where an additional 20 beds are being put in to deal with the increased demand, and the Ambulance Service is also planning to provide additional cover. I invested in the Ambulance Service at Mid-Ulster Hospital at the end of last year. A number of steps have been put in place, and the necessary arrangements will be in place by 24 May. Medical cover will also be available on the two sites for two months. This week, I will receive daily updates from the trust on the implementation of its plan.

Mr Neeson: Last Friday, I met doctors and other staff at Whiteabbey Hospital. One of the main reasons why I have been opposed to the location of Antrim Area Hospital is its inaccessibility due to the lack of public transport. Not only the patients who use Whiteabbey Hospital but its staff who do not have their own transport will be put to trouble. Does the Minister have any plans to help them? I have benefited from the cardiology unit at Whiteabbey Hospital. Why is it being moved?

The Minister of Health, Social Services and Public Safety: The steps are being put in place because of the difficulty in attracting the appropriate staff to Whiteabbey Hospital and to Mid-Ulster Hospital. In fact, we have been relying heavily on local doctors on both of those sites, as has been the case for some time. Everyone knew the plan and intention of our proposals. It

has come out much quicker than I anticipated, and that is because of the inability to maintain the teams in place.

As I said, all service staff will remain on site, and no one will lose their job. It will affect doctors and nurses, and the trust will work its way through with individual staff to ensure that they are accommodated properly.

Mr I McCrea: I thank my colleague Mr Dodds for tabling the question. The Minister will know from previous discussions and debates that there is much emotion in communities about any downgrading of services. The Minister will also know that the decision that was taken was certainly felt in the community. Can the Minister assure the House that adequate facilities will be provided to take the increase in beds in the acute services from Whiteabbey Hospital and Mid-Ulster Hospital, given the fact that, over the weekend and last night, there were approximately 18 trolley waits and other difficulties with people waiting to be seen for a number of hours? Will he also assure the House that the future of the Mid-Ulster Hospital is safe and that more work will be done to provide the much needed level of day care procedures, not just the few that are being carried out here and there?

The Minister of Health, Social Services and Public Safety: I am happy to give those assurances to Mr McCrea. Both those hospitals now have a strong future. They are very much a part of the network, and they integrate with, support and reinforce the work done in the acute hospitals. Those hospitals are changing services, but medical services are changing all the time. Mid-Ulster Hospital and Whiteabbey Hospital will still be capable of delivering around 70% of the hospital needs in their areas. The minor injuries units, which will be in place at both those hospitals, will accommodate around 70% of the visits that take place currently. Frankly, the number of visits that occur in both those hospitals is too low to sustain a service indefinitely. I had tried to do that, but when safety is in doubt I have no choice but to listen to the views of clinicians.

Staffing is a key part of this situation. The trust and I will do what has to be done to support staff. I will also take steps to ensure that the unions will not feel left out in the cold in discussions when a decision is made.

I was advised of the unsustainable pressures on the hospital on 26 April, so we had a short time

frame in which to work. However, leaving the medical support in place for two months will help.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I would have thought that the Minister, being his own man, would have stopped hiding behind former Ministers or the excuse of not having the finances. If the Minister is looking to invest in health, surely he can provide a proper health service for the people of mid-Ulster. That cannot be done safely before Monday 24 May. The Minister should not hide behind excuses. He has had ample opportunity to reverse the situation and put adequate provision into the Mid-Ulster Hospital to ensure that it can continue.

Mr Kennedy: Question.

Mr Molloy: If the Minister's colleague would stop talking from a sedentary position, we could get on with things.

Mr Deputy Speaker: Order.

Mr Molloy: Twenty beds have been put in place in Antrim Area Hospital. When will you put in place the beds to ensure that accident and emergency can continue safely in the Mid-Ulster Hospital? You are not doing that, Minister.

The Minister of Health, Social Services and Public Safety: I am surprised to hear Mr Molloy talking about money being no excuse and saying that I do not have the money but that is not an excuse.

Mr Molloy: You said that it was not a money issue.

The Minister of Health, Social Services and Public Safety: Who is talking from a sedentary position now? He also said that I was hiding behind previous Ministers. It is a fact that Developing Better Services came from a Sinn Féin Health Minister in a previous devolved period. Your party was very much involved, as it was in the Omagh decision.

Mr Molloy: You are hiding behind that.

The Minister of Health, Social Services and Public Safety: You are hiding behind a sedentary position. There are pressures at Antrim Area Hospital accident and emergency that need to be reinforced, and this measure will help those pressures. Patient safety is key: your life in their hands — literally. When senior clinicians tell me that patients can or will come to harm if we carry on as we are, I have

no choice but to listen. I have no choice but to allow those clinicians to — *[Interruption.]*

Mr Molloy: You are a failed Minister.

Mr Deputy Speaker: Order.

Mr Kennedy: A Deputy Speaker should know better.

Mr Deputy Speaker: I was trying not to make reference to that. Remarks should not be made from a sedentary position. Some people should know that better than others.

The Minister of Health, Social Services and Public Safety: It is disgraceful for Mr Molloy to tell me to be a Minister and to ignore the safety considerations of patients that are advanced by senior clinicians. It is scaremongering and politicking with a regrettable situation. However, we cannot sustain indefinitely local hospitals with acute services where it is virtually impossible to recruit the appropriate staff and clinicians. In the Northern Trust area, our staff are spread across four accident and emergency departments, and, in future, we will reinforce by spreading across two departments. The people of mid-Ulster and of Whiteabbey will benefit, and the network will be all the stronger for it.

Mr Armstrong: The Minister said that money was not the only problem. What other factors are responsible? How does the Minister see the Mid-Ulster Hospital being developed so that it can serve all the people of Northern Ireland in future?

The Minister of Health, Social Services and Public Safety: I think that I have covered some of that, but it is very much a patient safety issue. Had it not been, we could have continued until the anticipated change date, which is some six months away. Unfortunately, the view has been expressed that services cannot be sustained beyond 24 May.

I also believe that Antrim Area Hospital will be able to cope with the extra workload — 20 extra beds are going in — and the investment that I have planned for it, which I have also planned for Magherafelt and Whiteabbey hospitals. All those measures will strongly reinforce the plan. I look forward to Mr Molloy and his party supporting the Health Service's need for a budget rather than his making remarks from a sedentary position and acting most unlike a Deputy Speaker.

Mr Deputy Speaker: I now call Mr Patsy McGlone for a concise question.

Mr McGlone: My question will be concise, Mr Deputy Speaker, and it will be factual. It is not scaremongering when I say that a distressed father phoned me last night, concerned that his daughter was lying on a trolley in hospital. Nor is it scaremongering when I say that staff have contacted me because they are deeply concerned about the professional services that are provided in the community in which they live — in which I live also — in the Mid-Ulster Hospital's immediate catchment area. What guarantee can the Minister give Members today? The decision to remove A&E services and the high-dependency unit from Mid-Ulster Hospital, as well as cardiology services from Whiteabbey Hospital, was taken on the basis that Antrim Area Hospital would be best able to cater for them, but quite clearly —

Mr Deputy Speaker: May we have the question, please?

