
Northern Ireland Assembly

Tuesday 25 May 2010

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

Members observed two minutes' silence.

Private Members' Business

Petition of Concern: Fortieth Anniversary of Disbanding of B-Specials and Formation of UDR

Motion proposed [24 May]:

That this Assembly notes that April 2010 marked both the fortieth anniversary of the dissolution of the Ulster Special Constabulary, or B-Specials, and also the fortieth anniversary of the formation of the Ulster Defence Regiment; expresses its gratitude to the bravery of the many people who served in each; acknowledges the sacrifice made by many personnel as they defended the population against terrorism; and calls on the Secretary of State for Northern Ireland to mark these two important anniversaries. — [Mr Storey.]

Mr Speaker: I remind Members that a valid petition of concern was presented yesterday, Monday 24 May, on the motion on the fortieth anniversary of the disbanding of the B-Specials and the formation of the UDR. Under Standing Order 28, the vote could not be taken until at least one day had passed. The vote will, therefore, be taken as the first item of business today. I also remind Members that another effect of the petition of concern is that the vote on the motion will be on a cross-community basis.

Question put.

The Assembly divided: Ayes 41; Noes 33.

AYES

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Mr Craig, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea,

Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Bresland and Mr G Robinson.

NOES

NATIONALIST:

Mr Adams, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr W Clarke, Mr Dallat, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr Leonard, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McLaughlin, Mr Molloy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie.

OTHER:

Dr Deeny.

Tellers for the Noes: Mr Burns and Mr W Clarke.

Total votes 74 Total Ayes 41 [55.4]

Nationalist Votes 32 Nationalist Ayes 0 [0.0]

Unionist Votes 41 Unionist Ayes 41 [100.0]

Other Votes 1 Other Ayes 0 [0.0]

Question accordingly negatived (cross-community vote).

10.45 am

Executive Committee Business

Student Loans (Amendment) Bill: First Stage

The Minister for Employment and Learning (Sir Reg Empey): I beg to introduce the Student Loans (Amendment) Bill [NIA 22/09], which is a Bill to amend the law relating to student loans.

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.

Sunbeds Bill: Second Stage

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I beg to move

That the Second Stage of the Sunbeds Bill (NIA 18/09) be agreed.

Over the past 25 years, skin cancer rates in Northern Ireland have trebled. That is a shocking statistic that we cannot ignore. Skin cancer is now the most common cancer here, and it affects 28% of all individuals diagnosed with cancer. There is convincing evidence that exposure to ultraviolet (UV) radiation can cause skin cancer and other health conditions. That is true of natural UV rays from sunlight or UV radiation from artificial tanning devices. Each year, around 100 people in the UK die from melanomas that are due to sunbed use. That equates to two or three deaths a year in Northern Ireland.

Research also shows that the risk of melanoma increases by 75% for those who start using sunbeds before the age of 30. Despite the obvious dangers, however, we have evidence that shows that more and more young people are using sunbeds. A UK survey indicated that 6% of 11- to 17-year-olds have used a sunbed. More worryingly, a Scottish study reported that 7% of children between eight and 11 years old had used a sunbed. An Omnibus population survey in Northern Ireland in 2008 recorded that 28% of women and 8% of men had used sunbeds.

There is an additional risk factor. Our pale skin is the type that burns easily and is very vulnerable to the harmful effects of UV radiation. Of course, sunbeds are not the only cause of skin cancers. The point is that excessive exposure to UV radiation, particularly in younger people, has been shown to cause skin cancer and other conditions later in life. Sunbeds are an additional and unnecessary source of exposure to the very real risk of getting skin cancer.

At present in Northern Ireland the indoor tanning industry is not subject to any form of direct statutory regulation or age restriction. We have survey evidence that shows how an unregulated sunbed industry behaves. In 2007, environmental health officers carried out a survey of 332 sunbed premises across Northern Ireland, and their main findings gave cause for concern. The survey revealed a wide variation in operating practices and poor standards among some providers. One significant fact that emerged from the survey was that only about 16% of operators in Northern Ireland belong to the Sunbed Association. That suggests that the alternative to regulation — a voluntary code of practice — would achieve little to reduce the harm done by artificial UV devices.

The key aim of the Bill to regulate the sunbed industry is to reduce the number of cases and deaths from skin cancer caused by sunbeds. This is not about spoiling anyone's fun. I know that tanned skin is fashionable, and the weather in Northern Ireland does not oblige. However, that does not make the increased use of sunbeds safe or acceptable. Sunbeds appear to offer a quick and harmless alternative to natural sunlight, but they are not harmless. The evidence linking sunbed usage to the development of all skin cancers is growing. The advice from a number of expert bodies recommends that the cosmetic use of sunbeds, especially by children, should be discouraged because of the associated increased risk of skin cancer and other health problems. The Bill aims to eliminate as far as possible the use of sunbeds by children and young people under 18 years of age. It also aims to ensure that adults intending to use sunbeds are more aware of the potential risks to their health.

Just as worrying is the fact that across the UK there are around twice as many commercial sunbed outlets in deprived areas as there are in more affluent areas. Therefore, not only are

sunbeds a risk to health; evidence shows that they contribute directly to health inequalities.

The measures in the Sunbeds Bill will deliver significant public health benefits in the longer term, in particular to reduce the number of cases of and deaths from skin cancer. The Bill will aim to achieve that through the following provisions. It will prevent children and young people under 18 from using, buying or hiring sunbeds. It will make it illegal to operate unsupervised sunbed premises, and we know of cases in which children in England and Wales have been badly burned by using sunbeds in such premises. The Bill will ensure that adults are warned about the health risks through the display of health warning signs and detailed written information; prevent operators from making spurious claims about the health benefits to be had from sunbeds; make the use of eyewear compulsory; and set out the need for staff training and for sunbeds to comply with certain standards. Finally, the Bill will require sunbed premises to be registered with district councils. It will be illegal to operate sunbeds commercially without registering the premises. Such registration will apply to premises that hire or sell sunbeds. Those provisions will be enforced by district councils through their environmental health officers, as they already carry out enforcement in relation to sunbeds from a health and safety perspective.

When my Department consulted on proposals for regulating sunbeds, it included a proposal to introduce a registration scheme. An alternative to a registration scheme is a licensing scheme, which would be much more elaborate. I am not convinced that the licensing of sunbed premises at this time would be an effective and proportionate response to the problems that have been identified. The inclusion of a licensing scheme in the Sunbeds Bill would have required me to develop proposals and hold further consultation. That would have prevented the Bill, with its significant measures for regulating the industry, from completing its passage through the Assembly within the current mandate. Rather than delay, it is much better to move ahead with registration, which can be done more quickly and will be very effective. If it proves necessary, my Department will develop proposals for licensing the industry.

Sunbed regulation is now law elsewhere in the UK. Scotland introduced measures in 2008 to regulate the sunbed industry, and they came

into effect in December 2009. Legislation covering England and Wales received Royal Assent in April 2010, and those provisions will come into effect from April 2011. The measures that I am proposing in the Sunbeds Bill go further than the legislation for Scotland and for England and Wales. I have included provisions on compulsory training, technical standards for sunbeds and the registration of premises.

I believe that the measures contained in the Bill are workable, fair and compatible with other statutes, such as the Human Rights Act 1998. The Bill will ensure that the sunbed industry is properly regulated and that more people are aware of the potential serious risks to their health. Most importantly, the Bill will help to reduce the number of people, particularly young people, getting skin cancer and will save lives.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

I welcome the Sunbeds Bill on behalf of the Committee for Health, Social Services and Public Safety. There are a few issues that I will outline, but we are broadly content with and support the principles of the Bill as presented.

The Committee was aware that a consultation on the regulation of sunbeds took place in late 2009. However, we did not expect the departmental officials to tell us in March 2010 that they were bringing forward a full Bill. That was a surprise to us, and we would have welcomed better notice. That said, the Committee is in complete agreement with the underlying principle of the Bill, which is to prevent the use of sunbeds by those under 18 and ensure that those over that age who use sunbeds are better informed about the risks.

On 18 March, the Committee heard from officials that the case to ban sunbeds for under 18s was strong. We heard that the four United Kingdom Health Departments had commissioned the Committee on Medical Aspects of Radiation in the Environment to consider the evidence linking sunbeds with skin cancers. That body reported in mid-2009 and provided a series of recommendations for the regulation of sunbeds.

The Committee also heard that young people in particular are at risk from sunbed sessions. Not only has there been a sharp increase in the use of sunbeds by young people, there is a link between the prevalence of commercial sunbed outlets and deprivation. While the Committee

was considering the Bill, any time that I was in towns throughout Northern Ireland, I took the opportunity to check where sunbed premises were located. The number of such outlets located in areas of deprivation is amazing, and that is a matter of concern. In Northern Ireland, there are already too many health issues that are linked to deprivation, and the Committee fully supports any action that will tackle health inequalities.

Young people who use sunbeds endanger their life. Skin cancer is a terrible disease from which to die, and each year in Northern Ireland two or three people die from melanomas that are directly related to sunbed use. It is a serious issue: it is a life-and-death issue as far as our young people are concerned.

On 18 March, the Committee was told that the Department was considering the merits of a licensing scheme for sunbed regulation, but that it was leaning towards not introducing the scheme for a number of reasons. The Committee explored those factors with the officials. The reasons included the fact that the Department believed that licensing would be a response disproportionate to the health benefits that might be achieved and that it might not be possible to develop a licensing scheme in the time available. Officials also pointed out that registration or licensing schemes have not been introduced in Scotland, Wales or England. The Bill, as introduced, does not include licensing. The Committee has some reservations about that and will be exploring the issue fully in the coming weeks.

Departmental officials pointed out that there are around 400 sunbed outlets in Northern Ireland. That equates to around 15 outlets in each district council area in the Province. We do not believe that it would be a huge burden on councils, either from an administrative or financial point of view, to operate a licensing scheme. Members will be aware that councils already operate widespread licensing schemes for other premises, so I do not think that it would require the creation of a new department or a significant investment in new staff. We believe that it would be better if councils were able to investigate a sunbed outlet and close it down if it was operating outside the rules. We see that as being a very effective deterrent in controlling those institutions.

The Committee also explored and will continue to explore the argument about the lack of time. It should be possible to introduce overarching legislation and deal with particulars through subordinate legislation. As the Bill stands, it contains clauses that do exactly that. For example, the introduction of technical specifications for sunbeds and mandatory training for sunbed operators are allowed for in the Bill but will be introduced at a later stage when details are finalised. The Committee will explore why a similar approach could not be introduced for licensing. The fact that no other country has gone down the route of licensing does not really add up. Why should Northern Ireland not be the first to do so and go one better than other countries in the UK in the protection of our young people?

The Committee also expressed concern about licensing and companies that hire out sunbeds privately. Although the issue is dealt with in the Bill, some members, including the Deputy Chairperson, are concerned that, without licensing, the Bill has no teeth. A company that deliberately leases a sunbed to an under 18 may be happy to pay the fine and keep on operating and breaking the law. We note that the Bill allows for a fine of £2,500 to be levied in such a situation. That is a substantial amount given the profit margin that a company would make from hiring out the sunbed. However, the company would have to be caught, and the fine would not be anything like the maximum of £2,500 for the first offence. So, what is to stop a company reoffending? The Committee understands that a balance must be struck between having regulation and driving operators underground, which may create a black market. We expect to have an interesting discussion about that in Committee.

One point raised by the Committee was the duty of care placed on private individuals who buy or hire sunbeds for their home not to allow under 18s to use them. Any parent could buy or hire a sunbed for their own use, and, while they were at work, their teenage son or, more likely, their teenage daughter could be using it with their friends. The Committee realises that it is an extremely difficult issue to enforce but is concerned that there is no duty on the individual despite the difficulties with enforcement. The example used at the meeting was alcohol. It is legal for someone over 18 to buy it for their own consumption, but that person has a duty to ensure that no one under the age of 18 drinks

it. It is a child protection issue, but, importantly, it gives out a message about personal and individual responsibility. The Committee is likely to want to explore that area.

11.00 am

I wish to finish on a positive note. The Committee is delighted by the introduction of the Bill. We fully support its principles, although we reserve the right to say that it does not go far enough. We are pleased that the Executive have found time for the Bill in their legislative programme, and we look forward to giving it detailed consideration at Committee Stage.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. As Sinn Féin's health spokesperson, I welcome the Second Stage of the Sunbeds Bill. I put on record that I agree with its principles and what it attempts to achieve. However, I also wish to put on record that Sinn Féin has some concern about licensing and feels that the Bill does not go far enough in some respects. Sinn Féin fully supports the moves to prevent the use of sunbeds by those aged under 18 and to ensure that those aged 18 and over are fully aware of the risks and health implications, so that they can make informed choices.

Cancer Research UK forwarded a briefing paper to Committee members, which stated that sunbeds have been linked to a variety of health conditions. The Minister referred to many of those conditions, which include eye damage, photodermatitis, photosensitivity, premature skin-ageing and skin cancer. People who use sunbeds must be fully aware of those implications.

The Chairperson mentioned that the Committee was briefed by departmental officials. We were informed of the particular dangers that sunbeds pose to young people. Officials at that meeting referred to the sharp rise in the numbers of young people who use sunbeds, and the Minister mentioned that today. The direct correlation between sunbed outlets and areas of deprivation was also highlighted. I am keen to explore those matters further at Committee Stage.

Undoubtedly, some sunbed operators run their businesses responsibly, and I spoke to people at one such business last week. Responsible operators support licensing, because they consider that it would be to the advantage of their trade and it would weed out irresponsible operators. That is another matter that we will

be keen to explore further at Committee Stage. We broadly support the Bill's principles. At the evidence session, the officials said that the Department's mind was not closed to the idea of licensing. However, the Minister said today that such a move would delay the legislation. Given that licensing may be the only way properly to safeguard people who use sunbeds, we must explore that area further. I have no desire to hold up legislation or to delay the improvement of the current position, but I do not want to miss an opportunity to push the boundaries as far as we can.

At the Committee briefing, officials said that there are somewhere in the region of 400 sunbed operators here. Those are spread around all the councils, and, therefore, environmental health and public health departments will not be placed under a disproportionate burden through having to regulate and monitor the situation. I look forward to Committee Stage.

Mr Gardiner: I support the Bill that the Health Minister has introduced. It is overdue. According to the Northern Ireland Cancer Registry, the number of people with skin cancer in Northern Ireland has trebled in the past decade, which is genuinely alarming. Despite all the cuts that are being imposed on the Minister, I ask him carefully to consider the expansion of skin cancer provision across the Health Service. That could begin with the provision of an additional consultant post and relevant supporting systems at the Royal Victoria Hospital, for example, to serve the entire Province.

Dr Dolan, a skincare specialist at the Royal Victoria Hospital, said that the exposure to harmful quantities of sunlight at an early age resulted from the wide availability of foreign holidays since 1970. Young people's exposure to sunbeds adds to the problem, and the Minister is right to take steps to improve regulation. He pointed out that research shows that using sunbeds before the age of 30 may increase a person's risk of developing melanoma skin cancer by up to 75%. In the United Kingdom, melanoma due to sunbed use alone is estimated to be cause approximately 100 deaths every year.

The Bill creates regulation where it is sorely needed: it prohibits operators of sunbed premises from allowing anyone under 18 years of age to use sunbeds on their premises; it prohibits the sale or hire of sunbeds to anyone under the age of 18; it prohibits operators from

allowing sunbeds to be used in unsupervised premises; and it places a duty on operators of sunbed premises to provide users of sunbeds with written information on the health risks associated with their use.

Some 28% of all cancers that are diagnosed in Northern Ireland are skin cancers. I am sure that every responsible owner of sunbed premises will agree with this measure, and I commend the Bill to the House.

Mr McDevitt: I apologise to the Speaker and to the House; other business has me slightly stretched today.

I welcome the Bill. Members who spoke previously noted that, in this respect, the Assembly is showing leadership not just at a regional level but across these islands. That leadership has come about after years of local government ensuring that sunbeds are seen for what they are — potentially dangerous machines.

I welcome much in the Bill, and I acknowledge the sterling work of officials and the leadership that has been shown by the Minister on this issue. However, there is a potential gap, which, at this early stage of the legislative process, deserves to be raised and reflected upon. The Bill has many good provisions. For example, it will make it impossible for minors to privately hire a sunbed in a tanning salon or for them to use a sunbed on the premises. It will also make it impossible for someone under the age of 18 to buy a sunbed, which is a welcome step.

However, the Bill is silent on whether someone who privately buys a sunbed will be under any specific duty to ensure that no one under the age of 18 uses it. That is an important point for two reasons. As we know from research and from our experience at local government level, here and in other parts of these islands, girls under the age of 18 from socio-economically deprived backgrounds are one of the groups that is most likely to abuse and overuse a sunbed. The use of sunbeds is higher among that group of people — the very group that we are trying to target with this legislation — in the parts of our region where people are less well off. In doing such sterling work and making such good provision to control the use of sunbeds for that very demographic, but by failing to impose a duty on individuals who purchase a sunbed privately from preventing it being used privately —

Mr McCallister: Does the Member have figures to suggest how many people from deprived backgrounds use sunbeds, be it through private ownership or a tanning salon? Is there widespread ownership of sunbeds in more deprived communities?

Mr McDevitt: I thank Mr McCallister for his intervention. It is an important question. As I understand it, the figures that are available to us suggest that, at present, private ownership of sunbeds is not widespread. That is because public hire of sunbeds is readily available. One reason why the legislation has been brought to the House is because minors from socio-economically deprived backgrounds avail themselves of sunbeds for public hire. The number of sunbed salons has mushroomed and the trade has flourished in some of our more deprived communities for that very reason.

The legislation will rightly control access by children to those salons. However, we must make sure that it does not, by accident, create another opportunity. That is my fear. In Committee, as John McCallister will remember, I raised a question with officials about whether we could introduce a basic licensing system for the private purchase of sunbeds by adults.

Such a basic licence should put the purchaser under a statutory duty to ensure that the machine that they are purchasing privately does not end up being available to children. That is the only gap in the Bill, but it is a significant one. I welcome the Bill's Second Stage, but I appeal to the Minister and his officials to reflect on that point and I urge them to consider whether the legislation can be tightened in its future stages to prevent a possible black market. Doing so would avoid driving the issue underground.

I believe, and there is probably a consensus at Committee level among colleagues who have spoken, that requiring private purchasers to obtain a licence and to be under a statutory obligation to ensure that a sunbed is never used by a minor in any place, with or without payment, would be an important way of rounding off what we all agree is a significant and worthwhile Bill.

Dr Deeny: As a member of the Health Committee, I welcome the Bill and the Second Stage debate, and I look forward to further debate at Committee Stage. The Bill is important because it is about preventing unnecessary loss of life and educating the public. I would like to see the

legislation introduced in Northern Ireland and I agree with Members that there is no reason why we should not take the lead.

It is well known that ultraviolet emissions cause cancer; sunbeds produce more such emissions than the Mediterranean midday sun. With 75,000 cases, skin cancer is the most commonly diagnosed cancer in the UK. Of those skin cancers, malignant melanoma is the least common but most dangerous. Northern Ireland has 259 of the 10,410 new cases of malignant melanoma diagnosed in the UK each year.

The incidence of malignant melanoma increases with age. However, the worrying trend is that its incidence is increasing among our young people. It is now the most common cancer in our young adults: those aged between 15 and 34. That development is of concern to any of us who deal with or have children. Another worrying statistic that underlines the importance of the debate is that, of all the major cancers, malignant melanoma has seen the largest increase in incidence over the past 25 years.

Melanoma can be a killer. An old friend of mine whom I had not seen for some years lost his young wife to malignant melanoma. It is a very serious issue, which is why we should treat it as such. Addiction to sunbed use is another issue. We know that certain behaviour patterns are associated with such an addiction: addictive people become addicted to sunbeds. That is something that we must look at as it reflects the seriousness of the overuse of sunbeds.

As Members said, we need to target certain individuals and groups, particularly the young and, specifically, young females and those with fair skin or those who have a personal or family history of skin cancer.

The whole emphasis is on regulation. It is about better informing people and them taking personal responsibility. A study asked people in Northern Ireland about their skin types, which are divided according to colour. Forty per cent of the public in Northern Ireland believed that they had skin type 1 or 2, which is naturally fair skinned. However, the reality is different: Northern Ireland has a predominantly fair-skinned population. That goes to show that although personal responsibility is very important, some people do not realise that they are fair-skinned and are at risk.

11.15 am

The Bill contains a lot of suggestions from the British Association of Dermatologists. We talked about restricting sunbed use for people under 18 years of age, but it is more important to ban our under-18 population from using them. The Bill also bans the sale or hire of sunbeds to the under 18s. In addition, we should have a total ban on coin-operated, unmanned sunbeds. It is essential for the health of our people that there is full-time supervision of sunbed facilities by trained staff. Furthermore, it is important that there is the compulsory display and provision of customer information regarding the health risks, because one of the causes of skin cancer from sunbeds is overexposure. We must limit the number of tanning sessions that people have. I have heard of sunbeds being used in health facilities. It is very important that that is dealt with because it sends out the conflicting message that sunbeds are healthy. Sunbeds should be removed from all gymnasiums, leisure centres and health centres.

I disagree with the Minister on the issue of licensing. It is a very important and serious issue, and licensing should be introduced. Licences are needed for cars, guns, TVs and even dogs, so why are they not needed for a potentially lethal weapon, such as a sunbed? Mention was made of our local authorities regulating licences, and that is important. It is also important that licences be subject to regular inspections and that a power exists to revoke licences.

