

Official Report (Hansard)

Monday 10 October 2011
Volume 67, No 3

Contents

Ministerial Statements

North/South Ministerial Council: Education	107
Londonderry to Coleraine Railway	113

Committee Business

Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment	119
---	-----

Assembly Business	133
--------------------------------	-----

Oral Answers to Questions

First Minister and deputy First Minister	134
Finance and Personnel	139

Committee Business

Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment (<i>continued</i>)	145
Department of Justice: Initial Ministerial Provision	149

Private Members' Business

Water and Heating Supplies	149
Dealing with the Past	161

Suggested amendments or corrections will be considered by the Editor.

They should be sent to:

The Editor of Debates, Room 248, Parliament Buildings, Belfast BT4 3XX.

Tel: 028 9052 1135 · e-mail: simon.burrowes@niassembly.gov.uk

to arrive not later than two weeks after publication of this report.

Assembly Members

Agnew, Steven (North Down)
Allister, Jim (North Antrim)
Anderson, Ms Martina (Foyle)
Anderson, Sydney (Upper Bann)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Dominic (Newry and Armagh)
Bradley, Ms Paula (North Belfast)
Brady, Mickey (Newry and Armagh)
Buchanan, Thomas (West Tyrone)
Byrne, Joe (West Tyrone)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Clarke, Willie (South Down)
Cochrane, Mrs Judith (East Belfast)
Copeland, Michael (East Belfast)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Dickson, Stewart (East Antrim)
Dobson, Mrs Jo-Anne (Upper Bann)
Doherty, Pat (West Tyrone)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark H (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Elliott, Tom (Fermanagh and South Tyrone)
Farry, Dr Stephen (North Down)
Flanagan, Phil (Fermanagh and South Tyrone)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gardiner, Samuel (Upper Bann)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hay, William (Speaker)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hussey, Ross (West Tyrone)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Kinahan, Danny (South Antrim)
Lewis, Ms Pam (South Antrim)
Lo, Ms Anna (South Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyttle, Chris (East Belfast)
McCallister, John (South Down)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCarthy, Kieran (Strangford)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McClarty, David (East Londonderry)
McCrea, Basil (Lagan Valley)
McCrea, Ian (Mid Ulster)
McDevitt, Conall (South Belfast)
McDonnell, Dr Alasdair (South Belfast)
McElduff, Barry (West Tyrone)
McGimpsey, Michael (South Belfast)
McGlone, Patsy (Mid Ulster)
McGuinness, Martin (Mid Ulster)
McIlveen, David (North Antrim)
McIlveen, Miss Michelle (Strangford)
McKay, Daithí (North Antrim)
McKevitt, Mrs Karen (South Down)
McLaughlin, Mitchel (South Antrim)
McMullan, Oliver (East Antrim)
McNarry, David (Strangford)
McQuillan, Adrian (East Londonderry)
Maginness, Alban (North Belfast)
Maskey, Alex (South Belfast)
Maskey, Paul (West Belfast)
Molloy, Francie (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Moutray, Stephen (Upper Bann)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
Ó hOisín, Cathal (East Londonderry)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Poots, Edwin (Lagan Valley)
Ramsey, Pat (Foyle)
Ramsey, Ms Sue (West Belfast)
Ritchie, Ms Margaret (South Down)
Robinson, George (East Londonderry)
Robinson, Peter (East Belfast)
Ross, Alastair (East Antrim)
Ruane, Ms Caitríona (South Down)
Sheehan, Pat (West Belfast)
Spratt, Jimmy (South Belfast)
Storey, Mervyn (North Antrim)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)
Wilson, Sammy (East Antrim)

Northern Ireland Assembly

Monday 10 October 2011

The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Beggs] in the Chair).

Members observed two minutes' silence.

Ministerial Statements

North/South Ministerial Council: Education

Mr Deputy Speaker: The Minister of Education has indicated that he wishes to make a statement.

Mr O'Dowd (The Minister of Education): Thank you, a LeasCheann Comhairle. With your permission, Mr Deputy Speaker, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding a meeting of the North/South Ministerial Council in education sectoral format. The meeting was held in the joint secretariat offices in Armagh on 21 September. I represented the Executive as Minister of Education, along with the Minister for Social Development, Nelson McCausland MLA. The Irish Government were represented by Ruairí Quinn TD, Minister for Education and Skills. This statement has been agreed with Nelson McCausland, and I make it on behalf of us both. I will now summarise the main points from the meeting, ranging across all the agreed areas of education co-operation.

First, on the issue of teacher qualifications, the two education inspectorates gave an informative joint presentation on the co-operation in the professional development of inspectors that has developed between them over many years. In more recent times, the link has placed particular emphasis on the professional development of inspectors. Arising from their work together, a joint inspectorate report on how best to promote and improve literacy and numeracy in schools was published in December 2010. The inspectorates also highlighted the ongoing contribution of exchanges, including the publication of a report on the North/South inspector exchange programme.

The Council noted that the ninth annual standing conference on teacher education North and South was to take place over 29 and 30 September

in Cavan under the title of 'Promoting Literacy and Numeracy through Teacher Education'. I understand that the conference was very well received by all who attended.

We also noted the recent initiation of a North/South community of practice that supports Irish-medium teachers. An action plan to support Irish-medium schools for the 2011-12 academic year is being considered by both Education Departments.

The Council discussed collaborative work between the Regional Training Unit and the Professional Development Service for Teachers on issues of school leadership. We noted that a report entitled 'Leadership Matters' is being examined by both Departments with a view to its being published.

We welcomed the ongoing liaison between the two teaching councils on issues relating to teacher mobility in both jurisdictions. We also learned of progress on the provision of information on pension issues for teachers who wish to transfer to work in the other jurisdiction. The Council welcomed the publication of literacy and numeracy strategies by the Education Departments and their commitment to tackling underachievement in literacy and numeracy, especially among those from the most disadvantaged backgrounds.

We welcomed the collaborative work being taken forward by those Departments. That work included a successful joint conference entitled 'Promoting Literacy within and beyond Schools', which took place in February 2011. There has been continued support for maths week Ireland: a series of events took place last October aimed at promoting the awareness, appreciation and understanding of mathematics for all.