Mr McGlone: That is part of the question, Mr Deputy Speaker. Last night, there were between 14 and 18 trolley waits at Antrim Area Hospital, and phone calls were being made to Magherafelt hospital asking for extra beds. Initially, it was Antrim Area Hospital that caught the overspill from A&E at the Mid-Ulster Hospital in Magherafelt.

The Minister of Health, Social Services and Public Safety: That was not so much of a question as a press release. I can only repeat what I have already explained. The staff are managing the patient flows and pressures at Antrim A&E, as they do frequently. A trolley is a mobile bed; patients still get the appropriate medical and nursing care. The staff still look after them. If patients are on trolleys, it does not mean to say that staff ignore them. They do not.

As far as changes are concerned, we will reinforce the staff at Antrim A&E. I am sure that the Member has had discussions with the clinicians and the chief executive in the Northern Trust, and I encourage him to continue to do that. The clinicians, who know what they are talking about, will explain the difficulties that they are facing. This is a step and a change that the Member knew was coming, except that it has come a number of months early. That is the unfortunate side of it, but I had no choice other than to permit it to happen.

Mr Deputy Speaker: That concludes the question for urgent oral answer. We shall now return to the business that we left before Question Time, which was the Question on the motion on all-island economic regeneration.

Private Members' Business

4.00 pm

Economic Regeneration

Debate resumed on motion:

That this Assembly calls on the Executive to explore, through the North/South Ministerial Council, ways to develop policies in conjunction with the Irish Government which benefit both economies on the island, with particular consideration being given to the potential benefits of the harmonisation of VAT rates, taxation systems and corporation tax; and further calls on the Executive to work with the Irish Government to develop an all-island economic recovery and development plan, aligned with an investment strategy, to help address the adverse impacts of the present economic climate. — [Mr Butler.]

Main Question put.

The Assembly divided: Ayes 34; Noes 50.

AYES

Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr Brady, Mr Burns, Mr Butler, Mr Durkan, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr McCartney, Mr McDevitt, Dr McDonnell, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McLaughlin, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

Tellers for the Ayes: Mr Brady and Mr Leonard.

NOES

Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Neeson, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr B Wilson, Mr S Wilson.

Tellers for the Noes: Mr Kennedy and Mr G Robinson.

Main Question accordingly negatived.

Robberies

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes. *[Interruption.]* May we have silence, please?

Mr I McCrea: I beg to move

That this Assembly condemns the spate of robberies within local communities across Northern Ireland; and calls on the Minister of Justice to produce a more effective strategy to protect citizens' private property and vulnerable people in our society.

We hear constantly on the television and radio and read in newspapers about the number of robberies that are inflicted on communities throughout Northern Ireland. Robberies against the elderly are particularly prevalent, especially around Christmas time. In March, a pensioner from Newtownards died two months after she was woken in the night by two teenagers who were in her bedroom demanding money. After the lady's death, her daughter told the media that, although the lady was not physically injured, she was terrified. She was very frightened not only by her ordeal but by what had happened in her area 10 days later, when another spate of robberies occurred. That tells us that people can be victims of crime through fear of it, even though they have not been targeted directly.

Similar burglaries have been repeated across Northern Ireland. It is thought that senior citizens are being targeted by thieves who are looking for gold to sell to one of the many cash-for-gold companies that promote such offers. Over Christmas, there were also thefts from ATMs. The thefts usually took place in rural areas, which is most alarming because, without access to cash, people in such areas feel isolated.

In 2008-09, 64% of recorded crimes involved property, including burglary and theft. Thirty per cent of all theft offences related to vehicle crime, and, according to the latest Northern Ireland crime survey, burglary represented the highest reporting rate of 68%. It is thought that the main reason for that rate is the number

of people making insurance claims, as they need a crime reference number to do so. However, many crimes are not reported, and the most common reason that people give for not reporting a crime is that they think that the police cannot do anything about it. Burglary has a 12% clearance rate, which is one of the lowest. Therefore, a new focus and strategy need to be developed to combat this type of crime, and much goes hand in hand with community policing. However, many people in residential areas see few or no police patrols. I wish to make it clear that I do not believe that that is the fault of the police. I am sure that Members and people across the country are more than aware that the police lack sufficient resources, especially manpower.

When there is a spate of robberies in a residential area, people, especially the elderly and vulnerable, usually become fearful in their home. The police, through the Department of Justice, need to do more to tackle burglary, because, after all, it is the highest reported type of crime. Burglary is more likely to occur in areas in which there is a younger age group of 16- to 24-year-olds, areas perceived to have a high level of antisocial behaviour and areas containing single adults with children and those living in socially rented accommodation. Such crime against the elderly is low, but it can, nevertheless, have a devastating impact on its victims. It can affect their health, quality of life, independent living and sense of security.

Fear of such crime is high among the over 60s, and that no doubt heightens the intensity of our focus. The police have focused on preventative measures, such as advising people to lock doors. They also advise people to keep windows closed even when they are at home and especially when they are away and to set alarms. People are also told to add security measures such as chains and deadlocks. However, I accept that many households are vulnerable because of the lack of adequate security measures. Those measures and initiatives are all well and good, but they do not necessarily solve the problem. In many ways, that is papering over the cracks. The problem will not just go away.

4.15 pm

We must tackle the serious lack of respect for private property and get to the very root of the problem. Whether that is done by

education or through various initiatives, we must act now. The right to private property and the defence of property are upheld in the American constitution. Sadly, we seem to have less focus on that in the UK, where criminals appear to have more rights than the victims of burglary. If someone chooses to defend their property, a burglar can call the police, and the person whose property is being robbed is then open to prosecution. I have to wonder what kind of society we live in when the rights of a perpetrator of a crime are put above those of a victim. There are also many examples of burglars claiming money for injury sustained on their victims' property. That flies in the face of law and the right to property.

There is an acceptance across society that theft is going to happen and that it will be dealt with as it happens. However, that does not reduce the anxieties faced by communities. It is a sad reality that, according to the Northern Ireland crime survey, 51% of victims of crime feel that no one can do anything about it. That says a lot about the justice system here.

In conclusion, I ask the Minister of Justice to look at this problem in great detail and to go beyond the physical preventative measures to the social solutions. I look forward to this debate on a very important topic that needs to be addressed and to the Minister's response.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. All Members will have had occasion to speak with distressed constituents who have been the victims of robbery and assault. The media frequently report that elderly people have been assaulted, robbed, terrified and sometimes tortured in their homes by criminals. Last week, we witnessed the bravery of a shopkeeper and a customer who tackled an armed robber. I commend those citizens.

Several weeks ago, I visited the home of Seamus Fox, a father of eight who was brutally murdered in west Belfast. Crime, in all its forms, is a major issue of concern for all citizens and one reason why the transfer of policing and justice powers was so important. We now have the tools to begin to reshape our policing and justice systems to take account of the demands and needs of citizens and to put in place laws and strategies that can protect lives and property.