The Chairperson of the Committee for Health, Social Services and Public Safety: Does the Member agree that in the short discussion that the Committee had about this issue, there were only really two issues between us and the Department? One was raised by the Member for South Belfast Mr McDevitt, and that is a duty of care on those who hire out sunbeds to prevent them from being used by the under 18s. The second is the more overarching issue of licensing. Does the Member accept that the Minister may wish to take the opportunity to go through the arguments that his departmental officials have given about why licensing is not appropriate? The more we examine them, the less water they seem to hold. Down District Council issues thousands of licences every year for everything from dogs and caravan sites to entertainment licences for nightclubs. Therefore, an extra 15 licences a year would

have absolutely no impact on the administrative burden of my council or, perhaps, on that of the other 25 councils in Northern Ireland. Will the Member urge the Minister to reflect on that and perhaps to address those issues when he makes his summation at the end of the debate?

Dr Deeny: I thank Mr Wells for his intervention. I agree, and I would like to hear the Minister's comments.

If it is an issue of timing, to which I think the Minister alluded earlier, licensing should be looked at as carefully as possible because of its importance: we are talking about people's lives. Therefore, if timing is the issue, it is not a big enough reason not to take licensing on board. Many of us think that licensing should form an important part of sunbed legislation here.

The Chairperson of the Health Committee compared sunbed licensing with other licensed activities. For example, alcohol use is also considered to be an addictive behaviour, so those in society who are allowed to sell alcohol do so under licence. As a health professional, I believe that we need to consider sunbed licensing seriously and be more rigid and strict with sunbed business owners, because, let us face it, certain individuals will use the addictive nature of sunbeds and the behaviour of those who use them for personal profit. If business owners can see a profit, they will exploit people's addictive behaviour. Incidentally, there is a link between sunbed use and areas of deprivation. Therefore, sunbed licensing must be looked at very seriously.

I welcome the Bill, and I look forward to further debate on the issue at Committee Stage. We are moving in the right direction. Just because sunbed legislation has not been introduced in Wales, Scotland and England, there is no reason why we should not take the lead. I look forward to further discussion on the matter.

Mr Easton: I, too, welcome the Sunbeds Bill, which is important and long overdue. In recent years, the sunbed industry has boomed, with sunbed or tanning salons opening all over the Province. Sometimes, there is more than one in an area.

A tan has become a fashion accessory, and compared with other tanning products, such as sprays or those that are in bottles, sunbeds offer people a natural tan. Unfortunately, for many users, sunbeds have become a habit that

threatens their health. Therefore, I welcome the Bill, particularly because it will ban the use of sunbeds in premises that offer such services to those under the age of 18. I also welcome the regulation of the industry. When using a sunbed, people should not be left unsupervised. Information detailing potential health risks must be provided to all sunbed users, whether they are purchasing a sunbed for private use or renting it for a prescribed period within the confines of a business premises. I welcome the fact that using protective eyewear will be compulsory and that all staff will have to be trained to operate sunbeds. I also welcome all premises operating sunbeds for business purposes having to be registered with the relevant district council, which will have the power to enforce the law on the proper use of sunbeds as laid down in the Bill.

The legislation will bring into effect a strategy to regulate the operation of sunbeds, and, hopefully, it will help to reduce the number of cases of skin cancer, which is the most common form of cancer. However, I have some concerns. Although the Bill is worthy, there is some room for improvement. Sunbed operators working out of business premises get off too lightly. Therefore, greater restrictions must be brought in. The Bill offers basic sunbeds regulation, which, in my opinion, reflects a common sense approach. Businesses operating sunbeds commercially should already be taking precautions, and the Department and other agencies should move to restrict the number of businesses operating sunbeds in any particular area. All sunbed businesses should operate in licensed premises, and, as a condition of the licence, all staff should have received a certificate of training.

Given that the Minister banned tobacco advertising, and given the health risks that are associated with sunbeds, should we also look at banning sunbed advertising? Perhaps the Minister will comment on that. In many ways, legislation should reflect the way in which licences are required from local councils to operate bars, nightclubs and businesses that sell alcohol and tobacco. When it comes to health, we cannot take risks, so, in the same way that we have taken precautions with the sale of tobacco and alcohol, we should learn from past mistakes.

We should not take a dim view of the issue, and we should ensure that our population is

protected from the dangers of adverse health risks. I support the Bill and recommend that all Members do the same. However, more work is needed. I am concerned that the owners of private sunbeds may not have the same laws applied to them as those who make a business out of sunbeds. I call on the Minister to undertake a review of the industry once the Bill becomes law.

Mr Ross: I am not a member of the Health Committee, but I have received communications from people in my constituency expressing concern about the unregulated use of sunbeds and the unregulated industry that governs them. Members are often criticised for not introducing enough legislation. However, that fails to recognise that good legislation should be measured not in quantity but in quality, and this is a positive Bill that will make a positive contribution to the country.

In recent decades, an increasing number of people have wanted to have a tan. It is a fashionable thing to have. Many people use creams and sprays, but, recently, more and more people have opted for the sunbed route, as the artificial UV rays provide a quick and easy way of getting the tan that they want. However, sunbeds come with a much higher risk than the alternatives that were used previously.

Startling statistics have been quoted already today. Around 50% of people in the United Kingdom aged between 18 and 50 have used a sunbed. As we have heard, a proliferation of tanning studios have popped up and tanning beds are available in many areas, not just in fitness suites and places like that, but in obscure places such as ice cream parlours and video shops. That makes them much more assessable, particularly in deprived areas, and several Members have talked about that already. Around six million people in the United Kingdom use sunbeds every year, and the Bill looks to provide protection and to ensure that those people understand the risks involved. Good legislation not only protects everybody and gives them information, it particularly seeks to protect the most vulnerable in society. We have heard already about younger people.

The industry is self-regulating at the moment, and as we know from other industries that are self-regulating, it can lead to difficulties. Problems can be experienced as there may not be adequate safety and guidance available for

customers in the areas where those services are offered. Mr Deeny referred to coin-operated beds, although I do not think that there are many of them in Northern Ireland. However, we have heard some real horror stories about coin-operated beds in GB, where there is no way of stopping the very young from using them or of ensuring that people do not use them for long periods. That, in particular, is very concerning. Perhaps coin-operated beds should be banned altogether in the UK.

As the Minister said, between 16% and 20% of the outlets that have tanning beds are registered with the Sunbed Association, so it is difficult to determine accurately how many locations there are in Northern Ireland. We have heard that there are 400 to 500 outlets, and it is difficult to know the standard of service that is being offered in those locations and the level of expertise of the individuals who are selling the services.

I listened to Members talk about the potential for licensing the industry, and that is something that should be looked at. That discussion will continue at Committee Stage. The Minister might argue and convince the Committee that it is a timing issue. Nevertheless, it could be looked at in the longer term so that it does not hold back this legislation.

Members have already said that the training that operators receive and the guidance and advice that they give to those who want to use sunbeds is often limited. We do not know the level of maintenance carried out on some of the beds or their level of cleanliness. All that could be made easier under a licensed system. We need to have regulations on the power and type of sunbeds and the duration of their use. There must also be warning signs about the use of sunbeds.

The lack of regulation in this area was highlighted earlier in the debate, and it has been highlighted by a number of health and consumer organisations. I think that they are united in the belief that action should be taken and that there should be government regulation because of the health risks associated with exposure to UV radiation. This is consistent with the World Health Organization's view that the power of the UV rays used in sunbeds is equivalent to the midday sun in the Mediterranean, which is a startling fact. In August 2009, the International Agency for Research on Cancer published a

report stating that melanoma has increased by 75% in sunbed users under the age of 30. That highlights the dangers for everyone who uses sunbeds and for younger people in particular who seek to obtain the type of tan described as a healthy glow.

11.30 am

Statistics point to the fact that 6% to 10% of 11- to 17-year-olds in the UK are able to gain access to sunbeds and have been using them. Other Members have said that sunbed users are generally females who live in socially deprived areas, which is very concerning. We have seen media reports of children as young as 14 or 15 going to reputable health clubs and accessing sunbeds with no questions asked. Indeed, I read a report that the Fitness First chain was offering its sunbed facilities to 15- and 16-year-olds. It even put posters up promoting the benefits of sunbed usage, suggesting that the vitamin D derived from sunbeds is good for the skin and will decrease cholesterol. At best, that is misleading. It is also highly irresponsible to have that sort of advertising in those premises, as it gives the impression that sunbeds are totally safe, which is wrong. Such companies play on the fact that sunbeds are sometimes used by the medical profession to deal with skin conditions such as psoriasis, and clause 11 of the Bill refers to the medical use of sunbeds. Earlier, my colleague Alex Easton mentioned his concern at the advertising of sunbeds, and clause 7 will prohibit information from being displayed that may mislead the public. It is important that health club facilities are not allowed to advertise the perceived benefits of sunbed use.

Members have argued that a special case should be made to ban sunbeds for users who are under 18 years old. That is consistent with what is happening elsewhere in the UK and with what has happened elsewhere in Europe and in many states of the USA. However, as the Chairperson of the Health Committee said, it is also important that users who are over 18 are aware of the risks and dangers associated with the use of sunbeds and can make informed decisions. Therefore, I welcome clauses 5 and 6, which will ensure that that information is available to adults who choose to use sunbeds.

I referred earlier to the need for staff to be adequately trained, and clause 9 addresses that issue. Furthermore, clause 8 will ensure

that sunbed users must wear protective eyewear when using sunbeds. That is the case in the rest of the UK, and Members will have heard the horror stories of serious damage being caused to eyes and skin as a result of such protection not being offered.

There should be a requirement that the equipment used in outlets is clean and well maintained. Perhaps that should be a role for councils. It would be useful if the Minister were to clarify how far councils could go in that respect. As enforcement will be carried out at council level, it will be important that they are given appropriate powers and resources to fully enforce the legislation.

Overall, the Bill is a positive step. I welcome it and look forward to it progressing through the House.

Mr McCallister: Like other Members I welcome the Bill. It is another strong example of the Minister's commitment to and passion for addressing health inequalities in Northern Ireland.

Other Members spoke about the effect of health inequalities on young people in areas of deprivation and poverty and how that imbalance must be tackled and addressed. As with many other matters such as drinking and smoking, the impact on young people is disproportionately bad. Therefore, it is vital that the Bill bans the use of sunbeds by people who are under the age of 18 and that that is welcomed by all sides of the House.

Excellent points were made about how to make the Bill as effective as possible, including the proposal to establish a register. It is important that the Bill goes through the House, is scrutinised by the Committee and passed by the Assembly to get the regulations and the register in place. That will provide protection to hundreds of people on the use of sunbeds. As Dr Deeny and Mr Ross said, although the use of coin-operated sunbeds may be limited in Northern Ireland, they could have a serious impact. That issue must be addressed.

The servicing and maintenance of sunbeds is a huge issue, and it is vital that they are fully functioning and operating to the required standard. I am concerned about the way in which privately owned sunbeds can be regulated under any system. It is difficult to legislate for events that occur in the privacy of someone's house.

There is an important public health message about the danger of sunbeds, and, fortunately, the Public Health Agency was established to deliver such messages. Skin cancer is still regarded as one of the more treatable forms of cancer, but, unfortunately, some dangers associated with sunbeds are not always obvious. A public health message must be sent out about the dangers of skin cancer and sunbeds in commercial and private settings. We must ensure that that message gets across to the public, and at least we now have the agency to do so.

There is much to welcome in the Bill, and I am delighted that it is progressing through the House. I fully support it.

Mr Buchanan: As the chairperson of the all-party Assembly group on cancer, which is concerned by the increase in the number of cases of skin cancer in Northern Ireland, I welcome the Second Stage of the Sunbeds Bill. Skin cancer is now the most common cancer in Northern Ireland, and, although the disease has several causes, sunbeds are a major culprit. Therefore, the Bill is timely.

A tanned look is regarded as a sign of health and vitality, and many people, especially young women, have come to regard a sunbed as vital to getting and keeping a tan. The dangers of sunbeds are well documented. They can significantly increase the risks of skin cancer, especially among people who are under the age of 30. The House would be failing in its duty if it were not to take action to regulate the sunbed industry and to protect the most vulnerable groups.

The responses to the Department's consultation and evidence elsewhere show that the public believe strongly that children and young people need to be protected from the dangers associated with sunbeds. That is why I welcome the Bill, which broadly follows similar legislation in Scotland, England and Wales. By prohibiting the sale and hire of sunbeds to people who are under the age of 18, we will go a long way to protecting young people. The Scottish legislation prohibits not only the sale and hire of sunbeds to people who are under the age of 18 but their use. I will be interested to hear the Minister's view on that.

Responsibility for enforcement of the Bill will rest with district councils. Will the Minister advise what additional costings that may place on councils? Will councils be adequately

resourced to undertake the task that lies before them? Will the Minister advise why the Department is not fully in favour of licensing for sunbeds? That needs to be examined, and, no doubt, the Committee will do so during Committee Stage.

It would be helpful if the proposed legislation could be augmented by a widespread awareness campaign warning all members of society not only of the dangers of sunbeds but the dangers of overexposure to the sun. We have just enjoyed one of the best weekends of sunshine for a long time, and, undoubtedly, many people took advantage of it and, perhaps, overdid it a little. However, I was alarmed to hear from radio interviews yesterday that many people do not feel the need to apply protection when they are out in the sun here, despite repeated warnings. We must continue to get a message out to people informing them of the dangers of overexposure to the sun as well as sunbeds.

The extent of the problem of skin cancer, as we heard from around the Floor, is so great and radical that action needs to be taken. The Bill, therefore, is a major step in the right direction. I commend the Minister for introducing the Bill, and I support it fully.

The Minister of Health, Social Services and Public Safety:

I am grateful to Members for letting me know their views, and there will be further opportunities to make their views known as the Bill moves to Committee Stage. Many of the points that were made today can be raised again in Committee. The main issue appears to be licensing. There is a simple reason why I am not opting for licensing at this time: enough time is not available in this mandate to come forward with licensing. However, I was anxious to come forward with steps that will make a difference. We will monitor the situation thereafter, and, if it becomes obvious that licences are necessary, licensing remains an option for us. We cannot do it in this Assembly's mandate. If I were to say that the issue is licensing, the Bill would not progress during the lifetime of this Assembly, because we do not have the time available.

Mr McDevitt raised the issue of residential use, and I hear and am sympathetic to his point. However, if someone were to buy a sunbed, take it home and allow it to be used by members of his or her family and family friends in the safety and comfort of their homes, it is difficult to see how any controls could be enforced. I would be

interested to hear any suggestions about how that could be regulated.

The introduction of the Bill was triggered by a report last year by the Committee on Medical Aspects of Radiation in the Environment. It allowed us to proceed, and Wales, England and Scotland are taking similar steps. Our proposals go further than those of the other countries, but I am happy to go further again, as necessary, when we determine that that is exactly where we want to go.

It was suggested that sunbeds be banned, but that would drive the industry underground. I am not clear about what Dr Deeny meant when he talked about licensing. He appeared to be talking about licensing sunbeds, but we, of course, are talking about licensing and regulating premises.

The Chairperson of the Committee for Health, Social Services and Public Safety: I take the Minister's point about banning sunbeds. Enormous difficulties and real health issues would arise if people used them in a black economy. Will the Minister and his officials explore the idea of introducing the need for licensing by means of subordinate legislation? I accept his point: his officials made it clear to the Committee that a window of opportunity has arisen to progress the Bill this year but there may not be time to introduce full-blown licensing provisions. Is it possible for the Bill to provide an enabling power to create subordinate legislation to enable licensing to be introduced at a later stage? If the Minister did that, the Committee would be more than happy to accept it. It would be a case of jam tomorrow, but it would mean that we would not have to introduce new primary legislation and get a slot for it. Dear knows when that could happen, because, as the Minister knows, he has a heavy legislative programme, with the Safeguarding Board Bill and, perhaps, legislation on adoption, among others. It may not be possible to bring in that primary legislation in the foreseeable future. Is there any way in which the Minister could consider the subordinate route?

11.45 am

The Minister of Health, Social Services and Public Safety: I am happy to take those points on board and to pursue the Member's point about an enabling power. If possible, we will use an enabling power. We have a common purpose: advancing a regulation and gaining control of

the issue. The main purpose of the Bill is to save lives by reducing cancer caused by sunbed use. That is my priority, and I am open to any reasonable, practical, workable suggestions. For example, Mr Easton suggested that advertising needs to be looked at and explored. Using an enabling power is a useful suggestion, and I will ensure that my officials take that up.

I look forward to the Committee's deliberations. Once again, I am grateful to everyone who has contributed to the debate on this important legislation.

Question put and agreed to.

Resolved:

That the Second Stage of the Sunbeds Bill [NIA 18/09] be agreed.

Employment Bill: Consideration Stage

Mr Speaker: I call on the Minister for Employment and Learning to move the Consideration Stage of the Employment Bill.

Moved. — [*The Minister for Employment and Learning (Sir Reg Empey).*]

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

The first debate will be on amendment Nos 1, 2, 4 and 6, which deal with the payment of compensation for financial loss and payment in respect of training programmes as categorised. The second debate will be on amendment Nos 3 and 5, which deal with the appointment of members to the Labour Relations Agency and Construction Industry Training Board, by amending the way in which the recruitment process is conducted.

I remind Members who intend to speak that, during the debate on the two groups of amendments, they should address all the amendments in each group on which they wish to comment. Once the initial debate on each group is completed, any substantive amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate.

The Question on clauses stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed. No amendments have been tabled to clauses 1 to 5. I propose, therefore, by leave of the Assembly, to group those clauses for the Question on stand part.

Clauses 1 to 5 ordered to stand part of the Bill.

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 4 and 6. Amendment No 1 inserts a new clause making provisions for the payment of compensation for financial loss, and amendment No 6 changes the long title of the Bill. As a consequence, amendment Nos 2 and 4 change how payments for participation in employment and training programmes are managed and categorised. I call the Minister for Employment and Learning, Sir Reg Empey, to

move amendment No 1 and to address all the other amendments in the group.

New Clause

The Minister for Employment and Learning

(Sir Reg Empey): I beg to move amendment No 1: After clause 5 insert

“Compensation for financial loss

Compensation for financial loss

5A.—(1) *In Article 56 of the Employment Rights (Northern Ireland) Order 1996 (NI 16) (determination of complaints relating to deductions from wages or payments to employer)—*

(a) *the existing provision becomes paragraph (1), and*

(b) *after that provision insert—*

‘(2) Where a tribunal makes a declaration under paragraph (1), it may order the employer to pay to the worker (in addition to any amount ordered to be paid under that paragraph) such amount as the tribunal considers appropriate in all the circumstances to compensate the worker for any financial loss sustained by him which is attributable to the matter complained of.’

(2) In Article 198 of that Order (determination of questions relating to redundancy payments), at the end insert—

‘(5) Where a tribunal determines under paragraph (1) that an employee has a right to a redundancy payment, it may order the employer to pay to the employee such amount as the tribunal considers appropriate in all the circumstances to compensate the employee for any financial loss sustained by him which is attributable to the non-payment of the redundancy payment.’

(3) This section does not have effect in relation to proceedings on a complaint presented to the industrial tribunal before the commencement of this section.”

The following amendments stood on the Marshalled List:

No 2: In schedule 1, page 5, line 3, at end insert

“The Employment and Training Act (Northern Ireland) 1950 (c. 29)

. In section 1(1A)(d) for ‘the Department’ substitute ‘any person’. — [*The Minister for Employment and Learning (Sir Reg Empey).*]

No 4: In schedule 1, page 5, line 3, at end insert

“The Employment and Training (Amendment) (Northern Ireland) Order 1988 (NI 10)

. In Article 4(1) for ‘the Department’, in the second place where it occurs, substitute ‘any person’. —
[The Minister for Employment and Learning (Sir Reg Empey).]

No 6: In the long title, after “Court;” insert

“to provide for compensation for financial loss in cases of unlawful underpayment or non-payment;”.
— *[The Minister for Employment and Learning (Sir Reg Empey).]*

The Minister for Employment and Learning:

Before I speak to the amendment, I will take the opportunity to thank the members of the Employment and Learning Committee for their detailed consideration of the Bill. I am grateful for the Committee’s constructive proposals, in particular regarding consultation rights, and I am glad to say that, with goodwill on all sides, we reached an agreed position.

The amendments that I propose reflect the detailed work carried out by the Committee, the Office of the Legislative Counsel and my officials in the Department. I thank everyone involved for their efforts. The amendments will result in more appropriate consultation with stakeholders, financial protections for those on training programmes and a simplification of the process for workers claiming compensation for unlawful deductions.

Amendment No 1 will insert a new clause entitled “Compensation for financial loss” into the Employment Bill. It will amend the Employment Rights (Northern Ireland) Order 1996 to empower industrial tribunals to order employers to compensate workers for the full financial loss that they have sustained as a result of unlawful deductions from wages, which include failure to pay the national minimum wage and non-payment of redundancy awards. The amendment will allow workers to bring a combined tribunal claim to cover breaches of the law in all those areas and claims for compensation for financial loss that arise from such breaches. At present, workers can obtain compensation for financial loss only via a separate claim to the civil courts. The clause will remove the need for claimants to make a separate claim. It is also designed to encourage

employers to make the correct payments in the first place.