Other possible areas for 2011-12 include further work with Children's Books Ireland. The aim is to develop a programme with a specific

focus on re-engaging 10- to 14-year olds in reading and on opportunities for joint working on common priorities set out in the Departments' respective literacy and numeracy strategies. There is also a proposal for a peer learning event on school attendance, with a focus on post-primary pupils.

The Department of Education has commissioned research into good practice and partnership approaches between school and family in deprived areas in promoting the regular school attendance of pupils of compulsory school age. I expect a report on those matters by March 2012. I also expect the task force on Traveller education to present its report and recommendations to the Department of Education. My Department is working on a draft action plan, with a view to carrying out a consultation between January and March 2012. The Council also welcomed collaborative work on developing a toolkit for diversity to support the professional development of middle management in schools.

The Council welcomed the continuing progress made by the Middletown Centre for Autism, including the delivery of training to professionals and parents. That includes developing links with special education support services and the Inter-Board Autistic Spectrum Disorder Advisory Service, as well as a continuing programme of research. The centre's most recent publication documents relevant research on autistic spectrum disorder (ASD) in girls and the continuing research on sensory provision and working memory for those on the autism spectrum.

The centre has also worked with the Department of Education on capacity building for special educational needs. We welcomed the progress made by the centre and the two Education Departments on the development of a multi-annual plan for the future development of the centre. We looked forward to the continued efforts of all parties in the months ahead. A paper is due to be presented to both Ministers in late autumn. The Council noted that discussions are at an advanced stage between the centre and both Education Departments on finalising the overall budget allocation for the 2011-12 financial year, recognising the need for the centre to operate on a sustainable basis.

The Council noted that the first paper from a comprehensive study on North/South co-operation in the education sector has been agreed and

finalised by the two Departments. In preparing for part two of the study, we recognised that the current budgetary climate presents opportunities for joint school planning in border areas. We agreed that the two Education Departments should jointly design and conduct a survey to establish the current and future schooling capacity and need in border regions and the level of demand from parents and young people for the option to choose a school across the border.

The Council noted that the second year of the pilot enterprise strand of the dissolving boundaries programme has been successfully completed. We look forward to receiving a joint report from both inspectorates when they complete their formal evaluation of the programme.

The Council discussed a review of the work and remit of the North/South education and training standards committee for youth work that is being considered by both Education Departments. We also noted the ongoing discussions on future co-operation on the endorsement of youth work qualifications to ensure and support best practice and facilitate professional mobility and exchange, North/South and east-west. We welcomed the proposals for the 2011-12 North/South student teacher exchange project.

The Council agreed that the North/South Ministerial Council in education sectoral format should meet again around November or December.

Mr Storey (The Chairperson of the Committee for Education): I thank the Minister for his statement this afternoon. Given the detail, or lack thereof, that he gave about the Middletown centre, why, after a number of years, do we still not have an updated, phased multi-annual plan? It was set out in the agreement by the North/South Ministerial Council that such a plan would be produced. Seven months into the current financial year, why are we being told that work is still ongoing on finalising the overall budget allocation for this year:

“recognising the need for the centre to operate on a sustainable basis”?

Is the Minister coming to the conclusion that many in the House came to a long time ago, which is that the centre at Middletown is no longer sustainable?

Mr O'Dowd: I thank the Member for his question. No, I have not come to the conclusion that the

centre is unsustainable. As with all areas of work in the Department of Education, I want to be sure that the work is sustainable. Until contrary evidence is brought to my attention, I am of the view that the centre is sustainable. A lot of good work is going on in the centre, and young people with autism and their families have benefited from that work.

The reason for the delay in the multi-annual development plan is that I am awaiting a report from my colleague Minister Ruairí Quinn and his Department. I have spoken directly to Minister Quinn, and my officials have spoken directly to his officials, about that proposal's coming forward. I await that proposal, and once it is on my table we will be able to map out a clear and defined way forward for the Middletown centre.

Mr McNarry: Is the Minister attempting to use children to dismantle the border by some other means? In his statement he reported that:

"the two Education Departments should jointly design and conduct a survey"

to establish what the demand would be for children to choose a school across the border. What exactly are you up to, Minister? Where does that move sit with the audit that you have just commissioned?

Mr O'Dowd: I am about educating children, and I want to assure myself and my Department that the border is not an obstacle to education. Whether the Member likes it or not, families and communities cross the border all the time and have no knowledge of a territorial boundary being there. They see themselves as being one community, they move back and forth, and it is only logical that, if we can provide schools that are of mutual benefit to both sides of the island, we should do so. We have established a survey to register the demand for cross-border school planning and to decide how we can remove obstacles to that. Currently, around 250 children transfer across the border on a daily basis. If we are moving forward and planning a new schools estate, I and Minister Quinn want to be able to build schools that are of mutual benefit to people on both sides of the border and to build them in the right place. That is what it is about.

It will have no bearing on the audit that I have asked to be conducted. It may have a bearing on future area planning, and it is common sense that if we can share resources to our mutual benefit we should do so.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis as an ráiteas a thug sé anseo inniu. Ba mhaith liom ceist a chur air faoi na moltaí atá sa tuarascáil a d'ullmhaigh an cumann ar mhalartuithe *[Interruption.]*

Mr McNarry: How long are you going to take to ask this question?

Mr D Bradley: — oideachais Thuaidh agus Theas, agus cén uair a chuirfear na moltaí sin i gcrích —

Mr Deputy Speaker: Will the Member ask his question and translate please?

Mr D Bradley: Gabh mo leithscéal.

Mr Deputy Speaker: Will the Member ask his question and translate please?

Mr D Bradley: Mr Deputy Speaker, I was in the process of asking a question when you interrupted me. I shall now translate my question, as required by the rules of the House.

Mr Deputy Speaker: Will the Member please sit down?

Mr D Bradley: No, I refuse to sit down.

Mr Deputy Speaker: Will the Member please sit down?

Mr D Bradley: Ní shuífidh mé síos.