In the meantime, the PSNI and other statutory agencies need to come up to the mark. It is not rocket science. The West Belfast Community

Safety Forum, which was formed two years ago, has a very good strategy for dealing with crime. Last year, the Criminal Justice Inspection, which is the independent oversight body, commended the work of the forum, its strategy and action plan as a template of how anti-community problems could be tackled. However, thus far, the forum and its strategy have been denied the funding and resources to make it work. I have requested an urgent meeting with the Minister of Justice to discuss that issue, and, tomorrow morning, I will meet the PSNI to discuss those matters further.

I raised with the PSNI the recent decision to scrap the car crime unit, which was set up to tackle car thieves and death drivers. A lot of car thieves now steal car keys from people's homes.

The measures that the PSNI could take are straightforward. It must use the accountability mechanisms that were created to ensure maximum consultation with local communities, particularly the local district policing partnerships. The PSNI's significant resources must be refocused on civic and community policing. Additional resources must be put into areas that have been identified as hot spots. What is the point of identifying an area as a hot spot without prioritising it and focusing resources there?

All other statutory agencies, such as the PPS and the Probation Board, must examine their failings in those areas. The local Justice Minister, who has our support, and the democratically accountable PSNI must work with local communities to improve the quality of life of citizens and to provide greater protection from criminals and antisocial elements. That is the crux of the matter, and, in due course, the Assembly must legislate to assist with that.

Community safety, which is the right of citizens to be safe in their home and in public places, will be one of the most important matters that we have to deal with. It will also be a matter on which people judge the institutions as successes or failures.

Mr McNarry: I thank the Members who tabled the motion on such an important subject. I will not be widely contradicted when I say that we are still finding our feet when it comes to the technicalities and details of our role of scrutinising the Department of Justice. I welcome the Minister to the Chamber for his first debate in his ministerial capacity. He will accept that the debate centres

on fear in the community. That fear must be understood and addressed.

The PSNI's latest figures show that robberies have decreased by 0.5%. However, armed robberies have increased by 9.6%. Last year, burglaries increased by 110 cases, or 0.9%, and thefts rose by 1.4%. Theft within dwellings have increased by 20.5%. The overall picture of the crimes that the motion seeks to address is that we are, at best, standing on the spot. The Minister will agree that there is definitely room for improvement. Although I respect the operational independence of the Chief Constable, one of the positives of having the debate is that my Assembly colleagues and I can press the Minister directly on behalf of our constituents on achieving those needed improvements.

The recent spate of ATM thefts in rural areas is having a demoralising effect on many local communities. Not only is the cash machine, a local amenity, gone, but people may feel isolated and vulnerable. I welcome the move to bring in specialist police to tackle that issue in some rural areas, in addition to their role of combating dissident terrorism. I look forward to an update from the Justice Minister on that issue.

Attacks on elderly people in their homes are, perhaps, among the most cowardly crimes that anyone can commit. The previous Secretary of State produced a strategy and an action plan to ensure the safety of older people. I ask the Minister of Justice what action has been taken on the back of that plan, which was published in November 2009.

I want to make three points about the actions that must be taken to reduce crime against elderly people and to reduce their fear of crime. We must remember that living in fear of crime can and does ruin people's lives. First, we must get more police officers onto the street. I know that that is a hardy annual, but we must do it. To instil confidence in local communities, especially the elderly, police officers must be highly visible. They must also be fully equipped and trained to deal with any eventuality. Is the Minister in a position to provide an update on the target to deliver 600 officers back to our streets to fight crime? What progress has been made on reducing paperwork and the amount of administration in the PSNI?

My second point is that we must build our local communities' capacity to defend themselves

against crime and to help to reassure those living in fear of crime, especially the elderly. What plans does the Minister have for the community safety unit, which was previously in the hands of the NIO and is now in his Department? What initiatives can he introduce to increase community co-operation and, equally important, inter-generational co-operation and support?

Thirdly, we must ensure that, when criminals are caught and found to be guilty, we give them sentences that fit the crime. We must ensure that those who carry out crimes know that, if caught, they will not get just a slap on the wrist. We must also have a Prison Service to back that up and which is fit for purpose to ensure that it can cope with criminals who are taken into its care and ensure that people come out of prison ready to start a different life from that of crime.

I support the motion and call on the Minister to effectively review his strategies to protect citizens and their private property and to address the element and issue of fear in our communities, particularly among the elderly.

Mr Attwood: I also welcome the debate. It is particularly timely to probe the Minister's mind on the issue, which registers so deeply across communities in the North. My comments will be very much on the right side of the demarcation line between that which properly falls to the Chief Constable and the Policing Board and that which is the responsibility of the Minister. In that context, I have four questions to put to the Minister on four issues, on which, I hope, we will hear his view today or subsequently.

The first is that, when it comes to burglary and protecting private property and the vulnerable, the worst type of burglaries are, obviously, those that are aggravated and lead to death. In that context, mindful that Jack Straw, the previous Justice Secretary in England, commissioned a report and accepted its recommendations for tougher laws and penalties for knife crime and given the awful experience to which Mr Adams referred that led to deaths in my constituency in West Belfast and in others, is the Minister minded to introduce a law that would lay down tougher penalties for knife crime, such as those in the recommendations that Jack Straw accepted when he was Justice Secretary in London?

Secondly, to protect private property and vulnerable people, the Public Prosecution Service must operate to its optimum, maximise the management of cases and produce results.

The Minister will know of the concerns around the Public Prosecution Service about what is perceived to be and, in my view, is a culture of plea bargaining, in which only cases that have a high likelihood of success are taken forward, leaving families and victims in the dark about why counsel recommends the dropping or reduction of charges.

Given those facts and all the other concerns about the management and outcomes of the Public Prosecution Service, is the Minister minded to initiate a review of the Public Prosecution Service to look at governance, management, the management of files generally and the concerns about how they manage particular cases, without crossing into the independence and operational responsibility of the PPS? Given the profile around that issue, it is about time for our Government and the Minister to indicate their thinking on that.

The third issue is that, independent of a review of the PPS, there is a wide body of recommendations from the Criminal Justice Inspection that impact on the wider criminal justice family, the PPS and PSNI in particular. Many PPS recommendations were made in the original baseline PPS review by the CJI in June 2007, updated in June 2009, in which the PPS, in a quite withering way, is indicted for its failure to implement many of the recommendations of the original baseline study.

I do not believe that the PPS has the capacity and the wherewithal to take those recommendations forward. The SDLP view is that a different body of people — a panel of specialists and experts — should be brought in to ensure that those recommendations are implemented, in co-operation with the PPS leadership.

4.30 pm

Is the Minister minded to create a mechanism whereby the recommendations that impact on the wider criminal justice family, the PPS in particular, are taken forward in the absence of the PPS doing so? His predecessor Minister Goggins considered that issue in autumn 2009, but it seemed to run out of steam.