Payments that an industrial tribunal may currently order the employer to pay or repay are limited to the amount that arises from the employer’s direct liability. That means that financial losses incurred by a claimant that are over and above the amount that is owed but can be attributed to the non-payment of unauthorised deductions can be pursued only through the civil courts. Such losses might include, for instance, charges that are incurred if a direct debit has failed or punitive interest on bank accounts that go into the red.

The amendment would allow a tribunal to award not only compensation to make good an unlawful non-payment or underpayment by an employer but an appropriate amount to compensate a claimant for any financial loss suffered as a result of the employer’s failure. The proposed changes contained in the clause will enable those who were wrongly not paid the national minimum wage to have consequential losses attributable to the underpayment included in the award as well.

Amendment No 6 is a consequential amendment to the long title of the Bill to provide for the new clause entitled “Compensation for financial loss”. Amendment Nos 2 and 4 ensure that people who take part in departmental employment and training programmes and receive payments in connection with their participation will have those payments treated as a training allowance and not as employment income.

The amendments to the Employment Bill will amend the Employment and Training Act (Northern Ireland) 1950 and the Employment and Training (Amendment) (Northern Ireland) Order 1988. Those amendments will ensure that people who take part in departmental employment and training programmes and receive payments will have those payments treated as a training allowance and not as employment income. That will ensure that participants are not liable for tax and national insurance when they take part in such programmes.

At present, primary legislation, namely the 1950 Act and the 1988 Order, cover only payments that are made to participants by my Department and do not extend to other payments, for example, travel costs that are paid to participants by others, such as contracted providers. Therefore, the proposed amendments will delete the words

“the Department” and insert the words “any person” in the 1950 Act and the 1988 Order. Amendment No 2 makes the appropriate change to the 1950 Act and amendment No 4 changes the 1988 Order.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly):

I welcome the Consideration Stage of the Employment Bill. The Committee has indicated its satisfaction with the Department’s public consultation process and its engagement with the Committee both prior to and during the introduction of the Bill. The Committee is grateful to the Minister and his Department for their willingness to discuss issues with the Committee and to take its views on board. I thank Committee staff and stakeholders for their help and support.

As the Minister has indicated, the purpose of the Employment Bill is to make provision for the enforcement of legislation relating to employment agencies and the minimum wage. Additionally, it makes provision with respect to the membership of and representation before the Industrial Court and for issues that flow from those provisions.

The Employment Bill passed its First Stage on 22 June 2009. The Bill reached its Second Stage on 30 June 2009 and was referred to the Committee for consideration in accordance with Standing Order 33(1) on 1 July 2009. At its meeting on 16 September, the Committee agreed a draft motion to extend the Committee Stage of the Bill to 9 November 2009. The motion to extend was supported by the Assembly on 5 October 2009. At its meeting on 21 October 2009, the Committee agreed that its report on the Bill be printed.

In the pre-introduction phase of discussion, the Committee voiced considerable concern regarding proposals around the rights of trade unions to expel members who have membership of or affiliations to political parties or groups that hold views not in tune with those of the trade union. The Minister subsequently decided not to include the proposal in the Employment Bill as drafted. However, the Committee is aware that that issue must be resolved, as current law is now in contravention of a European Court of Human Rights ruling and will have to be amended at some point in the future. The Committee believes that the issue warrants considerable

debate on the Floor of the Assembly, and it will play a full part in that debate.

Other issues raised by the Committee related to the amendments to the Employment Bill proposed by the Minister. The Committee initially asked why changes were being proposed regarding the Construction Industry Training Board, when that body was subject to the outworkings of a review that recommended its restructuring and merger with the sector skills council for the construction industry, ConstructionSkills. However, the Committee has been satisfied by the Department’s reassurances that the legislation to restructure and merge the board is a considerable way off and the change is needed presently to bring the consultation process regarding appointments to CITB and the appointments themselves into line with current practice.

The Committee received correspondence from the Construction Employers Federation and the Northern Ireland Committee of the Irish Congress of Trade Unions on changes to the consultation regarding appointment to the boards of the Labour Relations Agency and the CITB and the process of appointment itself. The Committee urged the Minister and his officials to engage with stakeholders and seek compromise, and it facilitated that process. I am pleased to say that the necessary compromise was reached regarding the Labour Relations Agency, with further discussion on the CITB deferred.

Additionally, proposed amendments from the Minister of Agriculture and Rural Development that were considered by the Committee were subsequently deemed controversial, with the potential to slow down the passage of the Bill. Hence, they are not being brought forward today, and the Committee is content with that.

I will now turn to the group 1 amendments, which deal with financial arrangements. Amendment Nos 1, 2 and 4 are largely technical and amend existing legislation. The Committee had no issues with those amendments and is content to accept them. Amendment No 6 amends the long title of the Bill, and the Committee is content with that.

The Deputy Chairperson of the Committee for Employment and Learning (Mr Weir):

I see the Minister having to duck at this point. As Deputy Chairperson of the Committee, I commend the Bill and the amendments. It has also been a triumph of process, because there has been

an opportunity for the close co-operation and involvement of the Department, the Committee and stakeholders to be brought to proper fruition. As indicated by the Chairperson, that has come from the pre-consultation stage to the present position as regards amendments.

I note in passing the Chairperson's reference to what was initially covered in the Bill. That included rights of trade unions to expel members whose views, because of their political background, were not in tune with those of the trade unions. That provision was obviously dropped from the Bill, perhaps much to the relief of Declan O'Loan, who may otherwise have been facing its consequence today. That is a sign that there was a good working relationship and that sensible involvement has been put in place.

The Committee, having looked at the legislation, produced a very detailed report and worked well with the Department. In looking at where the Committee felt that there were gaps and inadequacies and in relation to the amendments, it is good to see that the issues raised during discussions were taken on board.

12.00 noon

The amendments enhance the overall thrust of the Bill, which is particularly relevant at a time of recession and given the career choices that people are making. We have entered a more flexible situation in which the likes of employment agencies will be playing a greater role in the employment of people across Northern Ireland. That role is likely to increase as time moves on. There is the short-term issue of the recession. During the recession, firms may well be looking for people to plug gaps on a short-term basis, and employment agencies will play a role in that. Furthermore, I am sure that the Minister would acknowledge that, for the vast majority of people, the days when someone started in a job at the age of 16 or 18 and remained in that job or profession until they turned 60 or 65 are behind us. We are in a much more flexible situation now. Consequently, the role of employment agencies will be greater, and the purpose of the Bill and the amendments becomes very important.

It is right that the proper protections are put in place for workers, in particular, and for the agencies themselves. There should not be anything in the Bill or the amendments for an employer or employment agency that is behaving in a correct fashion to fear. The legislation

is meant to cover the very small number of unscrupulous employers and those who act in a detrimental manner that is outside the law.

As the Minister and the Committee Chairperson indicated, three out of the four amendments in the first group are, essentially, technical amendments. Amendment No 1, which inserts new clause 5A, is something that any sensible person would welcome. If someone has suffered financially because of their employment in circumstances in which the employer or employment agency is clearly at fault, it is right that that person is compensated for their full financial loss. That is fulfilling part of the great tradition of British law, which looks to see that costs and recompense follow the event. Consequently, the clause is very much bringing the legislation into line and providing that degree of additional protection, and it is quite sensible to do that. In a situation in which someone is suffering loss and it is clearly someone else's fault, there can be a sense of grievance if there is not proper compensation for them and proper recovery of that loss. It is right that that provision is put in place.

Amendment No 1 and the consequential amendments are a sensible way forward. The amendments further improve what was already a good Bill. It is certainly a Bill that I welcome, and I am happy to support it today.

Ms Lo: I welcome the Bill, and, as other Members have done, I commend the Minister and the Department for their efforts in carrying out a very thorough consultation as well as meeting stakeholders to come to compromises and agreements.

The make-up of our workforce has changed so much in the past 15 years that it is timely that we have an up-to-date Bill. We have seen thousands of migrant workers coming into Northern Ireland to fill our skills and jobs gaps. Unfortunately, a lot of those workers may have been made redundant because of the recession. The amendment is very necessary at a time of recession to protect anybody who has been made redundant or migrant workers who have wrongful deductions made to their wages. I am sure that many MLAs have people coming to their offices to make complaints about poor treatment. Obviously, there are plenty of good employers. However, we have seen a huge increase of employment agencies in the

past few years, and it is important that those agencies comply with regulations and the law.

I particularly welcome that the trial system will be changed, meaning that individuals will be prosecuted in the Crown Court as opposed to the Magistrate's Court, with the result that penalties may, therefore, be increased. Hopefully, that will stop the illegal operations of rogue agencies.

The Minister for Employment and Learning:

I thank the Members who participated in the Consideration Stage. The amendments prove that legislation can be improved when a Department and Committee work together. That is, of course, the whole purpose of the legislative process. Whenever a Department suggests proposals and a Minister introduces legislation, it is good that they have a well-informed sounding board in the form of a Committee that can work with stakeholders and take the time to test some of the propositions in that forum. That process shows up weaknesses in proposed legislation from time to time. Such work has, therefore, improved the technical aspects of this Bill, as well as the long-term objectives that we are seeking to achieve. As has been said, it is clear that a few issues caused a bit of concern among some of the stakeholders, and we tried to address those systematically as we went along. I think that we have succeeded, in large measure, in achieving that.

The Chairperson of the Committee mentioned the European dimension to the legislation. Obviously, we have run into section 75 issues in Northern Ireland, and those must be paid attention to. However, those issues may be addressed subsequently if the opportunity arises to link the legislation into Westminster legislation.

Mr Weir's points about the recession were absolutely right. Circumstances have changed, and the pattern of employment that people expect no longer exists. Some people will have to be upskilled and retrained many times, but I think that we all accept that. Anno Lo pointed out that there has been a big increase in the number of agencies. Although the sector is made up, by and large, of people who conduct their business properly, some people have not conducted themselves appropriately and have tried to exploit others. However, that is another issue, and I suspect that it will not be the last. Indeed, the House has made several attempts

over the past few years to try to address some of those issues. However, vigilance will be required in the years ahead.

If the economy picks up, and I hope that it will do so soon, there will be more opportunities for more people to go into business. All sectors have the good, the bad and the ugly. Our job is not to penalise those who are doing a good job and running a good business. Rather, our job is to protect individuals from exploitation and to ensure that the labour market operates as efficiently and effectively as possible. That is in the long-term interest of the economy. The Bill is not designed to overburden people who are trying to do business. However, people have been exploited, and it is our task to ensure that that does not happen.

I believe that the amendments on compensation for financial loss make worthwhile improvements. If people suffer as a result of being underpaid, it is only appropriate that they should receive adequate compensation. We wish to ensure that people who have suffered losses unjustly are compensated and that people who take part in departmental programmes do not suffer detriment because of their participation in them. That is why wanted to ensure that allowances are paid and that they are treated as training allowances and not as income. I think that most Members will welcome that.

Question, That amendment No 1 be made, put and agreed to.

New clause ordered to stand part of the Bill.

Clauses 6 to 8 ordered to stand part of the Bill.

Schedule 1 (Minor and consequential amendments)

Amendment No 2 made: In page 5, line 3, at end insert

"The Employment and Training Act (Northern Ireland) 1950 (c. 29)

. In section 1(1A)(d) for 'the Department' substitute 'any person'." — [The Minister for Employment and Learning (Sir Reg Empey).]

Mr Speaker: We come now to the second group of amendments. With amendment No 3, it will be convenient to debate amendment No 5. These amendments amend the process for appointing members to the Labour Relations Agency and the Construction Industry Training Board.

The Minister for Employment and Learning: I beg to move amendment No 3: In page 5, line 3, at end insert

“The Industrial Training (Northern Ireland) Order 1984 (NI 9)

.—(1) In Schedule 2 in paragraph 2(2) for head (b) substitute—

‘(b) an equal number of persons appearing to the Department to be representative—

(i) of employers engaging in the industry; and

(ii) of employees in the industry;’.

(2) In Schedule 2 after paragraph 2(2) insert—

‘(2A) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(ii).’.”

The following amendment stood on the Marshalled List:

No 5: In page 5, line 11, at end insert

“(3) In Schedule 4 for paragraph 2 substitute—

‘2.—(1) The Agency shall consist of the following persons appointed by the Minister—

(a) a chairman; and

(b) 9 other members of whom—

(i) 3 shall be persons appearing to the Minister to be representative of employers;

(ii) 3 shall be persons appearing to the Minister to be representative of employees; and

(iii) 3 shall be such other persons as appear to the Minister to be appropriate.

(2) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(ii).’.” — [The Minister for Employment and Learning (Sir Reg Empey).]

The Minister for Employment and Learning:

Amendment No 3 relates to consultation rights with CITB ConstructionSkills Northern Ireland. Amendment No 5 relates to similar consultation rights in relation to public appointments to the Labour Relations Agency. These amendments will clarify provisions in the Industrial Training (Northern Ireland) Order 1984 and the Industrial Relations (Northern Ireland) Order 1992 in relation to the requirements to consult organisations representative of employers and employees when making appointments to the boards of public bodies, namely the Labour Relations Agency and CITB ConstructionSkills Northern Ireland.

Last year, it became clear that there was some ambiguity around what form that consultation should take. It is important that that consultation does not compromise my responsibilities under the ministerial code or the code of practice that was published by the Commissioner for Public Appointments for Northern Ireland. Therefore, I wish to clarify that consultation will take place on the arrangements for public appointments only, such as the essential criteria that candidates must satisfy or the ways in which the Department raises awareness of vacancies.

My officials have discussed these amendments at length with the Committee for Employment and Learning and interested parties, in particular, the Northern Ireland Committee of the Irish Congress of Trade Unions. Those discussions were designed to ensure that the views of key stakeholders are taken into account appropriately during the process of appointing members to those two important boards. I understand that stakeholders are content with amendment Nos 3 and 5.

The Chairperson of the Committee for Employment and Learning:

The Committee had some concerns with amendment No 3, which details appointments to the Construction Industry Training Board, with regard to changes being made prior to the completion of the reorganisation of that body and its merger with ConstructionSkills. The Committee questioned the rationale of making changes to CITB before details on the merger were brought to the Committee. The Department indicated that the legislation regarding the restructuring of the CITB and its merger with ConstructionSkills will take some time and that it is moving to use the Bill to regularise appointments to CITB.

The Committee accepted the Department's reasoning for that move.

Concerns were raised by the Construction Employers Federation and the Northern Ireland Committee of the Irish Congress of Trade Unions around changes to consultation regarding appointments and appointment to the board of CITB. The Committee encouraged the Department to talk to those key stakeholders and to reach a compromise. However, the Department has indicated that any changes to the appointment process will be discussed as part of the merger process. The Committee accepted that and is, therefore, content with amendment No 3.

When looking at public appointments, the Minister should look at where there is a shortfall, among young people and women in particular, in relation to the criteria and essential skills, which must be set in a way that does not disadvantage sections of our community.

The Committee received concerns from stakeholders about amendment No 5, which details appointments to the Labour Relations Agency, similar to those voiced regarding amendment No 3. The Committee urged the Department to discuss the issues with the important stakeholders, and a compromise was reached. The Northern Ireland Committee of the Irish Congress of Trade Unions and employer organisations' representatives will sit on the interview panels for appointments to the board of the agency.

That compromise will also apply to appointments to the Industrial Court. The Committee is delighted to have facilitated that compromise and is content with the amendment, as indicated in the Bill report.

12.15 pm

The Deputy Chairperson of the Committee for Employment and Learning:

I support both amendments, which are the result of constructive dialogue between the Committee, the Department and a couple of key stakeholders. Through the amendments, we have managed to tease out a situation that everyone can, broadly speaking, buy into.

I am not sure whether the Chairperson's comment about public appointments was a late bid for a place on one of the boards. She said there was a shortfall among women and young

people. She would qualify as a member of at least one of those groups, although I am not so sure about the second one.

The amendments bring a degree of clarity and certainty to the situation, but allow a degree of flexibility in the appointment process. There is a realisation, particularly with the reorganisation of the CITB, that there will be a need for a certain amount of work to be done before the new formats can fully be brought to fruition. It is important that there is flexibility, and the amendments give the certainty of consultation while allowing an opportunity for flexibility in the outcomes. That also ensures that, if there is a need for interim positions, that will be covered.

Amendment No 5 addresses appointments to the board of the Labour Relations Agency. Again, the stakeholders seem to have been brought on board in the formulation of that amendment. The amendment brings appointments to the agency's board much closer to the criteria used for public appointments. That provides a degree of flexibility in the composition of the board and the breakdown of its nine members, which makes sense. I support amendment Nos 3 and 5.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I want to say a few words about the Bill. The Minister and the Chairperson of the Committee have outlined the purpose of the Employment Bill. Members' comments have shown that questions were raised during the Bill's passage. Throughout the process, there was goodwill and good work from the Committee, the Department and the stakeholders. Collectively, we were able to work on the Bill.

I want to place on record my thanks to the Committee staff for their help, support and guidance to the Committee throughout the Bill's passage. We are quite keen to criticise when it is appropriate, but one of the key points to place on record is that the Minister and his officials have been quite open and honest, and have shown a willingness to work in proper partnership with the Committee and the stakeholders from the beginning of the Bill's passage. We should highlight that.

The Bill is not controversial, and we are not criticising each other in the debate owing to the partnership approach that was adopted. That shows that we are taking collective responsibility and that we are, possibly, being adults and are looking at the Bill from a different

perspective. I also place on record my thanks to the stakeholders. Again, the Bill has shown that outside stakeholders can play a positive part in the process and make a big difference. Involving those stakeholders shows that we are being relevant to the people outside and are listening to them.

A number of concerns have been raised by the stakeholders, especially the trade unions. From previous discussions, we know that when we get more information and facts, we are able to see the outworkings. In this case, the concerns were about the Construction Industry Training Board, and we were given reassurances. The Minister and his officials should be commended for their genuine open-door policy. When I was Chairperson of the Committee, the Minister said that he was willing to listen to and work in partnership with the Committee. He did listen to the stakeholders.

Amendment No 5 shows a willingness by the Minister and his officials to listen to concerns from stakeholders and the unions. Concerns are not necessarily criticisms but, if they are not heard, they can become criticisms.

Again, a clear message was sent out that the Department, officials, Committee and stakeholders could move forward, and a compromise was reached. Genuine partnership and everyone's willingness to get round a table and deal with the matter before it became an issue produced a positive outcome. I support the Bill and the amendments.

Mr McClarty: I will speak on the group 2 amendments, which are designed to clarify the nature of the consultation that the Department is required to undertake when making appointments to the Construction Industry Training Board and the Labour Relations Agency.

It is vital that all public appointments be made according to the highest standards of integrity. For that reason, the ministerial code requires Ministers to act at all times within the confines of the seven principles of public life. There is no mechanism to test the ministerial code. We simply have to trust a Minister who is accused of breaking the code and hope that an investigation started by the same Minister is independent and can be trusted. It is refreshing, therefore, for a Minister to come to the House, state that something may compromise his responsibilities under the ministerial code and lay before Members his idea of how to fix the problem.

Amendment Nos 3 and 5 resolve the problem. They remove the possibility of those two boards being consulted on the basis of named individuals. They require the Minister to consult representatives of employers and employees on structural elements of the appointments process at a much earlier stage. That is a much more satisfactory way to deal with public appointments, in that it provides a further guarantee that the best person for the job will be appointed, without any handshakes or tacit understandings. It is a good way to solidify the principle that the best person should get the job.

I congratulate the Minister on excluding amendments relating to the Agricultural Wages Board. That board represents nothing more than an unnecessary bureaucratic burden on the agriculture industry, and I welcome the fact that the Minister stood firm. I congratulate the Minister on the Bill, which has received broad support in the House and among stakeholders. I thank the Committee staff for all their help and guidance in bringing us to Consideration Stage.

The Minister for Employment and Learning: The lesson to be learned is that the Department and the Committee seem to be getting too lovey-dovey. The system does not work for every Department and every Committee, but it is, nevertheless, something in which I believe, and the evidence from today is that the system works.

Committees and Departments do not have to be continuously at war. They are there to help each other. Both exist to improve the quality of the legislation, improve the development of policy and to scrutinise and hold to account, as and when required. Over the past few years, they have demonstrated that they are perfectly capable of doing so.

I will resist the temptation to get involved in the argument about who is suitable for appointment. At this stage, I will quit when I am ahead. I am content with the amendments.

Question, That Amendment No 3 be made, put and agreed to.

Mr Speaker: Amendment No 4 has been debated and is consequential to amendment No 2, which has already been made.

Amendment No 4 made: In schedule 1, page 5, line 3, at end insert

"The Employment and Training (Amendment) (Northern Ireland) Order 1988 (NI 10)

. In Article 4(1) for 'the Department', in the second place where it occurs, substitute 'any person'." —
[The Minister for Employment and Learning (Sir Reg Empey).]

Amendment No 5 made: In page 5, line 11, at end insert

"(3) In Schedule 4 for paragraph 2 substitute—

'2.—(1) The Agency shall consist of the following persons appointed by the Minister—

- (a) a chairman; and
- (b) 9 other members of whom—
 - (i) 3 shall be persons appearing to the Minister to be representative of employers;
 - (ii) 3 shall be persons appearing to the Minister to be representative of employees; and
 - (iii) 3 shall be such other persons as appear to the Minister to be appropriate.

(2) The Minister shall consult—

- (a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(i);
- (b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(ii).'" —
[The Minister for Employment and Learning (Sir Reg Empey).]