Mr Deputy Speaker: I am chairing this event today. Will the Member please sit down?

Mr D Bradley: Is cuma liom.

Mr Deputy Speaker: Will the Member please sit down? I wish to speak.

Mr D Bradley: Bhí mé ag cur ceiste nuair a chuir tú isteach orm toisc gur chuir an fear sin isteach.

Mr Deputy Speaker: Is the Member challenging the Chair?

Mr D Bradley: The Member is challenging the Chair.

Mr Deputy Speaker: Will the Member please sit down?

Mr D Bradley: Yes.

Mr Deputy Speaker: I remind everyone that the Chair is chairing a meeting of the Assembly. If the Speaker or a Deputy Speaker asks someone

to sit down, I ask that people respect that. I gave the Member a degree of time to ask his question, but I did not hear that question. I then asked for a question and for a translation. I ask the Member to ask his question and to ensure that there is order in the House. I ask that everyone please respects the Speaker.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Thank you for that ruling, Mr Deputy Speaker. I am pleased that you are in authority here rather than Mr McNarry.

Will the Minister state what action is being taken to implement the proposals prepared by the North/South Exchange Consortium on educational exchanges? When can we expect to see some movement on that report?

12.15 pm

Mr O'Dowd: The Member will be aware that, since the establishment of the North/South Ministerial Council and the sectoral meetings, there has been an opening up of the border in regard to education. Many matters that were once forbidden are now being developed across our education sectors. The report he refers to is only one of several that my Department is dealing with and implementing sections of. As I outlined in the statement, several major pieces of work are ongoing or developing in relation to the cross-border and all-Ireland educational format. I am aware of the reports of that body. A number of its proposals are being implemented, as are proposals from reports by several other sectors.

Mr Lunn: It is with some trepidation that I ask a question about the Irish-medium sector. The Minister referred to an action plan to support Irish-medium schools for the 2011-12 academic year. Will the Minister expand on that slightly? Does it mean that there is a question of favouritism towards a particular sector? The Irish-medium sector is not the only one in need of an action plan or extra funding.

Mr O'Dowd: No favouritism is being shown to any sector. I am meeting the legal obligations of the Department as set out in legislation and the principles of the Good Friday Agreement. That item is on the agenda of the North/South Ministerial Council sectoral format meeting because my colleague Minister Quinn and his Department have resources that we wish to access in regard to supporting the Irish-medium sector. They have a much more advanced sector

than we have, and it is only logical that we learn and garner support from them in relation to the Irish-medium sector.

Miss M McIlveen: I note from the agenda that teachers' superannuation was to be discussed at the meeting but has not been reported on. Will you give an explanation for that?

Mr O'Dowd: Superannuation is an ongoing issue in discussions between my Department and that of Minister Quinn. We want to reach a point where both jurisdictions recognise and work within the superannuation framework. We want to ensure that we are removing the obstacles for teachers flowing back and forth, so that they can take advantage of job opportunities. When there have been further developments, I will report to the Assembly and the Committee.

Mr Craig: I noted with interest the section of the statement on special educational needs and the Minister's commitment to continue with the Middletown Centre for Autism. Will you assure the House that Middletown will be asked to work much more closely with existing autism organisations than it has done in the past, and that you will look after those with special educational needs? In my constituency we face the closure of a special educational needs unit.

Mr O'Dowd: I assure the Member that, where appropriate, the Middletown centre will and does work with relevant statutory and non-statutory agencies on both sides of the border. I cannot comment on the matter he raises regarding his constituency. If he writes to me I will respond, but I have no detail before me as regards it.

Mrs Dobson: I note that the Department has commissioned research into good practice and partnership approaches between schools and families in deprived areas. Has the Minister considered looking into the results of neighbourhood renewal projects that are ongoing between schools and colleges, including those in Craigavon in our constituency?

Mr O'Dowd: The Member raises a good example of how Departments and agencies can work together. A number of the projects ongoing in the Craigavon neighbourhood renewal scheme are worthwhile and are showing results for young people from deprived areas, as well as showing the benefits and value of education. All examples of good practice will be explored and shared at the North/South Ministerial Council meetings.

Mrs Hale: What meetings has the Minister had to date with his colleague Michael Gove and his counterpart in Scotland?

Mr O'Dowd: I have had no meetings to date. I have said in the House previously that I am more than happy to meet Michael Gove or my counterpart in Scotland, but I have had no request to meet either counterpart on those matters. I have been in correspondence with them regarding matters of mutual concern and areas that Mr Gove announced on television before letting us know formally, but that appears to be his style. However, I have no difficulty working east-west or North/South and building relationships.

Mr Nesbitt: The Minister referred to a conference on promoting literacy within and beyond schools. I wonder whether he has an opinion on the Book Buddies initiative, which has been undertaken in the American state of Oklahoma, in which an old people's home has become a centre of learning, with one-to-one engagement, resulting in higher literacy rates for the young people and a reduced reliance on medication for the older people.

Mr O'Dowd: I do not have detailed information regarding the matter to which the Member refers, but I would be happy if he could share it with me so that I can examine it. Even from the commentary that he has made about the issue, I think that it is an interesting proposal because we have to break education out of the classroom and the school playground back into the community, and imaginative ways, such as the one that he suggested, are worth exploring. Regardless of the best efforts of our teaching profession, we cannot expect teachers to take on the whole burden of education, as strange as that may sound, because various reports have shown that up to 80% of a young person's educational attainment takes place outside the school and the classroom, and community initiatives such as that one are worth exploring.

Mr Allister: The Minister said that he has no difficulty working east-west, but this statement, like so many, is a litany of collaboration between North and South on all these issues. Under the Minister or his predecessors, when has there ever been such collaboration with the education authorities of the nation of which we are a part — the United Kingdom? Why has he not been meeting the Ministers of the United Kingdom?

Does he not think that that might be a more useful usage of his time?

Mr Deputy Speaker: There are several questions there. You risk only one being answered.

Mr O'Dowd: I will respond to the first question. The clue is in the title: North/South Ministerial Council meeting.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement, and I welcome the part that explores joint school planning in border areas. Is there any indication as to the possible savings that could accrue from that part of the statement? How long might the survey take to carry out?