Mr McNarry mentioned my final point. Given the need to have confidence in the way in which the judiciary manages cases and imposes penalties and the Minister's personal commitment to the creation of a sentencing guidelines council, is

he in a position to confirm whether he intends to legislate to create a sentencing guidelines council so that the mind of the judiciary is informed of the views of the wider community without impeding its independence?

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

Mr Attwood: Is the Minister minded to bring forward that legislation and, if so, when?

Dr Farry: Like other Members, I welcome the fact that the Assembly is debating justice issues. It allows us a more rounded approach to the issues that affect people in Northern Ireland. We look forward to many more occasions such as this one.

Robbery is clearly a major issue in society. It is about theft with the threat or actual use of violence. The effects are many and go beyond the loss of property. It also concerns the personal violation felt by the victims, physically and mentally. Fortunately, levels of crime in Northern Ireland are generally low. Indeed, as other Members said, our senior citizens are the least likely to be victims of crime. That said, there can be no room for complacency. Individual victims are not interested in statistics; they are interested in what happened to them and what is being done to pursue those who are responsible. We must also acknowledge the particular effects that businesses feel. In particular, the small business sector feels especially vulnerable to robbery, given the nature of its businesses and the fact that staff work late at night, often in small shops.

The response to the situation must come from across and beyond the criminal justice system. As other Members said, the PSNI has a major role, through the prevention and detection of crime. It is, however, for the PSNI, in conjunction with the Policing Board, to set out the service's strategic and operational priorities. Indeed, I am sure that the PSNI will take note of the comments that have been made in the debate.

Mr Attwood stressed the key role of the Public Prosecution Service. Clearly, the PPS has an important role in the prosecution of offences. In hindsight, it is a matter of regret that the PPS is so much at arm's length from the accountability measures for other agencies. I appreciate the fact that there are good reasons why that has been so, but society is moving on. Although we should not second-guess the

operational decisions of the Director of the Public Prosecution Service, there are issues about financing and PPS policy that are matters of public concern, and it is important that we comment in that context. There is a lack of confidence in the integrity of sentencing, and I look forward to a consultation, in the short term at least, on a sentencing guidelines council, which may lead to legislation in due course. We must go through a process.

We must also ensure that a wide range of responses is available to the criminal justice system. A community response to some non-violent offences may be effective. It is not about being soft on criminals; it is about solutions that work and avoiding situations in which people are more likely to reoffend.

There is a need for a custodial sentence where violence is involved. At that stage, the Prison Service, along with others such as the Probation Service, has a major responsibility to work to reduce reoffending. Virtually everyone who goes into prison will come out of prison some day. It is important that they go on to lead proper, responsible lives rather than returning to a life of crime. It is also important that we pick up on the needs of victims and witnesses and ensure that we have proper strategies and programmes in place to provide not just services but proper information on how cases are being taken forward.

We must also look to the wider issue of crime prevention. Although the Department of Justice and its agencies have a role, those involved in health and education, as well as those in civil society, have a responsibility to prevent young people in particular from entering a life of crime and trying to pick up on warning signs early on and intervene to steer people in a different direction. Ultimately, the key response that the Department can make in the immediate future is through community safety measures. Consultation on a new partnership model is under way, and beyond that I look forward to seeing a new community safety strategy for Northern Ireland, as the old one is now out of date.

Mr Deputy Speaker: Bring your remarks to a close.

Dr Farry: It is important that, under devolution, we take full advantage of all Departments contributing to a more rounded strategy on the way forward.

Lord Morrow: I apologise that I will have to leave immediately after speaking; I was supposed to

be at another meeting in the Building at 4.00 pm. I would have liked to hear the Minister, but my leaving is no slight on him, and I mean no disrespect or disregard.

I commend the proposer of the motion. It is appropriate that the motion should be brought at this time. It is a topical and serious issue that causes much concern across the whole of Northern Ireland. It is difficult — indeed impossible — to lift a newspaper or turn on a television without hearing of another burglary or robbery. The victims, usually elderly, are left shaken and traumatised; the independence of many is irreparably damaged. Many live in fear that the criminal, if he or she is arrested, will soon be back on the streets carrying on with what they do best. Just this morning, I learned that an 86-year-old woman was the target of a distraction burglary carried out by a male who claimed to have called at her home to check the drains. That is typical of what is going on across the Province. I hope that the PSNI, under the direction of the Chief Constable, will grapple with the problem.

My constituency of Fermanagh and South Tyrone includes the town of Dungannon, where there has been a 236% increase in violent thefts in the past year. That is not something that Dungannon is proud of, but it is fact. That is by far the steepest and sharpest increase in any town or area in Northern Ireland. I refer Members to a headline that recently appeared in a local newspaper:

“Surge in violent crimes in Dungannon”.

The report states that:

“A crime wave of shocking proportions has hit the Dungannon area with a 236 percent surge in violent thefts in the past year, the steepest rise in Northern Ireland.”

It goes on to say that:

“Dungannon is one of the worst hit districts for house burglaries with a 54 rise in the past year, and a 48 increase in other burglaries”.

Those figures were released by the PSNI and make startling reading.

Sadly, Dungannon is one of the worst districts for house burglaries. It bears repeating that there has been an increase of 54%. That is enough to cause alarm in anyone's estimation. Those statistics cannot be overlooked or discarded. Dungannon Court House has 36

alleged robbery-related offences on its list for this week. Of those charged, six are youths. Those six cases form part of a total of 12 cases relating to youth-involved robbery in a court jurisdiction that also takes in Strabane and Omagh. Therefore, according to the figures, 50% of youth-related robbery in that court jurisdiction takes place in Dungannon. One of the 36 alleged robberies in the Dungannon and south Tyrone area is particularly severe and involves an alleged burglary with threats to kill and cause grievous bodily harm.

No one can be satisfied with that state of affairs. Indeed, there is a clear message that something fresh must be tried, because current legislation is obviously not sufficient. The existing deterrents need to be looked at again if such behaviour and robberies are to be stamped out. Local communities need to feel safe in their own homes. Given the level of crime, particularly in the Dungannon district, can the Justice Minister move to reassure citizens of focused efforts to drive down crime? The Minister is only just into his position, and we do not lay any charges at his door. However, he has a big task ahead of him and needs the support of the whole community and the House.

I recently spoke out about the availability of ASBOs. There are currently 39 ASBOs in place in Northern Ireland.

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

Lord Morrow: I will. Significantly, not one of those ASBOs was served in the Fermanagh and South Tyrone constituency.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. Like all the other Members who have spoken, I commend Mr McCrea for bringing the motion to the Assembly this afternoon. I have no hesitation in giving my support and that of my party to what is a timely and welcome motion. It is a difficult topic to deal with as it involves victims of crime, sometimes very serious crime, across our community.