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Long title

Mr Speaker: I remind Members that amendment No 6 is consequential to amendment No 1, which has already been made.

Amendment No 6 made: After "Court;" insert

"to provide for compensation for financial loss in cases of unlawful underpayment or non-payment;" —
[The Minister for Employment and Learning (Sir Reg Empey).]

Long title, as amended, agreed to.

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

The Business Committee has agreed to meet immediately on the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next item of business will be the Final Stage of the Forestry Bill.

The sitting was suspended at 12.27 pm.

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

2.00 pm

Executive Committee Business

Forestry Bill: Final Stage

The Minister of Agriculture and Rural Development (Ms Gildernew): I beg to move

That the Forestry Bill [NIA 11/08] do now pass.

Go raibh míle maith agat, a LeasCheann Comhairle. I am delighted that the Forestry Bill has reached its Final Stage. I firmly believe that it is a good and modern piece of legislation that has been developed in the spirit of co-operation. It is not easy to get it exactly right for everyone, but we have a responsibility to strike the best balance possible.

It is more than 50 years since the last Forestry Act and, who knows, perhaps this Bill will have to last for the same length of time. That is why I wanted the Bill to be subject to intense scrutiny by the Committee for Agriculture and Rural Development and stakeholders. I am glad that that is exactly what happened. With the help of the Committee for Agriculture and Rural Development and the wide range of stakeholders who contributed to the development of the Bill, I believe that we have struck the right balance and that the Bill was developed in the spirit of co-operation.

The Forestry Bill will retain powers to deal with day-to-day forestry matters and to protect trees from damage by wild animals and from fire risk from vegetation on adjoining land. There will still be powers to make by-laws to ensure safe and responsible enjoyment of the public forest estate.

The original visions and principles of the Bill remain intact: sustainable management of all our forests that support the timber industry; expansion of forest cover in the North of Ireland; protection of public and private woodland from damage; provision of the necessary powers to enable the full potential of forests to deliver social, economic and environmental benefits to be realised; and new provisions to enable the

commercial opportunities that are provided by forests to be optimised.

I formally thank the Chairperson, Deputy Chairperson and members of the Committee for their extensive consideration of the Bill. I acknowledge the volume of work that the Committee has done on the Bill and the publication of its comprehensive report. Its constructive and detailed work has brought the Bill to where it is today.

The Committee suggested a number of important amendments, which have provided multifaceted forestry legislation that is capable of supporting a modern and forward-looking strategy. The Bill will give the powers to deliver a wide and integrated spectrum of social, recreational, environmental and economic benefit. Traditional timber production, with its important role in providing employment in the primary and ancillary sectors, will continue. However, our forests will also offer the potential to be utilised for a wide range of creative initiatives, which we will help to realise by engaging with partners across the public, private and community sectors.

The Bill is an example of how a Minister, Department and Committee, working together on legislation, can achieve a positive outcome and produce a robust and significant piece of legislation. I look forward to continuing productive work with the Committee during its consideration of two other Bills, on the welfare of animals and dog control, which I hope to introduce to the Assembly next year.

I also pay tribute to the wide spectrum of stakeholders for working with me and my officials on the Bill, and for their constructive comments and advice. Their contribution of time and effort has assisted greatly in developing this multifaceted piece of primary legislation. Their advice and contributions in developing legislation such as the Forestry Bill is absolutely crucial to ensure that the vital role that forestry has to play in mitigating climate change and the vision of doubling forest cover in the North of Ireland over the next 50 years will be supported by the powers in the Bill. We also wish to preserve our environmental heritage as a legacy for generations to come. The Bill will also promote sustainable forestry.

Finally, I thank officials in the Office of the First Minister and deputy First Minister, the Office of the Legislative Counsel, the Departmental

Solicitor's Office and the Bill Office, who have given much support and advice along the way. I also thank the Committee Clerk and his staff for their support and commitment during the process, and my departmental officials, including the chief executive of the Forest Service and his colleagues, who have worked very hard on the Bill to achieve such a good outcome.

The Deputy Chairperson of the Committee for Agriculture and Rural Development (Mr Elliott):

I thank the Minister for securing the Bill's passage thus far and apologise on behalf of the Chairperson of the Committee for Agriculture and Rural Development, who is participating in duties in another place. No one can ever say that the Committee for Agriculture and Rural Development is not divided. We are specifically divided today in that a number of Committee members are in this place, and a number are in another place. Perhaps a number of them should be in another place again, but I do not want to complicate matters.

From the outset, the Committee was at one with the Department of Agriculture and Rural Development in recognising the fact that Northern Ireland's existing forestry legislation is out of date. We differed, however, on the thrust of the proposed Bill as presented to the Assembly. The Committee was of the view that the proposed Bill was retrospective, narrow and not forward thinking. The Committee firmly believed that an opportunity existed for dynamic new forestry legislation that would truly exploit the vast potential of the forestry estate in Northern Ireland and provide the framework to help to realise that potential. The Committee recognises the benefits of forests and woodlands to the local economy, recreation, tourism, the environment and rural and urban local communities.

The Committee took evidence from a wide range of stakeholders who held a variety of interests in the forestry sector. We used that evidence to propose a number of significant amendments, including those relating to the Department's duty on forestry; the compulsory acquisition of land; the development of a woodland inventory; the control of animals; the land adjacent to forests; and the fees for felling licences. I am pleased to say that the Department and the Forest Service were broadly, although not entirely, receptive to the Committee's amendments. That approach has resulted in effective, strategic and forward-looking

legislation. The Committee hopes that such an approach will be taken to the forthcoming legislation to which the Minister referred.

I welcome the Forest Service's commitment to producing delivery plans that will translate the duties placed on it into actions on the ground. Those delivery plans will allow for a strategic approach to the use of forests. They will also ensure that the role of forests in wider land management, such as flood management, species conservation, water quality improvement and mitigation of climate change, is communicated to local communities, stakeholders and Departments so that the value of woodland and forests can be included in proactive decision-making and planning. The plans will be subject to the scrutiny of the Committee, which will have the opportunity to undertake its statutory obligations on policy development.

Another politician and supporter of agriculture, J Sterling Morton, the founder of Arbor Day in the United States, once said:

"The cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man."

The Committee looks forward to the Department delivering on the Programme for Government target for the significant expansion of woodland in Northern Ireland, particularly in the private sector. With the amendments that were sought by the Committee and agreed by the Minister and the Department, we have dynamic and strategic legislation that will allow the Department and the Forest Service to move forward in the development of woodland across Northern Ireland for the benefit of the entire community. The legislation will truly stand the test of time.

The Forest Service in Northern Ireland was once held up as an example of innovative forest management. The Committee looks forward to our forests and woodland being utilised and developed in an innovative, sustainable and proactive way.

As Deputy Chairperson of the Committee for Agriculture and Rural Development, I thank Committee members, the departmental Bill team and its supporting officials, those who gave evidence to the Committee and the Committee's support team for their time and effort in getting us to the stage that we are at today. The Committee for Agriculture and Rural

Development commends the Forestry Bill to the House and recommends that it be passed.

Mr Irwin: I welcome the opportunity to comment on the Bill as it nears the end of its legislative journey. As I have said in previous debates on the issue, Northern Ireland's forests are a much-valued part of the landscape and heritage of the Province. The many parks and plantings provide a great source of amenity space for thousands of people each year. Our tourist industry also benefits greatly from the various accessible and well-known forest parks in the Province.

In creating this legislation, the Department wishes to update and to respond to changes that have taken place since the last piece of forestry legislation was introduced over 50 years ago. It is important that the devolved Administration is seen to respond to changing requirements and to legislate for such changes in the interests, in this case, of our woodland resources. The Bill is a reflection of that and, over time, it will ensure an overall improvement of the condition of our forests to the betterment of everyone.

As the Bill shows, our forest industry is more than just a reserve of timber. As the importance of leisure and amenity space grows, so does public use of forest parks. Likewise, as environmental issues gain prominence, the importance of maintaining forests and increasing tree cover grows. As I have said in previous debates about amenity space, a whole lot more could be done to expand and improve the current amenity facilities in forest parks, particularly with regard to the camping and caravanning fraternities.

In a local context, my council, Armagh District Council, has been proactive and undertook to improve facilities such as Clare Glen, a relatively small woodland area, and, as a result, has received about 1,200 bookings in the past year alone for it. That proves to me that with the right kind of facilities and management, the potential for improving more established sites is clear.

I am pleased that the Agriculture Committee played a full part in the legislative process and as a member of that Committee, I was encouraged to see that a full range of stakeholders was consulted. It is impossible to meet the exact requirements of all the interested bodies, but the Bill satisfies the concerns of the majority of stakeholders. There are nine forest parks in Northern Ireland that

require substantial maintenance, monitoring and management. As there are more than 100 other sites with varying levels of amenities, the need for up-to-date legislation is obvious. The Forest Service is responsible for more than 76,000 hectares, which is a considerable undertaking.

A section of the Bill refers to the traditional function of the development of afforestation, but forest cover in Northern Ireland is currently around 6%. I have previously raised some concerns in the Assembly about how the Department can increase the percentage of forest cover, given the complex nature of our small landmass and our ever-increasing need for productive farmland. It will be a complex task, as the area of suitable land available and population density are factors in setting targets for increasing woodland cover. In the case of Northern Ireland, given the spread of rural dwellings and the small in size but large in number distribution of our farm holdings, the scope for large-scale afforestation is reduced in comparison with some other countries. However, that is a challenge that the Department has to face.

The Minister is on record as saying that the legislation will effectively support:

"a modern and forward-looking strategy. It will give the powers to deliver a wide and integrated spectrum of social, recreational, environmental and economic benefits." [Official Report, Vol 51, No 2, p62, col 2].

I hope that, following Royal Assent, the Department will begin quickly to deliver on the commitments given and we will see change where change is due, so that our forest reserves are improved and managed for the future.

2.15 pm

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank everybody as well. Everybody is in thankful mode, so I will join in.

When the Bill is enacted, forests will have to be multifunctional. They will need to be relevant to all our lives. More people must be able to use them recreationally, and to earn a living from them, forests will need to be developed to provide for energy needs. As the Minister said, when granted Royal Assent, the Bill will become the first Forestry Act in over 50 years.

The legislation will deliver forestry management that is fit for purpose in an ever-changing world. The Bill has been the piece of legislation that

I have most enjoyed being involved in, which shows the sad life that I lead. What made it so interesting was the fact that it covered so many sectors and aspects of life. The range of stakeholders was diverse, and I thoroughly enjoyed working on it.

Forestry for rural development is, I suppose, what the Committee for Agriculture and Rural Development is all about. There is a great opportunity for rural dwellers to make an income from forestry through recreation, tourism or renewable energy projects. There is also a big opportunity for communities to benefit economically from tourism projects close to large tourism towns. In addition, there are a great number of opportunities to develop tourism in areas where it is not utilised.

There are environmental and conservational aspects to the Forestry Bill. It is a marvellous piece of work that, as the Minister said, is the result of people working closely to produce a Bill that is fit for purpose.

As was mentioned during Committee Stage, we must remain mindful that all stakeholders need to get round the table regularly over the years, as we try to develop the strategies in the Bill. It is OK to have the Bill and its strategies, but we must implement them. We need to keep updating those strategies and moving them forward to ensure that everybody benefits. I repeat that I see great opportunities for renewable energy and for general economic regeneration, particularly in recreation and tourism.

I am conscious that I have to get back to a Committee meeting. However, in finishing, I will touch on some parochial politics. Will the Minister update Members on the mountain biking proposals for Castlewellan and Rostrevor in south Down? Will she also give the time frame for delivering the high ropes project in Tollymore, which has been granted planning permission?

This is about devolution. It is about us shaping our society, regardless of whether we come from a unionist, nationalist or other perspective. We are coming together and showing a bit of maturity. For too long, we have seen politicians not getting a lot of heavy pressure. However, the Bill is something on which we have all worked together for the benefit of the people and for the North of Ireland. I commend everybody involved in that process. This sort of co-operation, with people getting on and doing business, is not

seen on television screens. Negativity is usually seen. I am glad to have played my part in the Bill.

Mr P J Bradley: I thank the Minister for introducing the Final Stage of the Forestry Bill. On behalf of the SDLP, I also thank members and officials of the Committee and all who contributed to the Bill. It may be considered too late in the day, but I wish to raise two points. As Willie Clarke pointed out, it is important to have ongoing negotiations and to look at the Bill as it develops, after its enactment.

Part 4 of the Bill covers the public right of access to, and by-laws for, forestry land. Clause 30(1) bestows the statutory right of pedestrian access to all forestry land, which I welcome. I also note that such access must be for recreational purposes. Not having been a member of the Committee for Agriculture and Rural Development at the time, I was absent for a considerable amount of the Committee's debates on the Forestry Bill. Therefore, I am not aware of everything that was discussed in Committee. Will the Minister inform me of her Department's definition of "recreation" as referred to in the Bill? Is there a list defining which activities are considered to be lawful and those that are considered to be unlawful? I pose the question simply because one person's definition of recreation may differ from those of others or from that of the Department of Agriculture and Rural Development. I am thinking of the likes of badger-baiting, snaring and shooting, which may go on in forests.

My second question relates to the appeals process. If an appellant makes a successful appeal, regardless of the issue, can the Minister overturn the decision? That has happened in the single farm payment process, and it causes me some concern.

I support the comments of the Minister and the Members who spoke before me, and, despite a few reservations, I welcome the Bill.

Dr Farry: The Alliance Party is happy to join with others in giving its support to this Final Stage. We also pay tribute to the work of the Department and the Committee in finalising the details of the Bill. We recognise that the Bill is a major achievement in that it is the first major piece of forestry legislation in this jurisdiction for 57 years.

However, this is a day that is tinged with a certain degree of sadness. Members will, no

doubt, know very well Patrick Cregg from the Woodland Trust, who has campaigned for new legislation in Northern Ireland for many years, and he has lobbied the Department and the Committee on the matter. His wife recently passed away and was buried this morning. I am sure that Members will wish to reflect on that, on Patrick's contribution as part of the Woodland Trust and on the work of the Royal Society for the Protection of Birds in pushing for this legislation.

We have today legislation that reflects a new era. We have moved away from simply viewing forests as a natural resource for commercial exploitation towards a new way of looking at them. We should also recognise the economic aspects of timber and that forests mean much more to society through, for example, environmental heritage, the conservation of fauna and flora, leisure and recreation and the tourist potential that arises from that. At the same time, we should recognise that forests make our contribution towards tackling climate change more effective.

The Bill is very good. It is not quite perfect, but it is probably about 95%, 96% or 97% of the way. A few areas could have been slightly tighter than is the case, and we tried to tease out those issues through amendments. Sadly, those amendments did not find favour, but that is the nature of the democratic process. No doubt, however, when future policymakers come to look at this issue, some aspects of the debates that we have had in the Chamber over the past number of months may serve as a useful starting point.

There is an ongoing challenge for the Department in ensuring that we meet our targets for increasing forestry cover in Northern Ireland. It is worth stressing that our cover is still much less than that elsewhere in these islands, never mind elsewhere in Europe. The landscape here is, generally speaking, treeless, and if we compare that with the landscape in the eastern United States, where canopies of trees surround most small towns and villages, the contrast is very stark and points to a different way of doing things. However, there are challenging targets. It is important that we measure how we are getting along and that all concerned make the best efforts to ensure that we get to where we want to go. Generally speaking, we are very happy with the legislation, and we are happy to support its Final Stage.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. Originally, I did not intend to speak here today, but I felt absolutely compelled by the speech of the Deputy Chairperson of the Committee for Agriculture and Rural Development, Tom Elliott, to say a few words.

I endorse everything that the Minister said about the way in which we collectively approached the Bill. I also endorse 99% of what the Committee's Deputy Chairperson, Tom Elliott, said. The 1% is because, despite the best efforts of the Deputy Chairperson and our fellow Committee member Jim Shannon to get me to go to Westminster for the Queen's Speech, I had a clear choice: I could either have gone to Westminster to hear the Queen speaking today or I could have stayed here to hear the speech of the queen of agriculture and rural development. *[Laughter.]* The choice for me was quite simple: I chose the latter.

Mr Savage: In Northern Ireland, forestry is a big industry, and, interestingly, the Forest Service is one of the biggest landowners. Importantly, the legislation will bring the forestry industry into the twenty-first century. Since initial discussions on the Bill began in the Agriculture Committee, I have pushed the idea of opening up forests for leisure pursuits, such as horse-riding, with the proviso — it is a big proviso — that rules and regulations are adhered to. Those using forests must observe the code of conduct. People have various ideas about how to spend their leisure time, and opening up our forests will be one way to help them to alleviate stress and utilise that time. The Bill affords us an opportunity to bring the Forest Service into the twenty-first century, and it can only do good for the community.

The Minister of Agriculture and Rural Development: Go raibh maith agat, a LeasCheann Comhairle. First, I thank Members for their contributions to the debate, which has been encouraging because it shows, without doubt, the level of lively and passionate interest in our woodlands. We all recognise that sustainable forestry is a compelling imperative.

I am satisfied that the Bill strikes the right balance, and that feeling was reflected in the comments of the Deputy Chairperson and other Members. The Bill will present an appropriate range of powers to enable us to take forward our various forestry objectives, including the protection of forests, both public and private; the expansion of forest cover; the continued

support for the vital role played by the timber industry; the realisation of the full potential of forests to deliver social, recreational, economic and environmental benefits; and the optimisation of the commercial opportunities that forests provide.

Members raised a number of issues, but they recognise that the Bill will result in multifaceted forestry legislation that is capable of supporting a modern and forward-looking strategy. It will give powers to deliver a wide and integrated spectrum of social, recreational, economic and environmental benefits. In addition, the Bill encompasses the important role that traditional timber production plays in providing rural employment in the primary and ancillary sector. That role will continue. Furthermore, our forests offer the potential to be utilised for a wide range of creative initiatives, which we will help to realise by engaging with partners across the public, private and community sectors.

Willie Clarke referred to the role of forests in mitigating climate change, and the Bill outlines a clear duty on my Department to promote forest expansion and sustainable forestry. The Bill refers specifically to developing forests for:

“the mitigation of, or adaptation to, climate change.”

That will be achieved principally through our programme to double forest cover, which will be supported by grants and incentives. We will also encourage the growing of energy crops, such as short rotation coppice, which absorb carbon, and we will plant trees that can adapt to a changing climate.

Many Members, including Stephen Farry, spoke about expanding forest cover, and we recognise that we have challenging targets. We plan to double forest cover — from 6% to 12% — over a 50-year period, and that must be achieved primarily through the afforestation of privately owned agricultural land, which will be supported by funds made available under the rural development programme. In our strategy, we acknowledged that landowners' commitment to farming means that, at first, forests will expand slowly. The Programme for Government target reflects the fact that there will be a slow initial expansion of woodland. However, after that, our targets will need to increase if we are to achieve our long-term aim.

We will encourage a wide range of forest types, which will improve the environment, enhance the landscape and support rural development and the production of renewable energy. Additional support is available to encourage new woodland in areas that have the potential to offer public access and value for informal recreation.

2.30 pm

Forest Service's recently published strategy to develop the recreational and social use of our forests is taking forward specific proposals to identify partnership or opportunities with private and public sector organisations, including local councils, to improve the quality and range of recreation provision that is available in our forests. We expect that to result in improved facilities and the creation of new recreation opportunities, such as treetop adventure activities.

Willie Clarke asked about the Go Ape proposals for Tollymore Forest Park. The planning issues have been dealt with, and we are negotiating terms of lease with the operating partner for the installation. Those negotiations are aimed at securing opportunities for subsequent development on other sites following the installation at the Tollymore site, which, I hope, will be in place for the summer season, since we missed the Easter deadline. We have been working closely with the councils in the south Down area to resolve issues over leasing arrangements for mountain-biking facilities, and I am confident that we can move those issues forward quickly to secure the necessary funding. People accept that the more activities we have in our forests, the more attractive they will be as recreational venues for new and existing visitors, and they will contribute to the tourism agenda for the North.

I am not sure where Mr P J Bradley goes for recreation, but badger-baiting is not part of forest recreation. I am sure that he recognises that there is no legal definition of recreation in the Bill, but everyone is fairly clear about the type of recreation involved, which will include mountain-biking, orienteering etc.

There is great potential for our forests to contribute to tourism, particularly in rural areas where the tourism product might be lesser than in our towns. It has been estimated that our forests receive over 2 million visits annually, with the resulting benefits to the local economy. Forest Service has been liaising closely with the Tourist Board and other stakeholders to

consider how the tourist potential of our key forest sites can be maximised. Forest Service is also working with the Strategic Investment Board to identify further potential for commercial and recreational development in forests, and I will ensure that that work continues. We have been considering our forestry grants, which will continue to be made available through the rural development programme to assist the expansion of woodland and to encourage the sustainable management of existing woods.

Today's debate has been good. It is great to see the conclusion of the Forestry Bill and to know that another piece of legislation has been taken care of. As I said in my opening remarks, there are two other pieces of legislation coming up, and I hope that they can be dealt with with the same partnership approach that we have adopted to date. I recognise the Committee's work in scrutinising the Bills. We have had a good working relationship, and I look forward to that continuing. I am confident that the powers in the Forestry Bill will address my Department's contemporary and evolving commercial, environmental and social objectives for forestry and will allow us to obtain better value from the forest estate.

Question put and agreed to.

Resolved:

That the Forestry Bill [NIA 11/08] do now pass.