Mr O'Dowd: The savings element of the work has not yet been conducted. The reason why we are carrying out the survey is because we wish to identify demand. Once we have identified demand, we will work on the financial implications and whether they are negative or positive. However, it is interesting to note that, at the meeting, Minister Quinn said that it should be cost-neutral. His proposal was that each Department, regardless of the jurisdiction, should still cover the costs of pupils or children as they cross the border. Therefore, in that sense, it appears to me that any proposal should be cost-neutral.

If we move towards possible joint development of schools, that may be more complicated to resolve with regard to costings, capital builds and so forth. However, we wish the survey to be completed between now and April, and we want the results back in so that they can be studied and we can move on.

Mr McDevitt: There is a surplus of places in many of our border schools, which, according to the Minister, could threaten their viability, and there is also a shortage of school places in many parts of the Republic. Will the Minister tell me whether he has specifically discussed with Ruairí Quinn TD the possibility of making school places in the North available to Southern students to ensure the viability of our border schools?

Mr O'Dowd: Yes. It has been a topic of debate with Minister Quinn on several occasions. This is not simply about a cross-border issue and about ticking a box. This is about providing real education to real young people who live in border communities. If we can secure a

number of smaller rural schools on this side of the border, I am happy to implement that policy and move it forward. However, we have to carry out the survey first to see where the demand is. We also have to deal with a number of legal matters, such as free travel and provision of services, to determine whether we still comply with European legislation. I have asked my Department to explore that further. I have also asked the Attorney General for guidance and information on the provision of transport, et cetera, across the border. All of those matters are being explored.

(Mr Speaker in the Chair)

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. In light of the joint inspectorate report published in December 2010, what are the next steps for literacy and numeracy?

Mr O'Dowd: I must say that the presentation from the two inspectorates was very good. It is clear that the inspectorates are working closely together and have obtained mutual benefit from their collaboration and sharing of good practice across the board. It has been a productive piece of work.

One of the benefits of the inspectorates' working together is, as I said, that they examine best practice across that field. They share that knowledge so that our inspectorate can come back and help the Department to develop policy. That also allows its Southern counterpart to help to develop policy by taking on board the good work that we do, especially that which relates to our newest policy on numeracy and literacy.

The inspectorate is one of the key elements in improving numeracy and literacy. It inspects schools; it sees teachers' practice at work; and it sees leadership in the classroom, the principal's office and from the senior management team. Therefore, its development can help us to develop numeracy and literacy skills.

Mr Flanagan: Gabhaim buíochas leis an Aire as a ráiteas. Will the Minister update the House on the issues facing those who wish to become teachers on the other part of the island? What is being done to harmonise all-Ireland teaching qualifications?

Mr O'Dowd: The teaching councils in both jurisdictions are conducting a study and producing a report on the obstacles to teacher qualifications on either side of the border. I

hope that the report will soon be completed. When it has been delivered to both Ministers and we have agreed on action points, we will move expeditiously to remove any barriers that may exist.

Mr Speaker: That is the end of questions on the ministerial statement.

Londonderry to Coleraine Railway

Mr Speaker: I have received notice from the Minister for Regional Development that he wishes to make a statement to the House.

Mr Kennedy (The Minister for Regional Development): Mr Speaker, with your permission, I wish to make a statement on the Londonderry to Coleraine railway line. As many Members will be aware, there has been considerable interest in that issue over recent weeks. That is due to the large number of people in the north-west and, indeed, throughout Northern Ireland who have a strong desire to see that railway line upgraded.

The mayor of Derry City Council organised the meeting that took place on 24 August 2011 in the Guildhall in Londonderry. It was convened to allow representatives of political parties, community groups and the business sector to discuss the importance of the local railway line to the north-west area, particularly in view of the year of culture activities, which are at an advanced stage of planning, and the impact of Translink's proposals to maintain safety standards on the line in light of the limited capital made available in Budget 2010.

On hearing about the planned meeting, I asked to be allowed to attend to hear at first hand the views of all local representatives, including you, Mr Speaker. The meeting lasted for about two hours. All those who spoke were direct and to the point. As I said to Members during the Adjournment debate on 12 September, the strength and depth of feeling expressed at that meeting and the validity of arguments made required me to consider what, if anything, could be done.

Following the meeting, I tasked my officials to work with Translink to consider all options. I want to update the House on the outcome of that work. Let me begin with a little background information. The regional development strategy and the regional transportation strategy both refer to the need to improve public transport links between Belfast and Londonderry. Given the continued investment in new trains and the clear growth in passenger numbers, investment to secure the condition of the railway track was seen as crucial.

12.30 pm

The original business case to justify the investment in the Coleraine to Londonderry line was approved by the Department of Finance and Personnel (DFP) in November 2010. The approved option was single track relay with a passing loop and appropriate bridge works, at an estimated cost of £75 million. Had funding been available from year 1 of Budget 2010, the project would have begun immediately and been completed during 2013. The project aimed to deliver a 30-year design life and the removal of existing speed restrictions, with a capacity for an hourly train service initially.

Under that option, the line would have been closed for about 12 months for relaying to take place. The option of working evenings and weekends rather than closure would have more than doubled the cost and may have quadrupled the time.

In February, my predecessor decided to defer the commencement of work on the Londonderry to Coleraine railway line until 2014-15. Some £20 million was set aside in the current Budget to commence the work. That decision was confirmed through a written answer to an Assembly question asked by the Member for East Londonderry Mr George Robinson.

As we all know, doing absolutely nothing is rarely an option. There are major issues with the condition of the existing track that need to be addressed if safety risks are to be managed properly. Therefore, Translink officials developed plans for immediate safety work on the worst part of the line at a cost of £7 million. Even under that understandable make do and mend approach, train speeds would still have to be reduced to avoid risk to passengers. That meant line capacity for only five return trains a day, because of the lack of a passing loop and the interdependence with other train services on the network. It was the release of that detail that precipitated the discussions on 24 August, which I referred to earlier.