Colleagues have already referred to particular incidents of crime. The proposer of the motion acknowledged the importance of reminding ourselves that levels of crime continue on a downward trend across the spectrum. However, that does not in any way alleviate the trauma suffered by a victim of crime; that has to be stated and restated. We want to commend

everyone who is involved in trying to tackle these matters at local level, whether that is a local community safety forum, a DPP, the PSNI or another statutory agency.

I do not know the full detail of the situation in Dungannon, but the statistics are startling. It is important that the issue be dealt with specifically and locally in Dungannon, which has a vibrant DPP. The DPP and the police need to get to grips with the trends underlying those figures in the first instance, because we have to have strategies. The PSNI has a responsibility to detect and prevent crime, and the DPPs have a statutory responsibility to monitor the effectiveness or otherwise of policing plans in any area. It is important that there is a clear understanding of what is causing the sort of rise in statistics that Mr Morrow outlined.

I should have declared my membership of the Policing Board before I spoke. The Policing Board is often made aware of the specifics, trends and patterns of local crime. We have introduced a new objective in this year's policing plan, namely to increase the level of reporting of crime. As the proposer of the motion mentioned, it has long been understood that there is an ongoing under-reporting of crime. Indeed, the PSNI would say that, at the highest level, only 40% of crime is reported. The Policing Board has embarked on a strategy with the PSNI this year, and the objective is for at least 50% of crime to be reported. That will mean a 10% increase in the statistics by this time next year, although, hopefully, that will not reflect a 10% increase in actual crime. Our theory is that, if the extent of the problem is not identified, adequate resources cannot be allocated to tackling it.

4.45 pm

It is important, on a number of fronts, to support the motion, and our long campaign to have policing and justice powers transferred to a locally elected representative has been critical. Now, we have a Minister who is elected by this society and accountable to this society through this Chamber. The transfer of powers has successfully been concluded, and we have a Minister in place. It is early days yet, but we must quickly revisit the amended Programme for Government. Therein lies the solution or the genesis of a solution to issues such as this. Through the Programme for Government, we can provide the means of getting a combined

strategy that tackles everything from the sentencing guidelines council through to preventative measures and the way in which we ensure that offenders who emerge from prison do not become repeat offenders. I commend the Minister, and I urge him to apply the political will, as the Minister of Justice representing this Chamber and our community, to ensure that all the agencies work together properly.

The style of policing in the community is essential to the delivery of policing. If the police do not work to secure the full support of the community in an organic partnership, they will not be properly equipped to tackle these matters. It is crucial that the style of policing in the community is agreed on as soon as possible. That obligation lies with the PSNI.

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

Mr A Maskey: Furthermore, the role of the district policing partnerships, in the coming merger with the community safety partnerships, should develop sooner rather than later.

Mr G Robinson: Behind every headline, there is more than a crime number or an insurance claim; there is an individual or family traumatised by the experience of having been victims of robbery. We must not forget the human element that lies behind each press headline. Sadly, it is mainly the elderly and other vulnerable groups who are on the receiving end of some of these robberies.

I will never forget visiting an elderly lady who had been burgled and physically abused by five thugs. Her distress and fear was very obvious. Sadly, her experience is not unique in East Londonderry or any other constituency in Northern Ireland. In some instances, we have seen pictures of senior citizens who have been murdered or battered black and blue for a few pounds. They are easy targets, picked on by cowards who want easy money.

My colleagues have called on the Minister of Justice to produce a more effective strategy. However, it looks as though we need to develop a strategy. I appreciate that the Minister is new to the job, and I wish him well, but I hope that he agrees that this is an area of his remit wherein real progress can be made. As I have said, we are not talking about numbers but about people and families. It is all too easy to overlook that, but any new strategy must have

that consideration at its heart. I am aware that tackling the problem of robberies is not an easy task, but, unless we do so, we will allow the thieving scum who indulge in such despicable behaviour to terrify the vulnerable in their own homes.

There are three things that will be of great help in addressing the issue. The first is to ensure a higher level of community policing; the second is to help the vulnerable to secure their home; and the third is to have a sentencing policy that will act as a deterrent. I also urge local communities to be as vigilant as possible, particularly around the homes of pensioners. For all the cost implications, we must not permit people to live in fear of being robbed in their own home.

With respect to my first point, people find it reassuring to see police personnel in the neighbourhood — on foot, rather than driving past quickly — especially in areas where robbery is a problem. My second point is about a practical way of displaying the Assembly's commitment to tackling the problem. Doubtless, the Minister will look towards the voluntary sector for help in implementing that type of approach. As to my third point, those who commit such acts should receive punishment appropriate to the crimes they commit. Too often, the perpetrators are given a smack on the wrist and told not to do it again. That does nothing to deter those thugs from committing such acts again. Frequently, one hears that individuals with numerous convictions are fined or given suspended sentences. That must stop, or the system will help to make worse the problem of robbery.

Let me return briefly to point one. There is another effect that additional police personnel on the beat may have: they could help to prevent the street muggings and attacks that are all too frequent.

I have mentioned only a small number of points that may be included in an overall strategy to tackle the rising tide of robberies. However, I hope that the whole Assembly will support the motion and that the Minister will begin, as a matter of urgency, the process that is required to develop a new and workable strategy to tackle the problem. I fully support what is a very worthwhile motion.

Mr A Maginness: I also welcome the debate. Crime and its effect cannot be reduced to a series of statistics. Anybody who has had to

endure a criminal attack, robbery or crime of violence first feels hurt, then sometimes injured and violated. The traumatic effect of that on a person's life, lifestyle and family is very serious. It creates great insecurity and causes great suffering. Therefore, we cannot look at the situation simply in terms of statistics.

That having been said, it should be recognised that in real terms our crime levels are falling, not increasing, which is to be welcomed. They are lower than those in England and Wales, which is, again, to be welcomed. Although any attack on or crime committed against the elderly should be seen as a terrible outrage, it must be kept in mind that the volume of attacks or crime against them is lower than that perpetrated on younger people and their households.

Nonetheless, as I said originally, statistics do not matter: a crime committed against a person has a deeply traumatic effect. Therefore, we must seek ways and means to reduce those figures and the potential threat to those who are older and vulnerable, such as single parents, children and young people. As legislators, we demand a strong community policing strategy. A community policing strategy will be most effective in preventing crime because criminals most fear being caught. It is not the deterrent effect of sentencing that they fear most, it is being caught. Hence, community policing and the resources put into it are very important.

We should not see community policing as an add-on to ordinary policing. Policing at large should be community policing. The position should be that an ordinary policeman knows his neighbourhood, the colour of someone's car and the number of children in a household — he is familiar with the area and its people. That is how real community policing is delivered. Achieving that is intensive, but it is the way in which the police can relate to the community and, importantly, the community can relate to and support the police.

In dealing with crime, the Minister of Justice has an enormous task. Of course, as legislators, we must support him. We will use our critical faculties to scrutinise what he and the various institutions in his remit do. However, it is important that we are supportive, that we encourage community policing and provide the resources for it and that we encourage initiatives such as neighbourhood watch, which is also important and chimes with community

policing. In addition, it is important that we look at technological means of protecting people, property and homes and that we provide comfort and support to victims of crime.