Private Members' Business

Preschool Places

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes 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.

Mr D Bradley: I beg to move

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school.

Go raibh maith agat, a LeasCheann Comhairle. Caithfidh mé a rá go bhfuil áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo faoin réamhoideachas. I am pleased to move the motion on preschool places. The shortage of places that led to the motion being tabled was addressed, in the interim, by the Minister's provision of £1.3 million last week. That provision is welcome, but it does not make today's debate any less relevant. Many issues relating to preschool education must be addressed. Despite attention having been drawn to those issues on more than one occasion and in several important reports, that has not yet happened.

The Minister will, undoubtedly, tell the House that those issues will be addressed in the draft early years strategy for nought to six-year olds. We have been waiting for that strategy for the past six years, but it has still not been published, and, unsurprisingly, people are beginning to wonder whether it ever will be. Yesterday, the Minister told the House that the draft strategy would be released shortly. We have heard that story time and again, but we have still not seen it.

Last week, the Minister alleviated the recent shortage of 1,200 preschool places. That shortage cannot be put down to a mere blip in the statistics. Rather, it suggests that the Minister's planning is out of sync with the

population trends. For some time, the Minister has been telling the House that the school-going population is falling and that schools will have to close. Now we learn, however, that she misjudged the number of preschool places by 1,200. How much faith can we have in the predictions of a Department that is so far out in its planning? The hole has been plugged for this year, but one wonders what next year and future years hold in store. Do the Minister and her Department know?

There is almost a year-on-year problem with matching the number, demand and distribution of preschool places. That must be addressed once and for all, so that all children in their immediate preschool year obtain the place to which they are entitled. The Department has made that promise, and I look forward to hearing how the Minister intends to address the problem.

I would also like to hear what actions the Minister is taking to address the issues raised by the ETI and Audit Office reports on preschool education. The reports detail, for example, the disparity between accommodation and access to resources and describe how such disparity adversely affects the effectiveness of provision. In that respect, provision is best in the statutory nurseries, but lessens through nursery class to the voluntary and community sector. Regardless of what the Minister may say, the quality of accommodation strongly influences the quality of provision. The problem requires urgent attention.

The capacity for effective self-evaluation and self-improvement, which is also strongest in the statutory sector but lessens through the other sectors, must also increase. Time and again, the Minister has told the House that, in accordance with her policy, Every School a Good School, reflection, self-evaluation and self-improvement are key elements in raising standards. That is one of the Minister's key themes. That is another area of preschool education that must be urgently addressed if we are to bring about the improvement in standards which the Minister says is a priority in her policy and which, according to some reports, is required in some areas of the sector.

The Education and Training Inspectorate report highlights the need for an improvement in the specialist advice and support available to staff. Once again, that is particularly relevant to the voluntary and community sectors and, indeed, the private sector. The statutory sector has

easy access to a range of Curriculum Advisory and Support Service (CASS) support, from curriculum support to support with psychological services. The voluntary, community and private sectors do not have the same ease of access, and I hope that when the nought-to-six strategy is published that issue will be a priority.

Previously, the House debated the need for a transformation fund to ensure that qualifications are equalised across the preschool sector. A professional development framework should be developed to equalise qualifications. To maximise the benefit of preschool education to our children, we need the most highly qualified workforce possible. The better qualified the workforce, the greater the benefit to children, the more they will derive from the experience of preschool education and the longer the positive effect of that experience throughout their lives. There is no good reason why staff in community and voluntary preschools should not have opportunities to develop professionally their qualifications on a par with those in other parts of the sector.

The Audit Office report highlights the unequal funding levels, which, it says, contribute to unnecessary and unhelpful qualitative differences and perceptions of status between providers and limit the potential benefits to children. The report says that a more flexible approach is needed through the creation of further viable voluntary and private preschool centres. Much remains to be done in special educational needs; there is a need for more resources, training and backup, especially in the voluntary and private sectors but also in a third of the statutory sector.

The inspectorate reports identify issues of collaboration between education, health and social security agencies. I expect that that theme will be taken up in the nought-to-six strategy. Better communication and co-operation is needed between the statutory sector and the voluntary, community and private sectors. Co-operation and communication between those sectors needs to be improved. As I said, the voluntary, community and private sectors have issues around qualifications, funding, accommodation, support and the provision of advice. The statutory sector often feels taken for granted and, sometimes, even ignored when it comes to formal or informal consultations, as it does not have the professional, full-time

advocacy support on which the voluntary and community sectors can draw.

There is much to be gained from better communication and co-operation between the statutory and voluntary sectors. Each has its strengths, and each could benefit from a greater sharing of experience. That could be achieved through a standing committee or by joint conferences. The Department should ensure that all sectors are heard and listened to during formal or informal consultations.

Tá súil agam go n-éistfidh an tAire leis an méid atá le rá agam anseo inniu agus go dtabharfaidh sí freagra ar na pointí tábhachtacha atá ardaithe agam.

I hope that the Minister has heard the important points that I have raised and that she will address them and indicate how the nought-to-six strategy will respond to them.

2.45 pm

The Chairperson of the Committee for Education

(Mr Storey): I rise as the Chairperson of the Committee for Education to inform the House of some of the information on preschool education that the Committee has received over the past year or so. It is the Committee's intention to scrutinise the funding of preschool education as part of its scrutiny of the Department's early years nought-to-six strategy. However, as the proposer of the motion has informed the House, we wait, we wait and we wait. To date, we have no date in relation to the publication of the nought-to-six strategy. It is regrettable that we have been waiting for six years on a nought-to-six strategy, but I will come back to that in a moment or two, when I will speak in my capacity as a Member.

The Department's preschool education expansion programme has received almost £58 million since 1998, and it has approximately 21,000 funded places with, we are told, over 90% availability of places for children in their final preschool year. There are 14,000 places in nursery schools or in nursery classes in primary schools and approximately 6,600 funded places in voluntary and private preschool education centres. To complicate things further, there are an additional 600 places in reception classes and groups.

Recently, the Committee asked the Department for information on the unavailability of nursery

provision in certain areas, with an analysis across the education and library boards of the effects of social disadvantage, the age-related admissions criteria and the incidence of places being oversubscribed or undersubscribed and places filled by children who are not old enough to enter primary schools the following September. I note the comments in the Minister's press release from last Thursday, when she announced an extra £1.3 million for 2010-11. She said that the extra money was for:

"an unprecedented shortage of around 1,200 pre-school places."

I am interested to know what proportion of the £1.3 million is expected to go to nursery classes and schools as opposed to voluntary, private preschool centres and how many places will be created in each sector. Perhaps the Minister will inform the House of those figures. Will she also give the House a definitive date for the publication of the draft early years nought-to-six strategy?

Although preschool education is a non-compulsory phase of education, it has important potential benefits. The Committee will be interested to ensure that quality preschool education is provided with the limited resources available. I look forward to reporting back to the House on that on another occasion.

I will speak now as a Member and not as the Chairperson of the Education Committee. It is suspicious and unhelpful that the Education Minister has made a decision to make an announcement that is clearly divorced from the policy that we have been awaiting for the past six years. If, as the Minister tries to tell us, legislates for and lectures others on, there has to be equality and equity in how sectors are treated, then, surely, serious questions are being asked, particularly in the statutory sector. What provision is being made? It is a sector that does not have teaching principal time release and feels that it is being treated unfairly. However, the Minister makes an announcement which in no way delineates or explains how that £1.3 million is going to be given out. Therefore, I ask the Minister to give the House, for the first time, answers to our questions. I know that she will have her script from which she will not deviate and will sit and sign ministerial papers and talk to her colleagues during the debate, but we would like her to give answers on the issue, because many parents have been

contacting our constituency offices about the unavailability of places.

The proposer of the motion referred to the ETI report. We still have no idea what the Department will do with regard to that report. How will the Department respond to it? How will it deal with the issues?

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

The Chairperson of the Committee for Education: We want answers, not the usual rhetoric that we have come to expect from the Minister.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I will start by congratulating the Minister on securing, in these difficult financial times, £1.3 million for preschool places. Other Ministers who come into the Chamber tell us what they cannot and will not do. However, Members from the opposite Benches and Members to my left, physically rather than politically —

The Chairperson of the Committee for Education: Declan O'Loan would not say that.

Mr O'Dowd: I do not want to get into the North Antrim stuff.

Members from the opposite Benches and Members to my left, physically rather than politically, continually lambaste the Education Minister, claiming that she has no answers. However, she has 1.3 million answers to this one, and she has provided, in these very difficult circumstances, a much-needed resource to the community.

Dominic Bradley said that we do not know what is going to happen next year. I agree with him: no one knows what the budgetary constraints will be next year, and no one knows the exact number of applications for preschool places until those applications come in. However, it is clear that preschool places are very popular with parents. They are a useful and beneficial educational resource, and we should encourage the funding of those places and extra resources for those places into the future.

The Chairperson of the Committee for Education: Does the Member agree that there is a contradiction if he is advocating the funding of private places in the nursery sector, given his party's view on the funding of another sector,

namely prep schools, which, according to him, are private education? What is the difference?

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

Mr O'Dowd: Even with the extra minute, I am not sure whether the Member who asked the question could fully rationalise what the question is about. You cannot equate preschool places with prep school places, where parents are asked to spend up to £3,000 to fund their children and, in some of the private school places that he referred to, parents are asked to make a contribution of £20 a week. That is some difference, so the equation that the Member is making does not work. Or perhaps the Member is suggesting that we should stop funding community groups that provide preschool places. If that is what the Member is suggesting, he should come out and say it. Personally, I do not think that that is the way forward, because I believe that the community and voluntary sector offers a valuable contribution to education through the provision of preschool places.

I will move on to the Member's final remarks, when he was speaking as a Member rather than as Chairperson. He said that he has no answers to any questions, but surely that is the role of the Education Committee, of which the Member is Chairperson. If the Chairperson of the Education Committee does not know what questions to ask, is that the fault of the Department of Education, the fault of the Minister, or the fault of the Member? I suggest that it is the fault of the Member.

The Chairperson of the Committee for Education: As Chairperson of the Education Committee, I will give the Member all the questions that have been asked and all the answers that we are still awaiting. For six years, we have been waiting for a nought-to-six strategy. Why? It is a simple question, which needs a simple answer. The Minister cannot even give it to us today.

Mr O'Dowd: I thank the Member for his intervention. I know that time passes slowly sometimes in politics, but I have only been here for three years, since May 2007. We welcome the hope that the early years strategy will be published. However, as I have said before to the Member in relation to policy decisions, I do not want just any decisions or any answer; I want the right decision and the right answer. I want the right strategy for early years education

because, as Mr Bradley said, we want to ensure that whatever is planned for the future allows for a secure and robust education system, which starts with early years education and allows us to educate our future workforce. That is what this debate is about.

Finally, I welcome the fact that money has been invested. I hope that there will be continued funding of this system, and I think that some of the Departments, parties and their Ministers could learn something. Instead of coming to the Chamber telling us what they cannot do, perhaps sometime they will tell us what they can do.

Mr Deputy Speaker: As Question Time commences at 3.00 pm, I suggest that the House take its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mr Basil McCrea.

The debate stood suspended.

3.00 pm

Mr Deputy Speaker: I inform Members that the question for urgent oral answer that was scheduled for 3.30 pm has been withdrawn.

Oral Answers to Questions

Justice

Prison Officers: Cultural Diversity Training

1. **Mr McElduff** asked the Minister of Justice to outline the nature and extent of any cultural diversity training provided for prison officers. (AQO 1299/10)

The Minister of Justice (Mr Ford): Enhancing diversity is a key aim in taking forward the development of the Prison Service. The service has a comprehensive diversity strategy, which has won plaudits. The service has adopted a comprehensive approach to meeting its cultural diversity training needs. All prison officers have received equality and diversity awareness training, and a more detailed diversity training package is being rolled out to all staff. In addition, all training programmes for prison officers include cultural and diversity aspects, and have a core focus on respect.

The training complements and supports the diversity strategy Make a Difference, which was launched in 2008. The package sets diversity within the prison context and explores the need for staff to recognise and respect difference. It explains how individuals can instinctively act in a manner that reflects prejudices and an inherent ability to stereotype. It encourages staff to lead by example by setting the appropriate standard of behaviour and encouraging others to show due consideration and respect. It considers how language can impact on individuals.

The training also provides examples of how to approach those issues sensitively. The themes have been mainstreamed into the wider training programme, helping staff to explore the impact of cultural and diversity issues and approaches in their routine activities and to learn to adopt the approach that is appropriate for the specific circumstances. The Prison Service recognises

the historical imbalance in the composition of its workforce and there is some way to go to create an organisation that fully reflects the community that it serves. However, the steps that have been taken aim to ensure that, in the interim, existing staff address the needs of inmates and visitors as individuals and with respect for their background.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer and for detailing the type of training that all prison staff should be aware of and involved in. Is there a level of resistance in the Prison Officers' Association to such cultural diversity training? I am mindful of my party colleague's visit to Maghaberry prison last week. Will the Minister update the Assembly on the worrying situation inside Maghaberry prison at this time, where some prisoners are accusing prison officers of not respecting their human rights?

The Minister of Justice: I thank the Member for his supplementary question, though I fear the second part of it goes a bit beyond where he started. The diversity training is a mandatory part of the training of all prison officers, and is being rolled out as a corporate training priority and is, therefore, compulsory. It is a permanent module in all new entrant training courses in which entrants are required to demonstrate their competence through a written assessment, and it is included in the induction for all newly promoted staff.

I suspect that there are many aspects of training in the public sector and in private industry that attract a degree of resistance in different ways at different times, but the Prison Service management is entirely committed to ensuring that that diversity training is carried through. So far, nearly 1,000 staff, including many managers, have had specific diversity training. The plan is to continue to roll it out progressively.

The current issues in the prison about how individuals are being dealt with by prison officers demonstrate a throwback to the potential difficulties that could arise if we resumed the circumstances from 20 or 30 years ago. I believe that the Prison Service management, with some support from all elements, whether from prisoners or from prison staff, is showing that those difficulties can be overcome.

Mr G Robinson: Does the Minister believe that the training represents value for money, and will he outline how he sees it benefiting society?

The Minister of Justice: I certainly believe that all training of prison officers to ensure that they deal in an appropriate way in respecting the backgrounds and cultures of all prisoners is absolutely essential if we are to progress towards a more normal society and build a shared future in which each individual can be respected. We cannot suggest that certain aspects of training do not represent value for money if they are seeking to build the different kind of society that we so urgently need.

Mr McDevitt: Given the obvious necessity for diversity training in the Prison Service, does the Minister believe that his time would be better spent developing radical proposals to address the obvious and serious lack of community balance in the make-up of the staff of the Prison Service?

The Minister of Justice: The Member raises an interesting point. However, in a week when we are hearing about financial opportunities, we need to recognise that there will not be a Patten-style reform of the Prison Service. There was an extensive redundancy programme with the closure of the Maze prison and a run-down of the staff numbers required. Indeed, 40% of prison staff left at that time. There are limited opportunities for recruitment because of that. At this stage, I believe that it is appropriate to ensure that all staff are trained appropriately in issues such as diversity, which I have just spoken about, and to recognise that, as we seek to recruit the rather smaller numbers in future, we will see that groups are fully represented as they apply. There has been some progress to date in ensuring that there are applications from under-represented groups.

Crime: Reporting

2. **Mr Bresland** asked the Minister of Justice what action he is taking to encourage the public to report crime. (AQO 1300/10)

The Minister of Justice: I thank the Member for his question. The most recent survey on the experience of crime highlights a range of reasons why the public do not report crime. To address that, there needs to be a concerted approach by all levels in the criminal justice system, working together with the wider community, to encourage the public to report crime. Therefore, at regional level, I welcome the initiative in the 2010-13 policing plan to increase the proportion of crimes reported to the police to 50% by March 2011. My Department is committed to working

in partnership with the Police Service and the Policing Board to achieve that target. In addition, through the funding of Crimestoppers, my Department ensures that a mechanism is in place that allows the public to pass on information in confidence. My Department also supports a range of initiatives to address particular areas of under-reporting of crime by encouraging victims in those groupings to come forward.

At local level, communities need to play their part. They have a vital role to play in the reporting of all crimes. Devolution of policing and justice allows all parts of the community to engage with the police to report crime and suspicious activity as we work towards building safer communities for everyone.

Mr Bresland: I thank the Minister for his answer. He has partly answered my supplementary question. There were dissident republican attacks in Strabane over the weekend. Does the Minister agree that it is the duty of all citizens to report crime, co-operate fully with the police and encourage anyone with any knowledge of those attacks to do the same?

The Minister of Justice: I do not think that the Member will be surprised to hear me say that I encourage anyone who has knowledge of any crime to ensure that they co-operate in the best way possible with the Police Service and ensure that the community as a whole acts to make Northern Ireland a safer place, regardless of the kind of crime that has occurred.

Mr Beggs: Does the Minister agree that the lack of appropriate responses to repeat offending discourages members of the public from responding to criminal incidents and from reporting crime? How is he contacting the various limbs of the criminal justice system so that each looks carefully at the issue so that public confidence is maintained, accurate records are obtained, and issues of a repeat offending nature that are of concern to the public are dealt with?

The Minister of Justice: I thank the Member for that question. Repeat offending is a serious issue in society. Indeed, the need for a comprehensive cross-cutting approach to reducing offending is included in the Hillsborough Castle Agreement, and reducing repeat offending is a large part of that. Issues have shown that there is a need to ensure that the justice system operates more speedily, that the various agencies co-operate and that, in

particular, there is appropriate use of community penalties, including probation at an early stage. There is clear evidence that such measures can reduce repeat offending if applied appropriately and speedily. First, we need to ensure that we stop people entering the criminal justice process, and, secondly, we need to remove people at an early stage before they become what are generally regarded as hardened criminals.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. What support can the Minister offer to vulnerable witnesses to encourage them to come forward, especially those who are under threat from paramilitary organisations?

The Minister of Justice: Supporting victims and other witnesses to ensure that they give full evidence is a major issue. Particular methods are used for witnesses to the most serious crimes. However, it is important to ensure that a culture of lawfulness is built up and that the assumption among the community, as a whole, is that we will all work together to reduce crime and to assist the criminal justice agencies.

In light of the arrangements that we have here, given that justice powers have been devolved, it is also important to ensure that we develop a system that means that people have the confidence to work together. That will not be easy, and in the case of particular crimes, it will be quite difficult for some time. However, maximum effort must be expended to ensure that the community works together.

Security

3. **Mr McNarry** asked the Minister of Justice for his assessment of the current security situation. (AQO 1301/10)

The Minister of Justice: The level of threat remains severe. The Chief Constable has responded with a targeted increase in activity in recent weeks, and he continues to ensure that increasing numbers of officers are deployed to front line duties. I take this opportunity to thank the public for their co-operation with, and support for, the police over recent weeks. The Chief Constable and I recognise the inconvenience that is sometimes caused to the community. The threat to our community comes from groups that oppose the democratic arrangements here and that seek to undermine the political progress that people have demonstrated, over and over

again, that they want. Those groups do not have public support. They cannot win elections, and they do not even try to. Instead, their objective is to make everyone a loser by attacking communities such as those in Newtownhamilton.

Members will be aware that garda officers arrested two men on Saturday as part of an ongoing investigation into dissident activity. One of the men appeared in court in Dublin today after being charged with explosives offences in Dundalk. I will, therefore, not speak about the detail of that case. However, it is an excellent example of the Garda Síochána and the PSNI working well together. Yesterday, I spoke to the Irish Justice Minister, Dermot Ahern, and I asked him to pass on my congratulations to the Garda Commissioner for the good work that is being done on the southern side of the border. Clear signs exist that the fullest co-operation is taking place between the two police services on the ground. I trust that the entire House will welcome that.

Mr McNarry: I thank the Minister for his answer. I note the tone of his reply and his use of the word “severe” to describe the security threat. Would the Minister support the Chief Constable in calling for counterterrorist police officers for Great Britain or a limited Army presence?

The Minister of Justice: That would be a decision for the Chief Constable to make on the basis of his assessment. After assessing the present situation, he moved police officers from back-office duties to front line duties. He is, therefore, capable of dealing with the present risk. As part of our efforts to ensure the best possible community policing service in Northern Ireland, that position should be supported. If the Chief Constable requires additional resources, such as financial support, he has the right, through the Policing Board, to seek them. However, at the moment, no assessment has been made of the necessity to involve military support.

Dr Farry: Although the Justice Department can provide resources to support the police in pursuing those who are intent on inflicting damage on our society, what actions is the Minister taking to persuade his Executive colleagues of the need to support other policies that the Assembly can take forward to try to win the hearts and minds of the people who are being led astray and into terrorism by evil forces in society?

The Minister of Justice: I thank my colleague for his usual percipient question. Real issues exist that cannot be dealt with solely by the agencies responsible to the Department of Justice. There is a real need to ensure that the Executive take a joined-up approach to the issue, that a variety of different agencies, such as community safety partnerships, co-operate locally, and that Members in this Building concentrate on building a shared future to increase people’s confidence, to build safer communities across every part of Northern Ireland and to ensure that, together, we deal with the threats that we face.

3.15 pm

Lord Morrow: The official record will show that, on the previous occasion on which the Minister was here, I asked precisely the same question as Mr McNarry has just asked.

Mr McNarry: Did you get the same answer?

Lord Morrow: The official record will show whether I got the same answer. However, I accept that the security situation changes daily.