As I said, because of the concerns expressed, I tasked my officials to work with Translink to identify other options. As a result, I am pleased to inform the House that it will be possible to re-phase the project. That will mean relaying the end section of the line at Coleraine and Londonderry and completing essential bridge works on those parts, a phase of the project that will cost around £27 million; completion

of re-signalling works between Coleraine and Londonderry and construction of a new passing loop in 2015, which is estimated to cost around £22 million and should deliver hourly services; and full relay of the track by 2021 at an estimated cost of £36 million, which should lead to the introduction of half-hourly services.

That option was tested by updating the original economic appraisal. The appraisal indicated that the new phased option is comparable to a full relay in net present cost terms and, in the current circumstances, has a better non-monetary score. Specifically, the 2013 City of Culture factor and the opportunities to promote major sporting and cultural events have also been considered. Critically, the phased option is considered affordable within the parameters of my Department's current budget.

Translink officials have assured me that, if they get the go-ahead by the end of October, the first phase — the relay — could be completed in April 2013. We need to be clear that there are risks. For example, the proposed timetable is on the basis that the procurement process can be completed without complication.

I also want to make it clear that the line will be closed completely for about nine months from July 2012 until April 2013. The line, therefore, will be closed for the start of the City of Culture year. However, it will be open for most of the key events in the City of Culture calendar, with eight return services a day.

The recommended option in the updated appraisal was approved by the Northern Ireland Transport Holding Company board and its accounting officer and submitted to my Department on 19 September. My officials and I gave it urgent consideration and agreed that the economic case for the phased option was acceptable in the circumstances. The addendum has been submitted to DFP Supply, with whom there has been constructive engagement. I do not expect any issues to arise with DFP approval.

I will now turn to funding. The updated appraisal makes it clear that about £27 million of capital funding is required in 2012-13 to allow the first phase of the project to go ahead. I realise that the Executive's capital budget is under pressure, so I am prepared to find that capital from my existing budget by re-profiling some planned strategic road schemes. I stress that the re-profiling will mean that there will be merely a six to eight-week delay in starting those projects.

I estimate that that will provide about £22 million of the required sum, and I am looking to Translink to re-profile its current and future capital expenditure to provide the rest.

The choice of road schemes to be re-profiled will have to take account of the commitments made by the Republic of Ireland Government to the A5 and A8 schemes, the current state of progress on those and other road schemes, including the A2 and A6 schemes, risks arising from procurement, and, critically, the capacity of the construction industry to deliver on the roads programme.

I know that many Members will agree that there remains a strong economic case for ensuring that the roads budget is adequately funded. I realise that there are other competing priorities for the £22 million, not least capital investment needs in water and sewerage systems in my own Department's budget. Under present plans, however, some £50 million would have been required to complete the full relay option in 2015-16. That will no longer be directly required for this project and could be switched back to the roads budget if required at that time. That would, of course, be subject to Executive consideration in relation to the next Budget period.

I am sure that colleagues will agree with me on the compelling case for investment in the Londonderry to Coleraine rail line. The arguments in favour of the proposal are based not on a narrow economic analysis but on the wider imperative of completing that phase of track enhancement in time for the 2013 City of Culture. The work will also complement and assist the Department of Enterprise, Trade and Investment's efforts to secure major golf tournaments and other prestige events for the area.

I am aware of previous problems with the Belfast-Bangor line relay, including poor specification and project management, as well as budget overruns, which led, rightly, to criticism by the Public Accounts Committee. I am determined that that will not happen in this case, and I will task my officials accordingly.

At the Executive meeting on 6 October, I asked Ministers to agree that I re-phase the Londonderry to Coleraine rail line project, doing the relay and essential bridge works first and the signalling, passing loop and remaining bridge works after the 2013 Year of Culture. There was full agreement to that proposal.

In my view, this decision secures the Londonderry to Coleraine rail line's future. Indeed, I will wish to see further investment in that railway line so that, in years to come, a high-speed and frequent railway service will operate between the north-west and Belfast and onwards to Dublin and Cork. Rail services will operate eight trains a day for most of the City of Culture year. When the other two phases of the project are complete, the opportunity will exist for increased and more frequent services.

This decision sends out a clear message that the Executive are determined to ensure that opportunities arising from potential cultural, tourism and sporting events will be fully supported. It also clearly demonstrates that we can and do listen to what people say to us.

I thank Catherine Mason and her team at Translink for their help in making this proposal a reality. I know that they all put a lot of work into the project in recent weeks, and I am grateful for their assistance. I also pay particular tribute to my own officials in the Department for Regional Development, who worked exceedingly hard in the past few weeks to make this proposal possible.

Today's announcement is good news for the people of the north-west, the people of Northern Ireland and the many hundreds of thousands of visitors who come to this fine land and use that scenic railway line. I am sure that they will all join me in supporting this good news. I am also pleased to inform the House that I have given Translink officials permission to proceed, and an advert will appear in the European journal within the next week or so.

I look forward to being on the train to Londonderry in April 2013, and I trust that as many Members as possible will join me in visiting the Maiden City during the City of Culture year. I commend the statement to the House.

Mr Spratt (The Chairperson of the Committee for Regional Development): I welcome the Minister's statement and thank him for briefing the Deputy Chair and me earlier. I believe that this is a common-sense approach to a critical part of our rail infrastructure. I will not rehearse in full my comments in a debate on the Londonderry line on 12 September, other than to say that this will represent a major boost to the economy of Northern Ireland in the year of the UK City of Culture.

I note that the Minister refers to commitments of the Republic of Ireland Government in respect of the A5. Will he advise the House whether he has any further update on the availability of resources from the Republic of Ireland Government? Will he also assure the House that, despite Translink's indication that the upgrade "could" be completed by April 2013, he will do all in his power to ensure that the works will be completed for 2013?

Mr Kennedy: I am grateful to the Chair, Mr Spratt, for his encouragement and that of his Committee. I agree that the announcement will give a huge boost to the local economy in the north-west and has the capacity to generate significant opportunities for culture and tourism as we move towards 2013 and beyond.