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

Mr A Maginness: The sign of a community that really cares is support for those who have been traumatised through crime. Victims can take comfort from the fact that their community truly supports them.

Mr Irwin: I very much welcome the opportunity to speak on this important issue, and I thank my colleagues for tabling the motion. Robbery and the theft of property are becoming worryingly commonplace across Northern Ireland. Only a few weeks ago, I suffered the theft of a Land Rover and a cattle trailer from my farm. Therefore, I fully understand the hassle that such crimes cause to those who lose property in that way, not to mention the cost and inconvenience to individuals and businesses. In my case, the people behind the theft used my Land Rover and trailer to steal cattle from a farm a few miles away from mine. Obviously, the perpetrators felt at liberty to steal a trailer and a Land Rover from one farmer and then, using those stolen items, steal cattle from another.

The cost of agriculture-related theft over recent times is alarming. It seems that there is not a week that goes by when we do not hear of a farmer being targeted by people who steal their trailers, tractors and cattle. It is an ever-growing problem, especially in my constituency. However, although one would perhaps relish catching those individuals in the act, there is a more sinister and brutal aspect of stealing that has become prevalent in Northern Ireland: incidents of our elderly constituents being robbed. When someone is confronted and attacked by a masked gang in their home, they must watch, in fear for their lives, as their belongings are ransacked and valuables taken. That is a most horrendous ordeal.

Only a couple of years ago in Tandragee, an elderly council colleague, Councillor Heather Black, went through the trauma of having masked men in her home looking for valuables. The effect on her was devastating. Recently, another pensioner in Mountnorris was attacked, and the money that he had saved for Christmas was taken. I think that five bold men were

involved in that attack in which an elderly man was robbed.

It is no surprise that robbers target the elderly because they know that their victims will be unable to show any great resistance. The callous individuals who are behind those incidents may think that they are on their way to a fast buck. The reality, of course, is that real damage is done in the form of the pain and trauma that is left in the wake of such attacks. I have spoken to elderly people after such attacks, and it is apparent that, although the bruises heal, the emotional scars remain for a long time. We must consider the effects that those attacks have on the elderly population. They live in fear after such attacks. That is an unfortunate reality.

Robbery and the theft of property represent a blight on our communities and are most damaging to the most vulnerable in our society. I echo the calls of my colleagues for a more effective strategy to protect the most vulnerable and, indeed, to reverse the growing perception that the thugs who are behind the crimes are getting away with it while the victims are left to pick up the pieces. That, undeniably, ties in with the need for greater resources for the PSNI and the great need for a visible deterrent. Police patrols are not as visible as they used to be, and that must be addressed. We owe it to our elderly especially and to all our law-abiding citizens to tackle this growing problem. I support the motion.

Mr Shannon: I support the motion. It seems that, when we hit times of economic crisis, the number of robberies and burglaries escalates. That has certainly been the case in my constituency of Strangford. I carried out a computer search of my press releases concerning robberies in the past six months, and there were 17.

That is not every one, but it indicates the number of incidents that have taken place. To some people, that may not seem like many, but there would have been a lot more if every robbery had been reported to me. My point is that there are clearly issues in the area that I represent.

5.00 pm

The district policing partnership — I declare an interest — decided to work with the PSNI to support an initiative to address the spate

of burglaries in Ards town centre. In the past six months we have had a tiger robbery, the robbery of a Securicor van at Ards Shopping Centre and a smash and grab at a filling station. Things seem to have escalated to a horrifying scale, and it is clear that decisive and affirmative action must be taken. It is a shame and a disgrace that, over a few weeks, there was a concerted spate of robberies on elderly people in Newtownards town centre. Elderly and vulnerable people have been subjected to a level of theft, and it is clearly distressing that they were targeted at all.

I yin kirk thair wur a wheen o' parishioners at wur robbed oan a Sabbath morn quhan aa thair prayers. They aa heided tae church i thair normal wie an' cum hame tae differ amoonts o' devastation es thair hooses hed bein ransacked an' veluables tuk'. Hit's clear at thon was a concerted an' dedicated attack oan fowk fae thon kirk at hed a set wie o' gaein an' preyed oan fowk gaein tae church.

One Sunday morning, several parishioners from the same church were robbed while worshipping. They all left church according to their normal pattern and came home to varying levels of devastation. Their homes had been ransacked and their valuables stolen. That was clearly a concerted and dedicated attack on members of that church by people preying on those with established routines.

There was also a spate of targeted robberies in the east end of Newtownards, where elderly people were robbed at home. One elderly lady awoke to see intruders in her room. She was a sweet little lady who was well loved by all who know her. She was also a little bit fiery, but her years meant that most people would have been careful. One intruder kept her prisoner while another went through her things. Not long after that, the lady died. Despite her bravado, I believe that the robbery played a great part in her death. She is not the only lady in that part of town to have been robbed, which is why I contacted the PSNI to address the issue. In particular, with the help of the East End Residents Association, I spoke to the crime prevention officer for the area in order to highlight elderly people's safety needs and to discuss ways to make the town safer. The meeting was a success, and a large number of elderly people came to the office to get free door alarms and details about additional locks. The horrific robbery of that elderly lady in the

town was followed shortly afterwards by other robberies in the Glen.

Through its crime prevention officers, the PSNI is able to assist people and give advice about security measures and aids. However, it was right to bring the motion before the Assembly, because the Minister of Justice needs to know of the blight. We must work with crime prevention officers. However, I am disturbed to hear that the PSNI will no longer utilise crime prevention officers but turn instead to civilian posts. I am not saying for a second that a civilian could not do the job, but a person with 25 years' experience as a crime prevention officer is the sort of person that a community needs to have in place, so I suggest that that is what we should be doing. Is it not better to go to a crime prevention officer who has knowledge and expertise and is able to give advice and allay fears? That must continue, as well as having an effective and co-ordinated strategy to handle burglaries and robberies.

I have no doubt that the PSNI is a superior force and that its officers work hard; however, it needs to have resources in place. Although the Minister of Justice is new to his post, he will know that no matter what area of the Province one is in, in recent months, the number of robberies and burglaries has increased, so now is the time for action. That is what the motion asks for, and that is why I support it. I congratulate my colleagues on tabling it, and I look forward to the Minister's response. I know one thing: the crime prevention officers in Ards need to be kept in place.

The Minister of Justice (Mr Ford): Before today, I never realised why Ministers need so long to respond to debates. Nonetheless, I welcome the opportunity to respond, and I congratulate Ian McCrea and Trevor Clarke on securing the debate. I thank all Members who participated. Since this is my first opportunity to respond as a Minister, no one seems to have given me the blame. Doubtless, things will change.

It is clearly the view of every Member in the Chamber that all citizens, particularly the most vulnerable in our community, have the right to live safely in their home, free from fear and the threat of being burgled. Although Members mentioned different instances in which senior citizens have been burgled, we must recognise that, statistically, crimes against older people are, thankfully, relatively rare in this society.