Mr McNarry asked the Minister whether he would support the Chief Constable in calling for whatever measures he deemed necessary. I noted that the Minister studiously avoided answering that question. Therefore, I put it to him again: can the Chief Constable depend entirely on the Minister’s support for any measures that he deems necessary to combat the dissident threat?

The Minister of Justice: In my initial comments, I thought that I said that the question of the resources required is entirely a matter for the Chief Constable. During my previous appearance, in responding to the Chairperson of the Committee for Justice, I made it clear that I would support any reasonable request put forward by the Chief Constable, as long as he argues his case, to put in place the necessary measures required to deal with the threat. That cannot be extended to include what the Member thinks may be required. However, I assure him that I have already supported requests from the Chief Constable, and, when there is a good, cogent, well-argued case for additional resources to support the policing effort, I will continue to do so.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

Does the Minister agree that, at the point of transfer, and ever since, the Chief Constable has stated publicly that he has more than adequate resources to deal with all aspects of policing as it pertains to the North?

The Minister of Justice: The prospect of coming between the Chairperson and Deputy Chairperson of the Justice Committee is a dangerous one. However, I agree with the way in which Mr McCartney phrased the question. Lord Morrow phrased his question somewhat differently.

The Chief Constable told me that he has adequate manpower. However, he said that he has sought additional resources for equipment, such as IT, and, at times, for overtime payments. However, that is not the same as his saying that he requires a significant change to the way in which the security situation is managed. The Chief Constable has not sought anything beyond the normal resources that any police service might seek in any part of the country.

Inspire Women's Project

4. **Mr B McCrea** asked the Minister of Justice what progress has been made in relation to female offending as a result of the Inspire Women's Project. (AQO 1302/10)

The Minister of Justice: The Inspire Women's Project is a pilot service that was established to develop and deliver a new and enhanced range of women-specific services. It contributes directly to reducing women's offending through targeting community-based interventions. The project addresses the complex and multiple needs of that group of women by helping them to re-establish themselves in the community and by assisting in the reintegration of women who are leaving custody. Since starting in late 2008, the project's average caseload of 150 has comprised women from the greater Belfast area. The project has delivered a range of gender-specific programmes.

A key feature of the Inspire Women's Project is its strong connection with local community-based women's groups. Its staff work in close partnership with those groups to link women offenders, many of whom have broken relationships with family and community, with local support and resources.

Although much has been achieved over the past 18 months, and my visit to the project

was truly inspiring, it remains a pilot project. An evaluation is scheduled to be completed later this year, and, therefore, it is too early to assess the project's impact on women's offending.

Mr B McCrea: Perhaps that was a less sensitive political hot potato than the previous question. Given the Minister's background in social work, I am interested in his personal observations about the Inspire Women's Project and whether he thinks that anything further could be done to change offending behaviour among women. That would make Northern Ireland a much safer place to live.

The Minister of Justice: I am not sure whether I should be flattered by that description.

The Member referred to making Northern Ireland safer. We must recognise that the circumstances of women's offending tend to be different from the circumstances of men's offending. The problems associated with female offending are frequently complex and involve poverty, homelessness, mental illness, abuse, domestic violence and addictions. There is no doubt that those problems are many of the motivators for women's involvement in crime. Similarly, the age profile of women offenders tends to be different from that of male offenders.

To reduce women's offending and reoffending and to create the safer society that the Member referred to, we need to develop appropriate support mechanisms to address those multiple needs outside the custodial sanction where possible.

Naturally, as one who previously made his living as a social worker, I was inspired — to repeat the pun — by the work of fellow social workers in the Probation Service to prevent their clients from re-engaging in crime and to assist in the resettlement, in a small number of cases, of women who leave Ash House in Hydebank Wood Prison. I was inspired by the project. It is early days to make a formal assessment, but I was deeply impressed by what I saw on my visit.

Mrs M Bradley: Does the Minister have evidence to suggest that women are more likely than men to get custodial sentences? Does he have any concerns about that issue?

The Minister of Justice: There is only one answer that I can give to that question: I will write to the Member.

Mr Bell: Will the Minister join me in welcoming the work on young women offenders by the youth conferencing scheme and by the Youth Justice Agency through community-based services, such as the Towers project in my constituency of Strangford? The Towers project not only ensures that a direct apology is made to the victim, but it makes sure that reparations to victims are agreed. That has a proven track record of success in reducing reoffending by women.

The Minister of Justice: This afternoon's Question Time is almost becoming a social workers' outing.

The Member knows that I would support any initiative that has a measure of restorative justice along with various aspects of reparations being made in a way that encourages offenders to engage with their victims, where the victims are willing for that to happen. Such initiatives tend to have a fairly good effect on reducing reoffending, particularly for younger people who might otherwise be in the early stages of a criminal career.

The important issue is that we learn the lessons of projects and do slightly different things in Northern Ireland so that we can have best practice in reducing crime overall.

Electronic Tagging

5. **Ms Ní Chuilín** asked the Minister of Justice how many people have been electronically tagged as part of their bail conditions over the last year. (AQO 1303/10)

The Minister of Justice: The courts imposed 550 electronic monitoring orders as a condition of bail between 1 April 2009 and 31 March of this year: 449 adults and 101 juveniles.

A curfew with an electronic monitoring requirement can be imposed by the courts as a condition of bail, community sentence or post-custody licence. Electronic tagging is used to monitor an individual's compliance with the curfew and has been available to the courts since 1 April 2009.

Ms Ní Chuilín: I thank the Minister for his response. The figures are alarming. First, has there been an increase in the past year? Secondly, do the Minister and his Department have any plans, through the community safety partnerships vis-à-vis district policing partnerships, to work with communities so that they, too, know the bail conditions of people

who are tagged? Tagging does not always work, and people need to know the bail conditions of those who are tagged so that they can give any relevant information to the PSNI.

The Minister of Justice: I thank the Member for her questions. The real issues are the opportunities that electronic tagging provides. It is not a sort of GPS system that provides satellite tracking; it is merely a system that enables the monitoring of curfews in cases where people are confined to their homes at particular times of the day as part of their bail requirements. We need to be careful that we do not expect electronic tagging to do more than it can. However, there is no doubt that where individuals have agreed to be tagged, it has played a useful role in monitoring curfews. How we deal with other potential breaches of bail conditions is beyond the ability of an electronic tag.

Mr Dallat: The Minister told us that 515 people have been tagged. How many of those 515 have broken the conditions of their tagging, and what future steps might the Minister be able to take using new technology to provide more safety for the community?

The Minister of Justice: Just to clarify: it may be the way that I speak, but I said that there were 550 orders in the first year, not 515. The issue of breaches of curfews does not necessarily relate solely to the equipment. Indeed, the issue of breaches of bail conditions generally may well involve rather more than just a specific curfew requirement or an indication that a tag is responding in a particular way. Therefore, it is not possible at this point to separate out the question of curfew breaches from other breaches of bail conditions.

Mr Deputy Speaker: Question 6 has been withdrawn.

Criminal Justice

7. **Mr Savage** asked the Minister of Justice what action he has taken, or intends to take, to reduce avoidable delays in the criminal justice system. (AQO 1305/10)

The Minister of Justice: Speeding up justice by tackling avoidable delays in the criminal justice system is one of my key priorities. I have already met the Criminal Justice Board, which is driving a new programme of work on delays, and I asked for that work to be accelerated. The new programme will focus on case preparation, case

management, youth cases and governance. I have asked for an urgent report on the plans to eradicate unnecessary delays and thereby deliver a better service, especially to victims.

Mr Savage: I am aware that the Minister is committed to tackling avoidable delays in the system. Will he provide an update on the number of requests for further information between the Public Prosecution Service (PPS) and the PSNI? What has been done to reduce the number of requests?

The Minister of Justice: It is not my role to know the precise detail of how those numbers operate. What we are determined to do through the work of the Criminal Justice Board is to see that the interface between the Police Service and the Public Prosecution Service is smooth, so that additional information is required less and less, and the best possible service is provided in the papers that are provided by the Police Service to the PPS.

There may also be the opportunity to increase discretion within the Police Service on minor crimes, to avoid clogging up the entire process with relatively minor issues. However, that has to be decided in greater detail later. The important issue is that all parts of the criminal justice system learn that they have to operate together to provide the speediest possible justice for the benefit of victims, for the benefit of witnesses and, ultimately, for the benefit of criminals, too.

Mrs D Kelly: I always believed that people were innocent until proven guilty. Has the Minister had any meetings with Criminal Justice Inspection, or will he seek its views, given its expert analysis of the avoidable delays in the system?

The Minister of Justice: I, too, tend to believe that people are innocent until proven guilty. I am not quite sure what the point of that was.

I have met Dr Michael Maguire, the Chief Inspector of Criminal Justice. I discussed with him in general terms his work programme, which includes references to issues such as the speed of justice and co-ordination between other agencies. There is a clear opportunity to use the skills and expertise that the inspectorate has put into some of its work for the Criminal Justice Board to take forward the process of speeding up the justice system.

Mr McCarthy: Does the Minister recognise that avoidable delays occur particularly among young people?

The Minister of Justice: Yes. It is absolutely clear that where young people are involved in criminal activity and face considerable time before they reach the courts or a youth conferencing arrangement, there can be major problems in their potentially getting further involved in crime. In some cases, those who are immature do not connect the eventual outcome with the crime that they committed.

It is vital that, for young people in particular, the criminal justice system is speeded up as quickly as possible, and that work stream is being worked on.

Mr Deputy Speaker: I remind Members that the question for urgent oral answer has been withdrawn.

3.30 pm

Private Members' Business

Preschool Places

Debate resumed on motion:

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school. — [Mr D Bradley.]

Mr B McCrea: It is always difficult to rejoin the debate after Question Time. For Members' benefit, I will explain that an analysis of effective preschool provision was carried out in some detail in a longitudinal study that started in 1998. The survey found that benefits from preschool education run all the way through to Key Stage 1; formal training tends to benefit cognitive development better, whereas playschools tend to be best for social development; it makes no difference whether provision is full-time or part-time because both are equally effective; and children with disadvantage gain most from settings that involve other children with mixed abilities and from mixed backgrounds. Other Members pointed out that the quality of staff training, and the quality of staff, leads to a marked improvement in outcomes for children. The study is quite comprehensive in that regard.

In an exchange with Mr O'Dowd, I heard the Chairperson of the Committee for Education talk about who can do what, who has done the most, and so on. However, we must deal with the fact that some 1,200 preschool places are vacant. We do not know whether the £1.3 million that the Minister found will satisfy that demand. Parents feel a gross sense of injustice when they discover that they cannot get their children into a nursery school within an appropriate distance. A constituent of mine failed to get her child into one of four nursery schools by a distance of 800 m. The distance criterion is an issue. Perversely, that constituent is a primary-school teacher, and if she had wanted to put

her child into the school in which she taught in Newtownards, it would have been possible. The result is a most unfair postcode lottery that disadvantages people in a ridiculous way.

When Mr O'Dowd spoke triumphantly about finding £1.3 million, he ignored the fact that we do not have our nought-to-six strategy, which would have informed all our discussions. I will put that in perspective: a child who was born six years ago would by now have left the cohort that the nought-to-six strategy would have covered. We managed to go through that entire period without developing a proper strategy.

There is a tendency in these debates, when we have all been given excellent briefings, to regurgitate other Members' contributions and say that someone ought to do something. I want to ask the Minister a number of specific questions that, perhaps, she will address, because the populace are anxious to hear the answers. Will the money that she has found reduce completely the overhang of 1,200 places? How many people will be unable to find a place? Would she consider it appropriate for her Department to amend its current policy of funding 90% of places to funding 98% of places? The development of a long-term policy should ensure that all people, in all reasonable cases, should have access to preschool or nursery school places for their children.

I understand that the Department's policy is that a place is available for a child within the education and library board area in which he or she lives, even though that place may be 30 miles away. It is ridiculous that young children are expected to travel such a distance. Perhaps the Department would consider the introduction of an access criterion of, perhaps, five miles. Will the Minister give an undertaking in that regard?

I am aware that time is against my developing these themes, but there is an issue around resolving the different types of preschool education that we have. Maybe we have to look at reception classes or at the age at which compulsory education starts. However, if we are going to do so, we must address the issues properly. We must have proper, fully funded preschool education in the way that Finland has. I am trying to indicate that we on this side of the House are willing to engage with the Minister provided that she engages with us. It is high time that she did so.

Mr Lunn: I support the motion, but I also acknowledge the announcement made by the Minister on 20 May about an extra £1.3 million of funding. I cannot help but observe that, as usual, the Minister appears to be damned if she does and damned if she does not. To me, that announcement was good news, but other Members think otherwise.

Will the Minister explain how we have moved from having surplus places to having a shortfall of 1,200 places? I appreciate that the estimation of demand is not an exact science, but demographic trends and birth rates can be accurately assessed. There are clear indications of the reduction in the birth rate trend being reversed, with implications for preschool and primary school provision.

Our system is supposed to guarantee a preschool place for all children whose parents request one. It is largely the case that places are offered, but this year the system has been under strain. I could give details of several cases in my area in which children were offered places a long distance away. For example, one Dunmurry resident was offered a place in Dromara, which is 20 miles away, and a Lisburn resident was advised to take a place in west Belfast, which is not so far away but which was probably not what that person was looking for.

Again, I recognise the Minister's action in funding extra places in private sector nursery units this year. I hope that she will clarify that position, because my understanding of her announcement is that the money is going to the private sector to provide more places. It seems that parents will be largely satisfied between now and the start of term in September.

The Public Accounts Committee (PAC) recently expressed concern about the practice of allowing underage children to take up surplus places funded by the Department. I believe that around £10 million has been spent on funding those places. Surely it is important to ensure that children of the correct age and qualification are not disadvantaged by that apparent loophole. I have heard anecdotally of underage children being accepted before normal demand has been satisfied.

There should be a clearer link between the information available at a local level and preschool provision within a locality. We could draw on information held by local councils and health professionals that might help to alleviate

bottlenecks in the future. Offers to children in their penultimate preschool year should be considered only when all those in their final preschool year have been placed. I suggest that no two-year-old should be placed until at least 30 June.

I note the Department's view, which was confirmed in the written answer to a question tabled by Naomi Long on 12 January 2010, that all nursery providers give priority to children in their final preschool year, regardless of the preference that they have stated, and that those children should be given preference over underage children who may have ranked the unit as their first preference. That is fine for individual units, but it may mean that a more area-based approach is required and that all children in the area who are in their final preschool year should have priority. It should not be too difficult to establish co-operation among nursery units in a given area. That would have eased the problems in the Lisburn area and in other areas this year. That said, I feel that this year's problems will be sorted out with the help of the voluntary sector and the Minister's extra funding. Nonetheless, I support the expression of concern as stated in the motion.

Mr Hilditch: I apologise for dipping in and out of the debate. Once again, the Committee for Social Development is sitting this afternoon to discuss a number of issues.

Like most Members, I have been contacted, through my constituency office, by several parents whose sons and daughters have been unable to secure nursery school placements in their area because of the criteria being set by the boards.

I do not want to get into more figures, because all sorts of mileages have been mentioned. However, the North Eastern Education and Library Board advised one lady from Newtownabbey, whose daughter was refused entry to her local nursery schools at Whitehouse Primary School and King's Park Primary School, to contact Carnlough Community Nursery, Harryville Nursery in Ballymena or a nursery school in Ballycastle to see whether they had places available. That was absolutely ludicrous, because it would be totally impractical for that lady to send her daughter to any of those nurseries. Ballycastle is 50 miles away from Newtownabbey, so that would have meant a daily 100-mile round trip without public transport.

The decisions on this matter are along the same lines as the recent decisions on health cuts, which have been taken without consideration of how people will get to certain places. It is unreasonable that children who live down the road from that lady have been accepted into local nurseries, and sometimes it is down to the fact that parents are on benefits and so on.

Due to a rise in the birth rate, we now have an unprecedented nursery-place shortage of around 1,200. However, the news that the Minister has released £1.3 million for private and voluntary nursery-school placements is welcome. That will no doubt help to meet the shortage, perhaps totally so in some cases, and ensure that, where possible, every child will be placed for the forthcoming school year. However, like the National Association of Head Teachers, I am concerned that the funding does not cover the state sector as such and that it will not include the provision of any new places in nursery schools and nursery units.

Children who attend nursery school benefit in so many different ways. The preschool experience enhances the social development of all children, and disadvantaged children gain so much more when they are with children from different social backgrounds. Children with little or no preschool experience show poorer cognitive, social and behavioural outcomes at entry to school and at the end of year one than those who attended preschool.

If high quality preschool education provision has such a positive effect on children's intellectual and social development, why is every child not entitled to a funded nursery school placement? I urge the Minister to provide that basic opportunity for every child. It is totally unacceptable and unfair that all children do not get the same funding to help them to start their educational lives. If we do not provide funded nursery places for all children, we will probably undermine the benefits of taxpayers' investments in later stages of the formal schools system.

We appreciate the success in increasing the supply of preschool education over an 11-year period, and it is well noted that uptake has increased from 44% to 90%. However, there are geographical gaps in supply and demand. Parental choice contributes to the amount of places that are available, and there are some nurseries to which parents just do not want

to send their children. Indeed, parental choice has led to some of the popular state nurseries being oversubscribed by up to 30 places, so why does the Minister not pour the £1.3 million into accommodating that sector? Those are issues that hinder our children's development, and they need to be addressed.

Every child has the right to develop through educational and social activity and to learn through play in the preschool environment so that they can progress into primary 1. I appeal to the Minister for her and the Department to ensure that every child is well equipped to meet the needs of primary school foundation stage and years one and two by the time that they leave preschool. I look forward to her response. I support the motion.

Mr Moutray: I speak today as a voice for the many people in my constituency who have received disappointing news about nursery provision for their child or children in recent weeks. In the Upper Bann constituency, and particularly in Lurgan and Portadown, I have been inundated with complaints from parents on this very emotive and important issue.

I have spoken to people who are rightly angry, annoyed and deeply concerned about the matter. Those parents want answers to many questions. Why was this allowed to happen? Why is there not equality for all children across the board? Why should their children be discriminated against? Why were they signposted to preschool places in locations that are 20, 30 or even 40 miles away from where they live? Why can additional provision not be provided by statutory bodies? Why has there been, and why is there, no long-term strategy for nursery provision? I call on the Minister to answer those questions, because it is a most unfortunate and undesirable situation for any community to be in.

3.45 pm

All Members are aware that births and deaths are registered, and I want to know why that information was not used in the forward planning for nursery provision. I have only to look at the figures for Craigavon to see clearly that there is a shortfall in the region of 200 places for children who are in the target age group and another 150 for younger children. That is clearly the case in other areas.

It goes without saying that nursery provision is a pivotal part of our society. It affords children a good start in education, and it is proven by many research reports that nursery education adds value to the lives of the young children who avail themselves of it. Additionally, it provides a safe and secure service for parents and families who ultimately want the best education and the best possible start for their children. Furthermore, it assists parents who work to avail themselves of such a service to aid their family, home and working life.

It grieves me that this situation has spiralled out of control. Often, Members from all sides of the House talk about delivering for constituents, young and old. Surely the Department needs to be proactive in delivering for the youngest constituents. Preschool provision is a key element in the future of all our children. It will mould them and prepare them for their primary and secondary education, and in many instances it is a criterion for obtaining a place in primary 1. Therefore, I call on the Minister to address this matter not in an ad hoc way, as she has done recently, but in a long-term way.

Furthermore, I am concerned lest the lack of provision escalates to the primary 1 class spaces in the following admission years. It is logical that, if there is a shortage of nursery provision, there will be a shortage in the primary 1 provision. That needs to be addressed.

I acknowledge the Minister's most recent announcement, but I am concerned about the distribution of that financial boost and the fact that none of the money will go towards statutory bodies. I have no issue with private organisations availing themselves of the funding, but equality is required among private and statutory providers. I am aware of one school in my constituency that could readily take an extra nursery class, and it would have it within weeks, were the Minister prepared to accede to the request.

There needs to be a clear link with statistics on current birth rates so that we do not find ourselves in this situation again. Reasonable suggestions should be put to parents should their first choice be unavailable, they should not be offered nursery provision that is some 30 or 40 miles away. I support the motion.

Mr Beggs: I, too, support the motion. I reflect on the fact that, over the past decade, access to preschool education has greatly improved.

However, it is important that we complete the job and ensure that there is better planning and that all children have access to early years education in their immediate preschool year.

I am disappointed with the explanation that the failure in provision is due to unprecedented demand. Like other Members, I have been contacted by constituents who have not been successful in any of their four applications. One family applied to a nursery school that was 200 yards from their front door, in what is deemed an area of need, yet the application was unsuccessful. Interestingly, that family's details came into the hand of someone in the private sector, and the family was offered a place at £25 a week, which it cannot afford. Therefore, children in disadvantaged communities are not getting places in their immediate preschool year.

I welcome the Minister's announcement last week of an extra £1.3 million for additional places. However, where is the joined-up government in this? Why can we not predict roughly the number of places required in each ward? In the Northern Ireland Neighbourhood Information Service (NINIS) section of the Northern Ireland Statistics and Research Agency (NISRA) website, one can see how many children were born in 2008. I am sure that the Department of Education has the statistics showing how many children are in their immediate preschool year in each area. It should not take a great deal of work to decide whether additional places are needed.

I agree with the Members who said that we need to alter the procedural criteria to ensure that children who are in their immediate preschool year are given priority at that vital time. I ask the Minister to look into that issue.