The Chair of the Committee has made reference to the A5 and A8 schemes. He will know, as the House knows, that I am awaiting the inspector's report to update me on views on the A5 and A8 schemes. That is my standard response. I am not in a position to comment, and it would not be sensible or proper for me to do so; the Chair of the Committee and other Members understand that. However, I believe that the upgrade is possible by 2013. I hope, and will work positively to ensure, that works are completed in time for the celebrations in April 2013.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas.

I thank the Minister for his statement. I welcome his clear statement of commitment — indeed, the Executive's clear commitment — to the Derry line. From his visit to the Guildhall in August, the Minister knows the importance that people place in the railway line as a key piece of infrastructure for the regeneration of the north-west and for the City of Culture.

The Minister noted some concern about the procurement process. What steps can he take to ensure that there are no glitches in that process so that, as he arrives on the first train into Derry in April 2013, we can all be there to welcome him?

Mr Kennedy: I welcome the Member's comments, which represent significant progress on his behalf. He will no doubt recall the statement he issued on 24 August 2011, in which he said:

"It would seem that Danny Kennedy — true to the historical Ulster Unionist Party approach to everything that would benefit Derry — is determined to dismantle all of the foundations for progress".

The Ulster Unionist Party got the blame for basically everything that had gone wrong over a generation, when he said that it was:

"All denied to Derry by the Ulster Unionist Party!"

12.45 pm

I am sorry that the Member, in his contribution, was not a little bit more aware of what he had said earlier, but I welcome the fact that he has at least given grudging approval to my announcement, because, in his response to the announcement, he was out like Linford Christie. The ink was not dry on the Executive decision before Mr McCartney had a statement out welcoming it. I hope that it nails the false and offensive allegations that were peddled by Raymond McCartney and others from Sinn Féin in relation to how the Ulster Unionist Party approached issues around the north-west. His contribution, though late, is welcome.

It is my intention to monitor progress on procurement issues. Obviously, if legal issues arise, they will be subject to their own timetable, but I am very hopeful and optimistic. I, as Minister, my Department and Translink will want to see the progress that we have indicated here, the necessary work carried out and the line reopened in April 2013.

Mr Beggs: I thank the Minister for his statement. He referred to previous difficulties with the Bangor to Belfast relay. Will he ensure that detailed plans are approved for this relay before the contractors come on site, so that the relatively tight timetable can be met? Will he ensure that the proper procurement process occurs when appointing contractors?

Mr Kennedy: Yes.

Mr Byrne: I wholeheartedly welcome the Minister's statement. He has responded to the genuine concerns of the people of the north-west. I am happy to say that I said at the last debate on the issue that some sort of rescheduling was surely possible, and I think that has now happened. Will the Minister assure us that the procurement process will be expedited, so that there are no bottlenecks, as Roy Beggs said? Secondly, can he give an assurance that the A5 will in no way be delayed unduly?

Mr Kennedy: I am grateful to the Member for his contribution. He has perhaps shown a little more faith in me than others have done. I understand from both the Member for East Antrim and the Member who has just spoken that procurement issues are important. It is important that my Department and Translink work together to ensure the smoothest possible outcome that meets the required deadlines. I have already indicated the restrictions on what I am able to say about the A5, and I think that the Member understands that.

Mr Dickson: Thank you, Minister, for your statement. It is a very welcome statement indeed. I wish to press you, as others have done, with regard to the procurement process. It is generally given that the construction work will probably flow well to a timetable, but we have had hiccups in the past in relation to the procurement. Will the Minister assure us that the procurement process will be scrutinised regularly, if not daily, by his officials to ensure that it meets the timetable set down?

Mr Kennedy: Yes.

Mr Campbell: I join in welcoming the Minister's statement. I also thank him for coming to the Guildhall in Londonderry in August, which he did of his own volition, and for responding to the adjournment debate that was tabled by my colleague Adrian McQuillan several weeks ago.

The Minister will be aware of the old saying that just because we are not paranoid, it does not mean that they are not out to get us. Taking account of that and setting it to one side, however, the one issue that I hope he can respond to is that his Translink officials, at the time of the Guildhall discussion and subsequently, said that, even if the money were available there and then, there would still not be enough time to get the line open and up and running for 2013 UK City of Culture. Will he explain to the House, now that the money is available, how the work will be done in time?

Mr Kennedy: I am grateful to the Member for his contribution. The context of the remarks that were made in the Guildhall meeting was absolutely clear. In the context of the overall scheme, the estimated cost of which was £75 million, it was simply not possible to meet the timescale. The fact that we are now phasing the work makes it possible for the essential relay and bridge strengthening to take place. Effectively, that will allow us to get the work

done over a nine-month period so that we will be up and running from April 2013.

Mr Doherty: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and for the briefing that he gave to me and the Committee Chairperson earlier today. I also welcome his belated commitment to the north-west; developments like that are always good. I understand the constraints of the independent inspector's report. It is my understanding that, of the £27 million required, £22 million will come from the A5 project. That will lead to a delay in the start of that project by six to eight weeks. At what point will the £22 million go back into the A5 project?

Mr Kennedy: I thank the Member for at least having the good grace to welcome the statement and the announcement. I shall ignore his backhanded compliment about commitment to the north-west. My view, and that of my party, is that we have, and always have had, a strong commitment to the north-west and to the great city of Londonderry, and that remains. Today's statement is proof of that.

I have had to re-profile moneys from within my budget. Therefore, the £22 million that is being used for this work will, or could at some stage in the future, technically, because it is a transfer from roads to rail, transfer back as necessary. It is about management of my budget to enable this sensible and appropriate decision to be taken forward.

Mr Moutray: I thank the Minister for his very positive statement. The current journey time between Belfast and Londonderry is approximately two hours and 15 minutes. Will the Minister indicate whether the work that is hopefully going to be done before April 2013 will have an impact on that journey time?

Mr Kennedy: I am grateful to the Member for his welcome, and I thank him for it. The relay work is essential for safety, and, to a limited extent, it will also help with journey times. However, there are other factors, such as where in Belfast those journeys begin and their speed. The long-term intention is that we not only improve the line and introduce a loop system that will increase the number of trains on the line but shorten journey times. The Member's point is well made, and we are conscious of it, but we want to build on that positively.