However, we all acknowledge that one crime is one too many. As a number of Members said, the burglary of a domestic dwelling can have a devastating impact on a vulnerable person — indeed, not only on that person but on their family, their friends and the wider community.

In Northern Ireland, the risk of becoming a victim is much lower than it is in England and Wales, the only area for which we have directly comparable statistics. In recent years, that gap has widened, so the risk is now even less. We all know that there are particular difficulties in particular areas. Indeed, Mr Adams highlighted the hot spots in his West Belfast constituency.

The bulk of the debate focused on domestic burglary. According to the NISRA comparison of crime surveys, the comparative figures show that the recorded crime rates for domestic burglary in Northern Ireland are less than four fifths of those for England and Wales. Of course, we have to take account of the level of reporting, but those are the crime surveys, not instances of the police receiving reports directly after the event. As a result, they are probably the most reliable statistics, and Alex Maskey, with his experience on the Policing Board, made that point.

Not only is our burglary rate lower than that of England and Wales, but, in absolute terms, we are making progress. The number of domestic burglary crimes has fallen over the past seven years from roughly 10,000 to 7,270, which is the figure for 2009-2010.

We heard examples of particular issues. For example, Lord Morrow mentioned the large increase in robberies in his area. The number of robberies in the Dungannon and south Tyrone district increased from 13 to 41. That may be a high percentage increase, but the number of burglaries is low. The Fermanagh and South Tyrone constituency has a very low crime rate compared with the rate for Northern Ireland, which we know to be low for these islands. We must face the fact that there has been an upswing in the number of burglaries, although, thankfully, it is a relatively small one. As Jim Shannon said, the upswing is largely down to economic issues. As we heard from all sides of the Chamber, there is absolutely no doubt that there are still too many victims of domestic burglary, and I want to ensure that all victims of crime receive the highest standards of service from the justice system.

I will shortly announce a programme of work that is specifically designed to improve victims' experience of the criminal justice system, and it will include a new code of practice setting out the minimum standard of service that people can expect. The Department of Justice supports Victim Support Northern Ireland to the tune of more than £2 million per annum in grant aid to assist it in its work in supporting victims. The justice Bill, which we hope to see introduced later this year, will make further provisions for victims. In particular, it will provide for the establishment of an offender levy, which will be used to create a victims of crime fund, and for the introduction of special measures to assist vulnerable and intimidated witnesses when giving evidence in criminal proceedings. As other Members said, that will ensure that people are not only caught but caught and convicted safely, with good evidence being given against them.

Mr McCarthy: Does the Minister agree that the perception in the community is largely that, when the culprits of heinous crimes are caught, their punishment does not fit their crime?

The Minister of Justice: I think that my colleague may have been reading a few lines further down my notes from over my shoulder.

A range of contributions is to come from the Department, largely to do with ensuring that the PSNI is adequately resourced. It is not that the Minister should be second-guessing the Chief Constable's operational decisions. Rather, it is about ensuring that resources are there to enable community policing to move ahead; to support the various regional initiatives through the Organised Crime Task Force; and to tackle domestic burglary, through similar regional initiatives and through support for bodies such as community safety partnerships, enabling them to look at the best local measures to protect their communities.

As a number of Members said, the Chief Constable's actions in the resource to risk programme put 600 police officers on the streets over a very short period, and I believe that in excess of 400 officers have now been moved from desk jobs to real operational duties. That is one major way of instilling confidence in the community that work is being done. However, I suspect that the precise issue as to how paperwork is handled, as well as the interplay between the Police Service and other agencies, is beyond the scope of the debate.

As Minister of Justice, I want to see devolution make a difference. One aspect of that will be the development of a firm, robust and up-to-date community safety strategy, which will, as my colleague Stephen Farry said, have to be rounded, multidepartmental and multiagency. It will also have to involve aspects of the voluntary sector to ensure that we make movement on building a shared future and that we reduce offending so that we can produce the safer society that we all need to see. I believe that devolution provides the opportunity for that more joined-up and cohesive approach to the strategy, and I look forward to working with the Justice Committee, Members and a variety of public agencies as we develop that strategy.

The proposals that we are working on to integrate community safety partnerships and district policing partnerships will provide a more effective delivery and a better focus so that, alongside monitoring the performance of local police, local communities can look to the real issues of concern in fighting crime in their neighbourhoods and can see the action that is needed on that front. I look forward to seeing how that will be shaped as we engage in further discussions over the coming months. Those proposals will be in the justice Bill, and they will allow for better local delivery and accountability for us all.

A number of other issues were raised. My colleague's point as to whether sentencing is adequate in Northern Ireland needs to be re-examined. Similarly, prison reform has been highlighted as a matter of concern. Alex Attwood raised the issue of knife crime, the levels of which are low but worrying. We need to look at whether there are issues with sentencing guidelines, alongside the ongoing Knives Ruin Lives campaign, for example. Those issues cannot be put into legislation this year, as many of them need to be consulted on. However, I trust that I or my successor will be in a position to include those issues in a future justice Bill as the work of the Assembly goes ahead under devolution.

Mr Attwood also talked about reviewing the role of the PPS. There are clearly issues as to the way in which the PPS relates to the criminal justice family. However, I am not going to second-guess the role of the future Attorney General, who will be accountable to the Assembly for the operation of the PPS, rather than the Justice Department. However, there is no doubt that the reports that the inspectorate highlighted show a greater need for involvement

where I do have a role, which is in ensuring that the Criminal Justice Board brings together all the relevant agencies, including the PPS, to ensure that we have the speediest, most effective, most joined-up and successful system of justice possible. I will continue to work on that.

The Department is continuing to work on a number of awareness campaigns that are on the theme that Members talked about, which is that crime prevention is better than cure. I am not giving Mr Shannon any promises as to who will carry out the crime prevention role, because it may be one of those issues where serious consideration must be given to whether it requires the full authority, as opposed to the experience, of a police officer to give people proper advice. However, I can assure him that crime prevention will continue to remain a firm priority for the Department, whatever way it is carried through. For example, the current awareness campaign, Close it, Lock it, Check it, is being delivered across the media, and there will be a range of different opportunities to get that message across. Recently, around 42,000 homes in areas where it was felt that there was a particular need to emphasise that point, including Craigavon, north and west Belfast and Foyle district command units, received a home security pack. Those are all initiatives to encourage the public, the community sector and statutory bodies to work together to ensure that we make Northern Ireland safer.

As I highlighted, crime prevention officers and the work that is done by neighbour policing teams in bodies such as Neighbourhood Watch have a role to play. They work with communities right across Northern Ireland as we seek to develop and move forward the partnership approach that has characterised the PSNI in recent years.

I thank the Members who took part in the debate. I am grateful for the acknowledgement that it is early days for the Department of Justice and that I am not going to be held responsible for everything that has happened in the past, although, no doubt, that will not happen the next time that we meet.