The Public Accounts Committee's recent report drew attention to the fact that to have mixed age groups, in which two-year-olds might sit in with children in their preschool year, is not the best model. The disparity in the children's abilities makes that a difficult situation for any organisation to manage. It also limits the educational opportunities for all the children, whether they be younger or older. That issue definitely needs to be addressed.

I agree with the proposer of the motion and other Members, who questioned the different funding levels. Why do voluntary or private sector playgroups receive less funding for children than those in the nursery sector?

Will the Minister explain the reason for that inequality? Why are children who cannot get a place in a nursery school not given a similar level of funding so that they can receive a similar or higher quality of education elsewhere? I cannot accept any reasoning for that, but I look forward to an explanation.

Recommendation 2 of the PAC's 'Report on The Pre-School Education Expansion Programme' indicated that there is a need for "age-appropriate" training, which relates to the issue of two-year-olds being among older children.

Another issue identified was that different models are being used. We have reception classes, nursery classes and playgroups, and, I dare say, a degree of funding is also going into Sure Start. Joined-up thinking is needed. We need to work out which is the most appropriate model and where the funding should go, rather than continue with the current scattergun approach. I suggest that there is a particular need to address what will most benefit children and, in some cases, their parents.

The PAC also recently recommended that, to improve overall standards of literacy and numeracy, the Department needs to bring forward the publication of its nought-to-six early years strategy. The Minister has been in post for three years. She has only about one year left. When will we see the strategy? We need to see it. Early intervention is the key to reversing the cycle of deprivation.

I draw the Minister's attention to the issue of post-primary schoolchildren who have less than 85% school attendance. Those early years are vital if that statistic is to be corrected. A reply to my question for written answer 972/10 revealed that, in some parts of my constituency, 40% of children have school attendance rates of less than 85%.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Beggs: In more affluent areas, that figure is 4%. Minister, if we want children to benefit, we must ensure that they are at school and that we address the reasons for their absence.

Mrs M Bradley: My colleague Dominic Bradley laid out the basis for my party's concerns about preschool places. Although the SDLP welcomes the Minister's decision to provide additional funding of up to £1.3 million to meet the

shortage of preschool places, it is obvious that the motion has put pressure on the Department to address the crisis.

Figures show that the total number of nursery places available for 2010-11 is 5,850 but that 7,047 applications have been received for the same period. Those figures simply do not add up. I and, I am sure, many others in the House have been contacted by numerous parents who have been turned down for not only their first choice of preschool for their child but for all of their choices. Some parents have even been offered places at nursery schools miles from their home address, which will not only be a great inconvenience but will involve spending additional money that many families do not have in the current economic climate.

I welcome the Minister's funding announcement for my constituency in Derry. I hope that it will address the city's lack of appropriate preschool nursery places. However, parents in Derry will be interested most in what that funding will mean on the ground for our children. The Minister must act promptly to allay the anxieties of parents who remain in the dark about their child's future. Parents also need to hear just how the funding will be distributed so that they know whether their children will benefit from it.

In my area of Shantallow, there were 145 applications for 102 available preschool places. Consequently, 43 children have been turned down for a funded nursery school place. Now that the Minister has provided additional funding, she must do everything possible to support parents and children by ensuring that early years provision is accessible, close and realistic.

The crisis in preschool places also raises the issue of the early years strategy. During previous debates in the House, we were told about a strategy for children aged nought to six. We were told that it would be the blueprint for a way forward and would provide preschool education to each and every child. However, we have yet to see that strategy. Earlier this year, I tabled a question about the publication of that document. I was told that it would be published in the early spring. However, it is now only five weeks until recess, and there has been no mention of when it will happen.

To ensure that parents do not face the same problem next year of a disparity between the number of applications and the number of preschool places, I call on the Minister to

give a definite date for the publication of the early years strategy. I also ask her examine the funding of existing schools and consider whether some of that should be given to preschools. Given the situation, they could be extremely helpful. The Minister is bound to know that — she is the Minister of Education.

Lord Browne: I support the motion. It is no secret that my East Belfast constituency has suffered from a lack of nursery provision for many years. Last year alone, of the 34% of children who were unable to find a place in the area, 41% did not find a place anywhere. Others who found places were forced to travel to places as far away as Ardoyne and Newtownabbey.

The only solution that the Department has offered is the promise of a review. Indeed, it appears that the Minister's solution to every problem in the education system is to hold endless reviews, while continuing to do as she pleases in the meantime. She must appreciate that the problem is far too large and widespread to be dealt with by a simple review.

The Minister has failed to provide an adequate level of preschool cover. She has failed to predict the demand for preschool places, and she has failed to invest wisely for the future. Last year, there were around 800 places for 1,200 applicants in my constituency, which is a shortfall of 400. When I asked the Minister to estimate the number of applications for this year, she informed me that her Department expected to receive 896. I admit that I have no particular skill or qualification in the study of demographics and population shifts, but even I realised that a drop of 25% in one year was extremely unlikely. However, the Department of Education based its projections on those figures and organised the provision accordingly.

In the event, applications fell by only 7% this year. Therefore, because of the Minister's actions, one in six children from my constituency is without a preschool place. The Minister knows as well as anyone that early years learning is essential to a child's educational development. She knows that the system is failing. As the number of preschool places falls far below the level of demand, the children of parents who cannot afford to pay lose out. Under the current scheme, working class children suffer the most.

Mr Beggs: Is the Member aware that 38% of the children of primary school age in the Woodstock

ward of his constituency have a school attendance rate of less than 85%? Would places in preschool playgroups improve their social skills and opportunities at school?

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

Lord Browne: I thank the Member for that fact. The attendance issue must be addressed. The provision of more places at an earlier age may help to combat that problem. Only by taking appropriate measures will we be able to improve attendance figures.

The Minister informed a preschool group in a working class area of east Belfast that its funding for this year had been withdrawn. She told that charity that there was not enough money and that it did not have enough children to justify the funding. At the same time, she spent £88,000 on temporary accommodation for a new Irish-medium preschool, with a capacity of just 26, which is being created in west Belfast.

The Department should be working to ensure that preschool places are available to all, so that no children are left behind. Many parents cannot escape the conclusion that the Minister's priorities lie elsewhere. She would rather devote her time to crushing dissent about academic selection and working on her pet project, Irish-medium schools, than spend time working to improve children's prospects in life.

4.00 pm

Mr Bell: It is important to understand why we are we focusing on this topic and giving it the attention that it deserves. It is because the research is clear: young people who are given a preschool place will, as Lord Browne said, do better socially and, as the Member for East Antrim said, develop a positive attitude and be motivated to attend school and to achieve when they are there. I say that not just because our manifesto stated that we would front-load services towards early years; it goes beyond that. The entire research base shows that providing young people with those opportunities guarantees greater success later.

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

I declare an interest as a governor of Donaghadee Primary School. In that capacity, I constantly have to field difficult questions about children who have been turned away. When we get down

to criterion 4(c) and beyond, we have to tell young people that the decision about whether they can attend depends on their date of birth and that, because they were born two weeks after another child, the other child gets the place. That is the difficulty that I and other governors face. The children who are turned away will not get a second chance. A preschool place is not an optional extra, and that is why failure to offer one is not an option.

Where was the planning? Did we not know that those children were in the system? Did they appear suddenly? No, we knew for years that they were coming through. Minister, is it not the case that, when you fail to plan, in reality, you plan to fail? In the case of early years education, you planned to fail. Children are being failed, and they will not get a second opportunity to make up for that lost time.

Is the Minister listening? Has she listened to the teachers' unions? Had she listened to Mr Arbuthnot, who had a distinguished career as the principal of Priory Integrated College and whom I know well, and had she kept the South Eastern Education and Library Board as opposed to paying her commissioners £500 a day, she would have heard Mr Arbuthnot saying through the board that opportunities exist in the state sector to establish curriculum-based nursery/preschool placements in primary schools. Such placements have a proven track record of success. Why are the likes of Donaghadee Primary School turning children away? We will not be able to access the £1.3 million — I welcome it — that has been made available. If the money was there, why was it not made available earlier, and why were parents put through the trauma that they have experienced? Why are we not listening to the teachers' unions? Why are we not listening to principals, who are telling us that the state sector has a proven track record of success? Is that not something that we would want to build on, rather than ignore?

My concluding point has been well made already. Where is the early years strategy? What strategy is the Minister working towards? I remember my father telling me that you are better to aim at something and miss it than to aim at nothing and hit it. Without a strategy, is it a case of the Minister aiming at nothing and hitting it? I do not know which of the Minister's priorities were more important to plan for than the children in the early years sector who are being turned away from preschool education and

are not getting a second chance. I fail to see, as would any rational observer, what the more stringent priorities were that had to come before the children. I encourage the Minister to look again at the state sector. Do not let bias or poor judgement cloud —

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

Mr Bell: Where there is a proven track record of success, the Minister should build on it.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm an deis seo a fháil chun díospóireacht a dhéanamh le Comhaltaí ar shaincheist na n-áiteanna réamhscoile do pháistí don scoilbhliain atá le teacht. Tuigim go maith an tábhacht a bhaineann le luathbhlianta an pháiste agus leis na tairbhí a dhéanann oideachas réamhscoile d'ardchaighdeán.

Before I go into the details on preschool education, I will deal with some of the questions that were raised. The recent Public Accounts Committee document 'Report on The Pre-School Education Expansion Programme' was very positive. The issues that were identified in that report, along with those in the chief inspector's report, will be addressed in the early years strategy. Those include raising standards and issues that relate to equality and workforce development.

There was much talk today of the early years strategy. Suffice it to say that I approved the strategy for consultation on 24 April and it will go out for consultation. A letter is on its way to the Committee, and I will be doing an official launch. I very much look forward to hearing all the wonderful ideas that Members may have, because we heard from a lot of Solomons earlier.

Although preschool is not a compulsory phase of education, I welcome the fact that parents recognise and want that beneficial experience for their children. I am aware that the coming school year appears to have an unprecedented shortage of preschool places in certain areas. Therefore, from the outset, I acknowledge the concerns of parents and their children, and I assure them that my officials and I are making every effort to resolve the situation as quickly as possible. My officials have, therefore, been working closely with the preschool education and advisory groups (PEAGs) over the past few weeks to confirm the current number of unplaced children so that we can decide how

best to respond to the demand that has arisen. I confirm that around 1,200 children in their final preschool year are known to be unplaced at this stage of the preschool admissions arrangements for the coming school year. On the basis of the cost of funding a preschool place in the private and voluntary sector, which is essentially the mechanism that we use to respond to variations in demand, the total cost of placing those children amounts to approximately £1.3 million.

Fortunately, I am not a cynical person. If I were, I would be forgiven for thinking that some people in the SDLP, the UUP and the DUP are disappointed that we have found resources during difficult times for that very important issue. Indeed, members of the SDLP who were in previous ministerial positions and who lamented on the issue have issued press releases. They had the opportunity to back this with funding, but they did not. They never sought a meeting with me on the issue. Instead, they run to the press with negative press releases. With respect to everybody, please stop playing politics with preschool children. Apart from Members in my party, Trevor Lunn was one of the few people who acknowledged that it was good that we have found £1.3 million in these difficult times.

I am delighted to hear the concern for the working-class communities. However, that concern goes out the window when all the evidence shows that selection disadvantages working-class children. I am also pleased to hear that the DUP is listening to the teachers' union. That is good. I hope that it listens to all the teachers' unions, as every single one of them, without exception, supports an end to selection and wants more equality in education.

In recognition of the importance of preschool education, I have announced my intention to make additional provision of up to £1.3 million for the PEAGs to meet the shortfall in places and to ensure that, where possible, every child will be placed for the 2010-11 school year. That brings the number of funded preschool places available to 22,559, with 14,202 places in the statutory sector and sufficient funding for 8,357 places in the voluntary or private sector. For those who are good at maths and for those who appear to believe that the statutory sector has been discriminated against, that equates to 63% in the statutory sector and 37% in the voluntary or private sector. That means that approximately

two out of every three existing funded preschool places are in the statutory nursery sector. I have also just approved an additional unit in a statutory nursery in the Portadown area, which brings the total number of statutory nurseries approved since May 2007 to 12 and represents 312 additional statutory nursery places. It is a pity that none of the Members from Portadown raised that issue. In addition, I have approved two development proposals from statutory nursery settings to change from part-time to full-time provision, in line with parental demand.

The policy for preschool provision currently relates to a preschool place:

"for every child whose parents wish it."

That reflects its non-compulsory nature. In planning for the overall demand, the Department is aware, through the household omnibus survey, that around 10% of parents do not want a preschool place for their child. The remaining 90% of children — more in recent years — have availed themselves of the opportunity of preschool education in all settings, including Irish-medium. Therefore, we are victims of our own success and should celebrate that success.

One Member — it may have been Roy Beggs — mentioned increasing the Department's percentages. Prior to the introduction of the preschool education expansion programme in 1997, only 45% of children received a funded preschool education place in statutory nurseries and reception classes. By 2009-2010, 97% of the cohort of three- to four-year-olds had been allocated a preschool place. Let us give credit where credit is due, because that is significant growth in a relatively short period. That rate of expansion could only have taken place through a partnership approach, recognising and utilising the existing provision that had developed in the voluntary and private sectors in the North of Ireland, alongside the substantial expansion of the statutory nursery sector. Indeed, more than 100 new nursery schools and units have been created under the pre-school education expansion programme.

The management of preschool places is a complex process, and it seeks to achieve the best possible match between places and children. Although my Department retains policy and budgetary responsibility for the programme, planning and implementation at local level is the responsibility of the PEAGs in each education and library board. You all have members on

education and library boards, and I will be very interested to examine the minutes of those board meetings to see what work has been done on preschools and the questions that were asked.

Mr Bell: Will the Minister give way?

The Minister of Education: No, I will not. Those groups undertake an annual review of local provision, taking into account factors such as demographic changes and the relocation or closure of settings to ensure that the allocation of places to voluntary or private sector providers continues to meet the needs of each area. The processing of applications and the offering of preschool places in nursery schools, nursery units in primary schools and voluntary and private preschool settings in receipt of funded places are the responsibility of individual providers in conjunction with the PEAGs.

Although all sectors that deliver preschool education are valued equally, the availability of a place is not sufficient on its own. The Department is committed to ensuring that provision is of the highest quality possible. The system in place also needs to be flexible, whereby parents can choose whether their child would be best placed in a full-time or part-time afternoon or morning preschool session, dependent on the child's stage of development and on whether the parents are working.

Although the level of provision overall within the pre-school education expansion programme may be sufficient, it may not exactly match demographic demand at any given time, and there may be a number of reasons for that. The application system is flexible, with parents asked to list a choice of settings in order of preference. In some cases, parents may not be offered a place for their child because they have failed to take full advantage of the preschool application process. For example, they may not have listed the maximum possible four choices, or they may have restricted themselves in their choice of provider. At the end of the annual admissions process, the preschool education advisory groups advise my Department on anticipated areas of pressure and consider how they can be managed.

4.15 pm

Cé gur cuireadh na socruithe um iontráil réamhscoile don bhliain 2010-2011 i gcrích ar 30 Aibreán, tá an próiseas iontrála réamhscoile fós ar siúl.

Although the preschool admissions arrangements for the 2010-11 school year were completed on 30 April, the preschool admissions process is still ongoing. The education and library boards are currently reallocating places between providers in the voluntary and private sectors to facilitate, as far as possible, children in their final preschool year who have been unable to access a funded preschool place. The additional funding that I have made available will enable the education and library boards to extend the number of places that are available.

I am aware that there may also be opportunities to offer increased statutory provision, and I do not exclude the possibility of proposals for further development in that area being approved. However, time is short, and it appears that the private and voluntary sector is best placed to respond in the short timescale that is available. That would also offer flexibility if that should prove to be a temporary increase. Preschool education is a genuine partnership between the statutory sector and the voluntary and private sectors. My Department, together with the education and library boards, will of course look at all avenues to address the unprecedented demand for places.

I will now talk about the budget, because, when Members get into a frenzy, they forget how much we are spending on preschool education. I originally set an allocation of over £11 million to the education and library boards to secure preschool places in the private and voluntary sectors. That figure includes an additional £300,000 to maintain the increased number of funded places provided in the 2009-2010 school year. That is over and above the funding for the statutory nursery sector. We are spending approximately £48 million on the statutory preschool sector. I have now announced that I will make a further provision of up to £1.3 million available to the sector. If I have done the maths correctly, which I did without a calculator, that is a total of £60.3 million. That is a substantial amount of money by anyone's standards. Of course we want more money, and perhaps the parties opposite will talk to their various Ministers and to the Finance Minister so that I can have more money for preschool places. I look forward to getting more resources so that people walk the walk instead of just talking the talk.

I have made clear the importance that I attach to the sector. However, the identification of additional resources has not been easy in the current economic climate. My priority has been to protect front line services and to ensure that the needs of the people who are most disadvantaged continue to be to the forefront. I look forward to the Members opposite supporting the establishment of the ESA, because they will be aware of the wastage of resources on administration and bureaucracy. If Members are serious about preschool education, they will move forward quickly on the establishment of the ESA so that there are not quangos and a waste of resources on bureaucracy.

I have endeavoured to clarify some of the factors that need to be taken into account in managing the complex process of allocating preschool places. I pay tribute to my officials, who have worked hard on that. I recognise the difficulties that have been faced this year, and I hope that the additional funding that I have made available will address the shortfall in places. The preschool year is an important time for children, and I am committed to ensuring that a quality preschool place is available for every child whose parents want it, whether they attend preschool through the medium of English or Irish, in their immediate preschool year.

Mr McDevitt: It is only fair to acknowledge the Minister's announcement that we are to see, at very long last, after six years, the nought-to-six strategy. It has taken as many years for the strategy to emerge as it will cover in a young person's life, but better late than never. Let us hope that, although it has been long in its gestation, it is capable of meeting, in every sense, the expectations of Members on all sides of the House. The one thing that we have failed to do collectively as a region for many years is to put young children at the heart of policymaking.

Before I go into the specifics of the debate, it is worth noting that, although much of the motion deals with the current crisis in the allocation of nursery spaces, it also makes a specific call on the Minister. The last couple of lines of the motion asks the Minister to:

"bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school."

The Chairperson of the Committee for

Education: Does the Member accept that PEAGs

were established to ensure that this crisis would not occur? The Minister alluded to that but, as usual, did not expand on it. However, we have ended up in a situation in which we have a crisis and a shortfall, and the Minister thinks that the problem will go away just by throwing money at it. Where were the PEAGs? What advice did they give to the Minister?

Mr McDevitt: That is part of the point of the motion. We need a more interventionist Minister in the areas where she needs to be doing her job and a less interventionist Minister in the areas where it is, to use teenager parlance, a no-brainer to get on with doing what needs to be done in other areas of education.

I would have been much happier if, during the 13-odd minutes that the Minister took to respond to the debate, she had been able to provide us with the leadership that is so absent on this issue and with the specific details of the proposals that she intends to bring forward to address the shortfall. None of us will begrudge a £60 million investment in preschool learning, and none of us will question the commitment of many public servants in this region and the House to that investment, but we will wonder why we had 13 minutes of celebration of a direct rule decision that was made in 1997. It may be a decision that is to our liking and that we feel able to support, but it is one towards which the Minister generally seems reluctant to be in any way favourable. It is normally the case that the Minister comes to the House and makes speeches about the hideousness of British Government decisions. I digress slightly, but the most interesting reference that I ever heard was a reference to an Education Act that provided so many who sit on these Benches with the single greatest opportunity in life. When Members get into that level of politics, they begin to lose the run of themselves and the point of their being here in the first place.

The debate was dominated by one side. It was not a sectarian side; it was a pro-motion side. Mr O'Dowd did his best in three minutes of the six that were available to him to speak up for the issues at the heart of his side of the argument. Mr O'Dowd is a good debater, and we all enjoy the cut and thrust of his argument from time to time, but I think that most of us will have had sympathy for the situation in which he found himself today whereby Sinn Féin was not able to produce a second Member to speak when it had ample opportunity to do so.

Mr O'Dowd: The reason why Sinn Féin did not supply a second Member to speak today is that she was at the Health Committee discussing health issues. She is the Deputy Chairperson of the Health Committee. It took me only three minutes to announce that the Minister had put £1.3 million into the system. If your own Minister would learn how to do that sort of work, it would take only three minutes to do that as well.

Mr McDevitt: I thank Mr O'Dowd for his intervention; it has been one of the easier ones to rebut. I acknowledge the excellent work of the Deputy Chairperson of the Health Committee, a lady we know to have many talents. I have to say that your Benches are well filled, Mr O'Dowd. You are in the second largest party in the Assembly, and the fact that you are relying on Mrs O'Neill to save you and your colleagues from having to justify or defend this argument says a lot about yourselves, as does the fact that you were not able to make more than about three and a half minutes of cohesive argument.

In opening the debate, Dominic Bradley talked about the social need and justice issues at the core of nursery provision. That theme was repeated often on all sides of the House. At the heart of the matter are fundamental issues of equality that are not addressed in the current policy framework and are not reflected in the way that the Department or the Minister respond to it.