Mr Copeland: Will the Minister advise when he expects to get the final Department of Finance

and Personnel approval for the commencement of the work?

Mr Kennedy: I thank the Member for welcoming the scheme. *[Laughter.]* We have worked and engaged constructively with officials and, indeed, the Minister of Finance and Personnel on this matter. It shows a degree of joined-up government. I am also pleased that the Executive gave their approval to the recommendation. I think that it is good decision for not only the House but the Executive. Members should dwell on one issue: had the work not been brought forward and we faced the prospect of Londonderry's being the City of Culture in 2013 without any serious kind of rail link between there and Belfast, we would all have been numpties and would have been branded as such. That applies not only to Members of the Executive but to Members of the Assembly. I think that the public understand that, and it proves that we are listening and are capable of listening to public opinion. It also proves that we are capable of moving forward on a value-for-money basis.

Mr Dallat: I also welcome the Minister's statement and the commitment that he gave this afternoon with no ifs, no buts and no begrudgery. I am absolutely delighted. I fully understand the difficult circumstances that the Minister inherited from the previous Minister. Can he give us a guarantee today that the stop-start approach to the renaissance of that most wonderful railway is now definite and that we can have, in as short a time as possible, a decent intercity service between the cities of Derry and Belfast?

Mr Kennedy: I thank the Member for his acknowledgement of today's announcement. I know that he has an abiding interest, which he has shown in the House, in the upgrade of rail services between Belfast and Londonderry. I reassure him that the announcement gives clear confidence to the long-term viability and future of rail services between Belfast and Londonderry. That is to be welcomed. There is much more work that we can do and get on with. The Member knows that this is a positive day and that it should be seen as such. Many people, including Michael Palin, love the journey and make it not only to conduct business but to enjoy tourism and the scenery, which is very special. I hope that word will have reached Michael Palin that we are able to do something and that this parrot is not dead after all. *[Laughter.]* We have been pleased to put life into

the project. So, I thank the Member for his very positive comments.

Mr Storey: I, too, welcome the Minister's statement this afternoon. I remind him that, to get to Coleraine, he has to go via the Ballymena and Ballymoney stations in north Antrim. However — there is a “however”, of course, in all these things — the Minister referred to risk. He outlined the issues on the re-profiling of some planned strategic road schemes, such as the A8, the A5, the A2 and the A6. Will he assure the House that that re-profiling will not in any way inhibit or stall the A26, which is, equally, a very important part of the transport infrastructure of north Antrim?

Mr Kennedy: I am grateful to the Member for his words of welcome and his timely reminder that anyone who uses that line has to travel through his constituency, which is really what he meant. *[Laughter.]* The A26 is, at this point, still within his constituency boundary.

As they know, all Members have put forward many projects for consideration. I hope very much that, given my overall budget, we will be able to bring forward projects to deal with road improvements, strategic and otherwise, as we move forward.

I am not in a position today to say that upgrading the line will impact on a particular scheme, but my commitment is to upgrade the roads infrastructure all over Northern Ireland and, likewise, to improve rail services.

1.00 pm

Mr Swann: I welcome the Minister's statement, and I congratulate him on this significant development. I welcome the fact that he has found the funding from his existing budget. What is his assessment of the increased tourist potential that the upgrade will bring to the entire north-west, the north coast, Ballymena and Ballymoney? What is his assessment of how the railway line can be seen as a legacy from Londonderry's time as the UK City of Culture?

Mr Kennedy: I thank the Member for his welcome for the statement. The upgrade will help to unlock the potential for significant investment in tourism and cultural and sporting opportunities. My Executive colleague the Minister of Enterprise, Trade and Investment is actively pursuing how we can bring a major golf championship to the north-west. I have no doubt that an effective and efficient rail

service between Belfast and Londonderry would contribute to that. To that extent, I am hopeful that it will be seen as a clear signal not only of the development of the north-west but of promoting cultural, economic, sporting and other links in Northern Ireland generally so that all of us can benefit.

Mr Durkan: I also welcome the Minister's statement, which will be extremely well received in my constituency. I congratulate him on listening to and acting on the measured arguments that were made by the people of Derry. Are attempts ongoing to access European funding that might enable the project in its entirety to be completed more quickly? Should the total cost estimate include the cost of the renovation, reconstruction or even relocation of Waterside train station to ensure that it is fit for purpose and to maximise the service's potential?

Mr Kennedy: I am grateful to the Member for his initial comments and warm welcome for the announcement. Having received half a loaf, he now wants all of the bread. I understand the points that he made. We are pursuing whether there are any European funding opportunities that the three-phase scheme could avail itself of. Early work is being carried out on how the possible replacement or upgrade of the rail station at Londonderry might be brought forward. However, given the significant challenges in the budgetary situation, I have to be realistic about that.

Mr Allister: It is good that a start to the upgrade has been made. It surprises me that the full upgrade has slipped to 2021, and I trust that it will be completed. Will the Minister agree that, rather than merely reprofiling the A5, if that is what he intends, if he were to radically revisit it, he would have an abundance of money not only to complete the rail link to Londonderry much sooner but to do the other vital projects such as the further dualling of the A26? Another of those simple yeses would do.

Mr Kennedy: I am grateful to the Member for what I at least thought was a positive welcome for my announcement. I have already given my response on the A5. Sensibly and rightly, I am constrained about what I can say, and even the Member knows that.

Mr McQuillan: I also welcome the Minister's statement and his commitment to the project. Is nine months the minimum or maximum closure of the railway line?

Mr Kennedy: I am grateful to the Member for his welcome. Our estimated time frame is nine months. If that can be improved on, we would welcome that. There are procurement issues, which take time to work through, and we need to make sure that the contracts are signed and sealed and everything is correct. I am happy to monitor the situation to see whether it is possible to improve on that time frame. However, at this stage, the best estimate is that the work will take nine months, allowing the line to reopen in April 2013.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a ghabháil leis an Aire. I thank the Minister, and I, too, welcome the proposed delivery of the project, most of which is in my constituency.