However, it is clear that there are major concerns in this society. Although the rate of domestic burglary and other robberies is low, domestic burglary is an important crime area because of the fear that it inflicts on society, rather than the actual concerns that it creates.

We will continue to work on crime prevention, detection, appropriate disposals, and we will continue to support victims. Although there has been some success in reducing the level of burglary, and although we face particular difficulties in the current economic circumstances, more remains to be done, and we will do it.

5.15 pm

Mr I McCrea: I apologise for not wishing the Minister well in his new post during my earlier comments. He referred to the work he intends to do to encourage people and make the vulnerable feel safer at home. Will he also take on board the statistics for unreported crime and encourage those who fail to give information to the police to do so? That is equally important in tackling the problem.

The Minister of Justice: I take the Member's point and thank him for his good wishes. Alex Maskey raised that point in the context of the work being done by the Policing Board, and the statistics I quoted were taken from the latest Northern Ireland crime survey rather than the number of reports to the police, as the figures appears to be more accurate. It will be a success if, next year, there is an increase in reported crime with no increase in actual crime. I trust that Members will explain to the public, as we debate this issue in the future, why greater reporting of crime is a success and not a bad thing, as superficially appears. There is a real issue around getting the statistics correct so that we can target resources to where they are needed, and I look forward to the Member and his colleagues supporting me on that issue.

There is no doubt that we are now engaged in working to ensure that devolution delivers and that we have an overall community safety strategy for Northern Ireland in which this area can be set alongside others as part of a coherent overall package. We can also make Northern Ireland a safer place and build on the work done by CSPs, DPPs and the wide range of voluntary organisations that work with the institutions of the criminal justice system. There is much more to be done, but under devolution we have the opportunity to develop an effective response in partnership with the range of agencies involved. The entire House and community want to see devolution delivering.

Mr Spratt: I declare an interest as a Member of the Northern Ireland Policing Board. I thank

all Members who took part in this worthwhile debate and my colleagues who tabled the motion.

I am very heartened today, because there has been unity across the Chamber on robberies and burglaries, which are serious issues for all of our communities. We have also seen the brutalising of many of our elderly folk — a theme that emerged throughout the debate — particularly in relation to thugs who enter the houses of the elderly and the vulnerable and very often come away with small amounts of money, yet leave those people living in fear. Most Members were on the election trail over the past number of weeks and saw old folk locking themselves in their houses even before it got dark.

Mr T Clarke: I apologise to the House for being absent for the debate. I was in another place in the Building.

I visited one elderly woman who leaves money on her kitchen table frequently. She is afraid that she will be burgled, so she leaves the money there in the hope that the burglars will take her purse and leave her alone. I am sure the Member will accept that it is a terrible situation when elderly people are living in so much fear that they must place money strategically in their homes. Losing their possessions is not an issue for them; they are doing it to prevent attack. We have seen so many attacks, and I am sure that the Member will accept the point that I am trying to make.

Mr Spratt: Yes, that is the point that I was trying to make, and it illustrates the genuine fear experienced by the elderly and vulnerable people in our communities.

The other theme that emerged during the debate was the need for highly visible and effective community policing. That is how to assure elderly people and all of the victims in our communities of a police presence in their area, which makes them feel safer. Highly visible community policing will deter many crimes. The one fear of criminals is that of getting caught. Statistics will not prove the good news story that x number of crimes has been prevented as a result of such policing. The Policing Board and the Department of Justice are trying to achieve that aim, and I encourage them to move forward as quickly as possible.

I shall cover some of the issues that Members raised. In proposing the motion, Ian McCrea highlighted the issue of elderly people being

robbed and described how the fear of crime makes victims feel. He also referred to the theft of ATMs, and, although that issue did not come up often in the debate, it has been mentioned consistently by Members. Mr McCrea talked about the lack of police in some areas, and, in doing so, reinforced up the point that we want to encourage more community policing. That is the crux of the matter, and that is what will benefit folks.

Gerry Adams spoke about elderly people in his constituency. He mentioned the recent bravery of a shopkeeper and a customer who tackled criminals. He also mentioned the disbandment of the car crime unit in west Belfast, which has done sterling work in the past number of years. That issue will be raised at the Policing Board, because the unit dealt with car crime that also affected other areas, because the cars concerned were used outside west Belfast. Car crime is a problem for all areas, not only west Belfast. I and other members of the Policing Board will want to know why the unit has stopped its operations.

David McNarry mentioned the action plan for older people and asked the Minister what action had been taken on that. In response, the Minister referred to several areas and talked about some of the security devices that have been provided to elderly people through schemes such as those run by community safety partnerships.

Alex Attwood raised several issues with the Minister, particularly those aggravated burglaries that lead to death. He asked the Minister whether he would introduce the same tougher measures and laws on knife crime as the Home Secretary has introduced. The Minister said that the Bill that is due to come before the House will cover many of the issues that were raised by the PPS and the recommendations on criminal justice.

Stephen Farry mentioned the level of crime in Northern Ireland, and he talked about elderly people. He said that the PSNI had a major role to play in the prevention and detection of crime. Those should be the two main principles of any police service.

The fear among elderly people came through in the remarks of the Chairperson of the Committee for Justice, Lord Morrow, who mentioned a "distraction burglary". Someone called at the home of an 80-year-old to say that he or she

wanted to carry out work around the house. During that time, however, the house was burgled.

He also said that there was a 236% increase in crime and a 54% increase in burglaries in Dungannon. That is high for that rural area. The Minister referred to the number of robberies in the Dungannon area. He said that they had increased from somewhere in the region of 14 to 36, or some number around that; I did take a note of it. Sometimes, the actual numbers and the percentages are completely different when they are looked at together.

Alex Maskey referred to the difficulties that are caused by serious crime and the trauma felt by victims of crime. He mentioned the need to get to grips with trends in local areas, and he suggested that the DPPs have an active role to play in that. He also said that the Policing Board has initiated a new objective to increase the number of crimes that are reported.

Alban Maginness mentioned the elderly as well, and he said that there was a need to reduce crime. He mentioned the community policing strategy, which is important to all of us.

Jim Shannon referred to the number of crimes in the Strangford area, and to the elderly. He also mentioned the importance of crime prevention.

The Minister said that Northern Ireland is a safe place and that there is less crime in Northern Ireland than in other parts of the United Kingdom. The NISRA figures show that. He mentioned a number of programmes and answered a substantial number of questions that were asked.

This has been a good and sensible debate, and it shows that crime affects all of our communities in the same way. We can sit in the House and have proper debates about these issues, and I welcome the fact that that is what we have done in this first justice debate. I recommend the motion and ask the House for its unanimous support.

Question put and agreed to.

Resolved:

That this Assembly condemns the spate of robberies within local communities across Northern Ireland; and calls on the Minister of Justice to produce a more effective strategy to protect citizens' private property and vulnerable people in our society.

Adjourned at 5.28 pm.