Mr Storey talked about the need for leadership, which is a theme that emerges again and again. Basil McCrea asked about the nought-to-six strategy, and I am sure that he will be happy to hear that the strategy is on its way to the Committee. He also asked a specific question about shortfalls, and, to be fair to the Minister, she did as much as she could to address that question. However, there is an underlying issue in that we seem to rely on the voluntary and private sector to buffer demographic shifts. If memory serves me right, there is a 60:40 breakdown in funding between units that are in the statutory sector and those that are not. It is a big buffer and is potentially expensive. That brings us back to the final element of the motion, which is a call for specific strategic proposals to manage the situation. In an intervention, a point was made about occasionally taking the advice of PEAGs.

Mr Lunn was as constructive as ever and repeated the questions about the breakdown between private and public provision. Mr Hilditch

asked specific questions about his constituency. A theme that emerged throughout the debate was young parents often facing their first real encounter with education, at a time when they are most stressed out about the decisions that they need to make on behalf of the young people whose lives have been entrusted to them. Those parents are confused and uncertain; I hear that from my constituents.

Roy Beggs raised an important issue, which is the link between early years provision and a child's potential later in life. If we intervene early, we know that we stand a much better chance of being able to protect children from being at risk in the future.

I hope that the early years strategy is riddled with commitments to invest in the very first years of a child's life. I also hope that, for the first time in many years, we change the culture of this region from being simply about investment in excellence to actually investing in children. I am sure that all sides of the House will support that notion.

Mrs Bradley raised any number of constituency issues, as well as playing the numbers game. The two ladies who seemed to be in the mood to play the numbers game today were Mrs Bradley and the Minister. Lord Browne talked about the experience in East Belfast and the class divide there, as did Jonathan Bell.

We probably all feel that it has been a useful debate. We will be genuinely happy to hear from the Minister that an early years nought-to-six strategy exists and that it is on its way to the Committee for Education.

I will finish by making a simple appeal. Whatever debate takes place about the early years strategy cannot become a debate about the issue that the Minister raised in the three minutes and 20 seconds of her contribution, which was one simple point of policy clouding out the bigger debate. Let us have a debate about the wrong that we need to address, which is the state's neglect of the needs of young children. If we neglect those young children, we sow the seeds of future problems, which will cost us so much to address.

Question put and agreed to.

Resolved:

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure

preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school.

4.30 pm

Motion made:

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

Adjournment

Urban Renewal Area Status: Upper Long Streets

Mr Deputy Speaker: I remind Members that the proposer of the Adjournment topic will have 15 minutes in which to speak. All other Members will have approximately seven minutes.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for selecting the Adjournment topic, and I apologise on behalf of my colleague Gerry Kelly, who is out of the country. I also want to use the opportunity to welcome the Minister to his post. I wish him well.

I welcome the recent decision to approve urban renewal status for the upper long streets, Parkside and the Glen, and the full redevelopment of the area. The campaign has been no fewer than 11 years — almost 12 — in the making. For that reason, I pay tribute to the residents and, indeed, to the wider community for their tenacity and persistence in ensuring that their areas are redeveloped in the way that they deserve. I also pay tribute to the democratically elected residents' groups who, despite the despondence and hopelessness that prevailed, held annual general meetings to set out their programmes of work.

Although I have not worked with the residents' groups for the full 11 years — I have not even been an elected representative for that long — I was disappointed at the way in which the decision was made, simply because my party colleagues worked with them. I was disappointed at the way in which the former Minister announced her decision. I heard about her decision on the radio. I want to ensure, however, that my disappointment is not conveyed to the staff in the Department for Social Development (DSD) who worked with my party, other parties and the elected residents' groups. However, that pinch to an otherwise good news story was unfortunate.

The Adjournment topic was debated on 31 March 2009, which was some 13 months ago.

The then Minister for Social Development, Margaret Ritchie, stated:

"I have asked for those plans to be resubmitted before the end of April [2009], and I want to announce the way forward shortly afterwards. In fact, I have been told that proposals will be with me next week." — [Official Report, Bound Volume 39, p380, col 2].

Thirteen months later, here we are.

The issue was raised on practically every doorstep, particularly in the upper long streets before the most recent election. It became obvious to me and to other parties who canvassed in those areas that all political parties and residents must have the same information, as opposed to the drip feed of information that we have received to date. I appeal to the Minister to rectify that wrong and to start off on the right foot by engaging with all residents' groups in those areas.

I have questions for the Minister, which I hope that he will answer when he is on his feet, although I do not expect that he will be able to answer all of them. I accept and appreciate that he is new to the post. However, I expect answers to some of my questions. Will he tell me when proper consultation and engagement with residents will begin? The consultation that residents' groups secured with the Housing Executive some years ago is due to commence on Wednesday 26 May 2010. It will take the form of a door-to-door survey, which, now that the announcement has been made, will involve residents in setting out the way forward.

I have been asked when the process to redevelop Girdwood will begin. It has always been the understanding, rightly or wrongly, that the site would be used for what is known as "decanting". Now that an urban renewal area has been declared, will homes be purchased? What is the time frame for the commencement and completion of those schemes?

I appreciate that, during various debates, Assembly Members have spoken genuinely on the effects of the economic downturn, particularly on the construction industry. Members who are on the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment have discussed the lack of apprenticeships. I regard the renewal of urban areas, particularly north Belfast, which still suffers extremely

high levels of deprivation, as an opportunity. Not only is it an opportunity to kick-start the construction industry in those areas, but it enables young people who are not in education, employment or training to aspire to be part of that redevelopment. I would like to hear the Minister's thoughts and comments on that.

I would also like to ask how and when the procurement process started, how it was announced, and whether there will be social clauses built into the contracts. I appreciate that I have probably asked more questions here today; but that is what these debates are for. They are questions that I have been asked on the doorsteps and that I have raised through private notice questions and engagements and meetings with the Department.

Residents are concerned that more often than not — I know that it is not the intention of Ministers or Departments — officials describe consultation as putting an advertisement in a public paper and if people respond well and good: they have "consulted". However, since people have campaigned courageously for almost 12 years to have houses that are more than 100 years old made fit for purpose through newbuilds and redevelopment, it is important to scotch rumours that only certain types of houses will be built and that there will be apartment blocks. That was never the understanding at any of the meetings that I attended with the Housing Executive and the Department.

There was to be a housing mix. In my understanding that meant homes that are suitable for people with disabilities or perhaps redeveloping existing flats; there could be a one-bedroom or two-bedroom ground-floor flat beside a three- or four-bedroom family home. At no stage were apartment blocks mentioned. We know that money is scarce and that there will be pressure on housing schemes, but we cannot assume that the bulk of newbuilds will be apartments. People in my constituency know the Department's solution for providing family homes in north Belfast — apartments. That has to end.

I know that the Minister, even before he took up his post, has been acutely aware of the housing situation in north and west Belfast, and perhaps even in Derry city — three of the areas most in need. North Belfast tops the list. It was with great sadness and disappointment that I learned that his colleague Margaret Ritchie

had removed the ring-fencing of funding for the social housing development programme.

Need in north Belfast has not lessened, despite the intervention of human rights and residents' groups; even those who can afford to buy have had to go as far as Glenavy and Crumlin for affordable housing. It causes displacement.

The redevelopment scheme for the upper long streets, the Parkside and Glen areas is an opportunity; it should be a new beginning for us all. We can enter into meaningful dialogue and engagement in the consultation; however, it is crucial that elected representatives and the representatives of residents' groups, some of which represent more than 100 people, be meaningfully involved in the process.

I want to talk about the need to deliver on equality and objective need and about how that will be delivered through the scheme. I mentioned the construction industry and the number of apprenticeships and the fact that high unemployment figures have not gone down. The NISRA report testifies to that. North Belfast suffers proportionately higher levels of homelessness, people in housing need and housing stress. In some cases three families — and, in my area, sometimes four — live under one roof. That is totally unacceptable.

There are opportunity sites at Girdwood and, perhaps, in other places where the Department has land that can be transferred for social housing. We need to try to provide more clarity and detail, particularly when we are talking about decanting families for those homes. I am aware that a significant number of people have bought their homes, but the majority of people living in those streets have not. I am aware that there are huge levels of dereliction. Absentee homeowners are leaving houses in those streets "steeped up". While the residents have put up with that situation on the basis and in the hope that those streets would be redeveloped, we need to look at that as part of the immediate way forward. The people who own those houses need to take responsibility.

The Minister has only to contact pest control at Belfast City Council to have it confirmed that the pest problems in that area are unlike those in any other area of Belfast. I am not waxing lyrical or gilding the lily. The problem has been openly publicised in many local papers. Belfast City Council has done its best to try to find out who the homeowners are. Those responsible for

developing the north Belfast housing strategy, such as Sharon Beattie, have also been very helpful.

I repeat that key to the matter is the involvement of residents, their families and the community in the redevelopment. People see the redevelopment as a massive opportunity for the area. When people see an area being redeveloped, it helps them emotionally and psychologically. It gives the area a lift. The situation will be the complete opposite to the one that we are in now. The fabric of the community that the residents have held together despite everything has to be commended. However, unless there is clarification about the very welcome decision, the sparkle of a very good news story, which is almost a week old, will dissipate. It is important to spell out the detail on procurement. For example, how has this happened? In what way were the residents involved? Will social contracts be built into it? When the contracts are awarded, what will be the process for ongoing consultation and engagement?

I will finish by welcoming the Minister to his post. I look forward to having a good working relationship with him. I consider that to be essential. I see him smirking, but I am being genuine in what I say. We do not have all the answers despite our experience — none of us do — but the residents' experience is priceless. I appeal to the Minister and the Department to engage with the residents on the way forward as soon as possible. The residents are the people who have solely defended and cultivated support for development in the area for a long time. They are the people who have taken it in the neck for other residents. They are the people who, despite all the negativity and, at times, hopelessness, have been inspiring and have insisted that the Department and representatives, such as me, deliver on the promises that we make on the doorstep from one election to the next.

Mr McDevitt: First, I apologise on behalf of Alban Maginness, who would very much like to be here to speak in the debate. As colleagues will know, he is away with the Committee for Enterprise, Trade and Investment in his capacity as Chair.

I welcome the investment. As Ms Ní Chuilín said, it is an important and big news day for people who have been living in a part of the city that, I am sure we all agree, has suffered

more than most, not just from the legacy of the conflict but from the real effect of urban decay and the degradation of public housing.

I grew up in a council house. Thankfully, it was not a council house that was in need of much work. Without question, in communities where we rely on the state or a public authority to put a roof over our heads, the sense of dignity that that roof provides is even more acute, and we are always all the more aware of it. It gives us a sense of pride in who we are. It gives us a sense of purpose to our lives and the opportunity to dream that life can, of course, be better and stronger.

I have been in the long streets on several occasions over the past 15 or 16 years. I have to confess that that was generally at election time, as I do not represent that part of the city. One could not help but be struck by the poor condition of the housing, the inadequacy of its state and the fact that action needed to be taken.

4.45 pm

It has been 13 months since the issue was first brought to the House. However, in light of the debate that we had only a few moments ago about how long it has taken to produce some of the strategies around here, I am sure that Members will accept that, by that standard, 13 months is not bad going. What is important is that we are beginning a conversation today that will, I hope, involve the residents and lead to the transformation of that part of the city. The work that is soon to commence will benefit not only the long streets and the New Lodge area, but the Parkside area, parts of Fortwilliam Parade and, importantly, Queen Victoria Gardens.

I do not want to take up more time talking about a part of the city for which I have no mandate to speak. However, I wish to acknowledge the work of Margaret Ritchie. Throughout her tenure as Minister, she was able to get the maximum amount of public benefit from the budget that was available to her. I am sure that, in succeeding her, Minister Attwood will want to continue to wring every last drop of value out of whatever budget he is handed and, more importantly, to bring dignity to so many thousand people who rely on the agencies of the state to be able to fulfil their right to housing. He will also want to ensure that the long streets do not remain a place of despair or concern but become somewhere where communities can be reborn, not looking back in anger but looking forward, through the eyes of their children and through

the shared services that I am sure we will see some day soon in Girdwood, to the potential of communities that are less divided, less strewn and more able to fully realise their potential.

Mr Lunn: I, too, thank the Minister for following up on his predecessor's recent announcement about funding for new housing in the long streets and the Glen and Parkside areas. I obviously do not represent North Belfast. However, I confess to having some happy memories of it, because I went to school there. I will not go into any particular reason, but Upper Meadow Street is very close to my heart. I do not need to come from north Belfast to know that there is a chronic shortage of social housing there.

The Housing Executive has said that in February, 2,147 people were on the waiting list for housing in that area and 1,427 people were in housing distress. In a society as comparatively wealthy as ours, living in substandard housing should not be regarded as acceptable. It certainly should not be regarded as acceptable for anybody to be forced to bring up their family in someone else's home, perhaps sleeping on a settee for months or years. Stories such as that are all too prevalent in north Belfast. At the moment, my wife and I are waiting for market conditions to improve so that we can sell our house and move to a smaller one, but just a few miles away, three families are living under one roof. That is absolutely appalling.

We are talking about almost the most deprived areas in Northern Ireland. The recently updated multiple deprivation index shows that the census area that covers the long streets is the fifteenth most deprived of 890 areas, which puts it in the top 2%. Water Works 3, which covers the Glen and Parkside areas, is a bit better. It is the seventy-third most deprived area, but that still puts it in the top 10% of the poorest communities. That is even before we take into account the legacy of the Troubles in an area that still lives with deep community divisions. There are interfaces in the long streets and Parkside. The interface in Parkside has been a major barrier to urban renewal and has contributed greatly to dereliction.

There is an irrefutable body of evidence that substandard housing has particularly detrimental consequences on young people growing up. Adolescents living in overcrowded or substandard homes are unlikely even to have a quiet space

to do their homework properly. As a result, there must be a correlation between that sort of housing and poor education performance. Similarly, the correlation between substandard housing and involvement in crime and antisocial behaviour is probably not unrelated.

We all agree that there is a necessity for further investment, added to what has already been announced. However, as the proposer of the motion said, the real challenge is making that investment work.

The Members who spoke previously mentioned how important it is that consultation is done properly. However, I wonder whether consultation is really the right word in this context. In shaping communities, we need genuine participation from the people who will live in them. The current houses on the long streets have stood for around 150 years, and the decisions made now may determine how that community functions for the next 150 years. We are talking about making radical changes to the density of housing and the layout of streets, and about apartments versus terraces. The result, whatever it is, will be fine, as long as it genuinely represents what the community wants and not what the planners want.

Democracy is not just about people making speeches in Chambers such as this one. It is about ordinary people having real control over their lives. We need to get it right in the New Lodge, the Limestone Road and everywhere else in that area, not just for those schemes but so that, in the future, we get it right everywhere in Northern Ireland.

Thank you, Mr Deputy Speaker, for the opportunity to speak in this debate.

The Minister for Social Development

(Mr Attwood): Looking around the Chamber, I am inclined to start by saying: "Speaking to a packed House". However, that would obviously be slightly inaccurate.

I often quote a favourite phrase of mine, which is appropriate when it comes to the success of the residents involved in this campaign, who were aided and abetted by various political parties and by the previous Minister for Social Development. That quote is:

"numberless diverse acts of courage and belief . . . can sweep down the mightiest walls of oppression and resistance."

Whether it is an international, national, or, as in this case, local campaign, that is an accurate expression of what people can successfully do when they are relentless, persistent and face up to resistance from wherever it may come.

Despite what Members may have said about Margaret Ritchie during the debate, through the 11 or 12 years of the campaign, no Minister with the responsibility for housing, in the lifetime of this Assembly or during the years of direct rule, was able to get this decision over the line. Whatever comments may be made in the Chamber or elsewhere, nothing can take away from that reality.

I thank the Members who contributed to the debate and will try to deal with some of the points that they raised. I welcome this opportunity to clarify some of the issues and, importantly, to repeat the very good news that my predecessor, Margaret Ritchie, announced last week. The scale of her diverse contributions and steely leadership is clear to me at the end of what is only my second day in post. I will come back to Members if there are any matters that I am unable to touch on in the time that I have remaining.

Some years ago, the Northern Ireland Executive identified that the upper long streets and the Glen and Parkside areas of north Belfast should be the focus of significant redevelopment activity, such was the poor condition of many homes in those areas. However, although there was agreement that intervention was necessary, no consensus was reached as to what that intervention should be.

We heard today how long it has taken to bring that intervention forward. I say at the outset that there is no doubt that it has taken too long for that work to be completed. Equally, however, let no one claim or hint that Margaret Ritchie is in any way responsible for that. There was a suggestion that, in 2009, she gave indications that the matter would be addressed within weeks. In my view, it would have been folly for the then Minister for Social Development to make announcements that she was unable to deliver on thereafter.

There have been examples of Ministers who have made announcements and, years later, we have regretted at our leisure how those announcements were made and how decisions were taken when a policy, strategy and implementation plan was not in place to take

them forward. Therefore, although the matter has been delayed since 2009, the Minister was entirely right to make a final and full decision only when its immediate and full consequences had been fully acknowledged. I will deal with that matter further shortly.

Plans for redevelopment had been in the pipeline for many years before Margaret Ritchie came into office. Many plans have been developed and discussed with the local community, but none had ever been formally taken through to approval. When Margaret Ritchie visited each of the areas, she was able to see the scale of the problem at first hand. The homes — inner-city terraced houses, some of which were over 100 years old — had reached the end of their lifespan. Some of them had been refurbished several years previously to extend their long lives. In reality, further refurbishment was not a realistic proposition, despite a few suggestions to the contrary. In that respect, the earlier consultation with the community was useful. The results that were announced last week show that we have carefully listened to what the community said.

However, there is another issue to address, which we debated in the Chamber some time ago: the impact of redevelopment on the north Belfast housing waiting list. As Ms Ní Chuilín indicated, that waiting list already has tremendous pressures on it. That is why DSD and Margaret Ritchie needed to develop a complementary solution to the housing problem in the long streets, the Glen and the Parkside. It was not credible, possible nor desirable to simply address the issue of unfit housing in isolation to the needs of those residents who would be displaced as a result of the redevelopment activity. It is not a full solution to solve one problem only to give birth to a new one. That was the perspective of DSD and Margaret Ritchie on this matter.

Therefore, back in February, when my predecessor announced plans to develop social housing at the Girdwood site, she made it clear that that would help to accommodate, if necessary, residents displaced by regeneration activity in neighbouring parts of north Belfast. Plans to develop 200 social homes at the Girdwood site will certainly help to rehouse residents who are displaced by regeneration activity. Clearing that obstacle and creating certainty about the future to that degree allowed DSD and Margaret Ritchie to focus on the final efforts to agree the

scale of redevelopment that was announced last week. Her announcement has ended speculation and allowed residents to look forward to what will happen with some clarity. The announcement created a certainty that work would begin and allowed Margaret, in her last days as Minister, to honour her promise to stand up for residents. Let us recognise that we now have an approved set of plans that can take things forward.

Despite the very challenging economic climate and the pressures already on the housing budget, with the prospect of further savings having to be found, last week's announcement represents a long-term commitment from my Department to the people of the Parkside, the Glen and the long streets. To confirm that commitment, some £7 million of funding has been ring-fenced in the current financial year to allow work to start in each area right away, although work will, obviously, have to be phased over several years.

That represents the start of a process that will transform housing in the affected areas. Alongside our plans for Queen Victoria Gardens — another redevelopment area in north Belfast — last week's announcement represents an investment of £38 million in the area. That investment will see 276 mostly small and unfit homes demolished and replaced by 147 modern homes, which will largely accommodate families —

Mr P Maskey: Will the Minister give way?

The Minister for Social Development: I will in a second. Those homes will largely be for family accommodation and will be built to modern standards in environmental performance and sustainability.

Mr P Maskey: I thank the Minister for giving way. I was born and reared in the long streets, and I am very proud to have lived there. Did I hear the Minister say that the expenditure would start right away? I am not sure whether I picked up what he said correctly.

The Minister for Social Development: I can confirm that I said that work would start right away. It will start right away in a number of ways. That leads me to address the issues that were raised by Ms Ní Chuilín, who asked when proper consultation will begin. My Department is already preparing information leaflets to be distributed door to door so that people in the neighbourhood know what is going to happen.

I agree with Ms Ní Chuilín that the consultation exercise must not consist of box-ticking.

There must be actual participation, because too often in this jurisdiction, the outworking of a consultation is about ticking boxes and is not about the full and proper participation of residents and other communities in decision-making.

5.00 pm

I also confirm to Ms Ní Chuilín that I intend to bring a paper to the Executive shortly to create further certainty about how we will take forward the Girdwood proposals. It is my intention that there will be decanting on to Girdwood from the properties that will be demolished. However, whatever does or does not happen with Girdwood, decanting will be made available in north Belfast for the residents who will be affected by that demolition.

Ms Ní Chuilín also raised the issue of procurement, and the housing association that is appointed to develop that work will take that forward. I want to make it very clear, however, that one of my interests as Minister for Social Development is to mainstream and embed social clauses much more deeply in my own Department's procurement policies. If I can prevail on other Ministers to do likewise with Government contracts, I will do so. Much good work can be done in that area. I apologise that I will not be able to address all the matters that Ms Ní Chuilín and other Members raised, but I undertake to commit to write to Members in the very near future.

The Housing Executive will now start a conversation with each community with the aim of agreeing an implementation plan to take that work forward. That dialogue can begin at once. Just as the community had its rightful say in what we would deliver, it will now have its rightful say in how it will be delivered. Whatever the ungracious remarks that one Member made about Margaret Ritchie, in my view, the grace and dignity that she brought to social development and housing is a much more substantial and significant message.

Adjourned at 5.02 pm.