The Minister alluded to the thousands of visitors who would benefit from the panoramic views across Lough Foyle and Donegal. Does he also recognise the hundreds of thousands of travellers who do less than benefit from the views of the car in front as they get snarled up in Dungiven because of the lack of a bypass there and the people of Dungiven who are breathing in on a daily basis 10 times the nitrous dioxide level recommended by the European Union?

Mr Kennedy: I thank the Member for welcoming my statement. He refers to the A6 project, and he will be aware that my Department has been carrying forward that work on an ongoing basis. We will continue to do that.

Mr I McCrea: I, too, join all those who welcomed the Minister's statement. Although I have no constituency interest in it whatsoever, it is certainly good news for Northern Ireland.

The Minister referred to the reprofiling of some roads, and, although I understand that his Department has to look at that for the different areas, from a constituency perspective I am happy for him to save money and not waste it on the dualling of the Randalstown to Castledawson road. I ask him to reconsider whether that is a necessary option for that community.

Mr Kennedy: I thank the Member for welcoming the announcement. Obviously, all politics is local. He raised an issue of concern in his constituency, and I have had recent meetings with other elected representatives on the same basis. We will, hopefully, bring forward our views on that in the coming months.

Committee Business

Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment

Mr Speaker: The next item of business on the Order Paper is the motion to annul a statutory rule. As is normal in debates on legislation, there will be no time limits for Members wishing to speak.

Mr A Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a Cheann Comhairle. I beg to move

That the Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011 (SR 2011/293) be annulled.

As I understand it, since the first mandate of this Assembly, only six prayers of annulment have been proposed and only four have been passed by the House. In that context, as the Chairperson of the Committee for Social Development, I come to the House to seek its support for the annulment of the statutory rule.

Although all Committee members expressed serious concerns about the rule, there was no consensus in the Committee when voting to seek a prayer of annulment. Largely, that was because of the question of parity. Members who voted against the motion to annul did so in the belief that any annulment would lead to a breach of parity, and they did not see that as an option. Those who voted to annul believed that the matter need not be a breach of parity and that there is a record of accommodation on the operation of parity to allow, at the very least, the matter to be looked at again.

In Committee, the motion to annul was carried by four votes to two, with a number of members choosing not to vote or to abstain. That vote reflected the uncertainty with which, the Committee felt, it ought to proceed. In such circumstances, it is right and proper for the Committee to seek the opinion of the Assembly. All Committee members agree that this statutory rule has serious consequences, and the House has the opportunity to voice its overall opinion on the issue and, more importantly, on the way to proceed. As Committee Chairperson, I am content that this is the right thing to do.

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

Statutory rule 293 — the rule we are debating today — amends the Housing Benefit Regulations 2006. It changes the definition of what constitutes a “young individual”. At present, a young individual is deemed to be someone under the age of 25. If the statutory rule is accepted, that age group will be raised to include all those under 35 years of age. The consequence will be that, whereas, at present, a single person over 25 is entitled to housing benefit at a rate that allows them to live in, for example, a privately rented, single-occupancy one-bedroom flat, the entitlement threshold will be raised to the age of 35. It means that a single person under 35 who is entitled to housing benefit and is seeking accommodation in the private sector will be entitled to rent only a single room in shared housing — in other words, accommodation in a HMO. There is provision for exemptions in specified circumstances, but they will not protect the vast majority of people from the change.

According to accepted figures, the statutory rule will immediately affect around 6,000 of the 8,000 individuals who already live in single occupancy accommodation. Their housing benefit will be cut from around £80 a week to £40 — a 50% reduction. In our view, a 50% reduction is tantamount to a notice to quit their current accommodation. To those 6,000 individuals will be added, year on year, all those who will join the list — those who would have been but will no longer be entitled to housing benefit for a single flat rather than a single room. The number of people rendered homeless is 6,000, and that figure will grow.

It is interesting to note that the statutory rule will apply only to the private rented sector, which currently accounts for 20% of available housing here. If those 6,000 people and all the others to follow could access suitable public housing, their housing benefit would be paid. However, we all know that public housing provision cannot meet that need here. The private rented sector offers the only viable option for most single people who are in need of accommodation, and that is one reason why Committee members as a whole viewed the rule as particularly harsh in the context of our local circumstances.

During consideration of the rule, the Committee heard from organisations that deal with housing issues and homelessness, and their evidence

was truly shocking to many of us. I thank the Voluntary Sector Housing Policy Forum, which gave a lot of time and energy to provide important information to Committee members. The plain fact is that there is not enough shared accommodation to provide a roof over the heads of those whom the rule will render potentially homeless. Our hostels for the homeless are already filled to capacity and are turning people away. The Department accepts that argument. If we are forced to resort to emergency accommodation — B&Bs, hostels and so on — it will cost more than the housing benefit that it will replace.

Many of us would argue that the real motivation behind this is worth taking on board. People such as Iain Duncan Smith, the British Government Minister, have argued that this has nothing to do with cuts. He believes that providing public support for single occupancy tenancy for those under the age of 35 “erodes the incentive to work”. Many of us believe that he is wrong. Again, that addresses the issue of whether this is a change, whether it is about cuts or whether it is to further an ideological argument. Homelessness, insecure housing and rough sleeping undermine the ability of people to seek secure work: it renders them less employable, not more employable. Men under the age of 35 will be most adversely affected in our broader community, and this is the group in the North that carries a high risk of suicide. Many who will lose their home will not have the family ties and support that will see them through a crisis. Although the figures for women are lower, the loss of their home will be just as traumatic.

1.15 pm

The debate is not about party politics, and it is not a criticism of the Minister or the Department. All members of all parties on the Committee have expressed serious concerns about this statutory rule and others. Some in the House will see this as an issue of parity and nothing else. Let me reassure them that it does not have to be. Different arrangements could be made, and we argue that, in other circumstances, different arrangements have been made and have not, in effect, been a breach of parity. Those who support the motion believe that, if the Assembly were to support the Committee on this prayer of annulment, it would allow that conversation to take place between DWP and DSD.

I will depart from speaking on behalf of the Committee to make a couple of points in my capacity as a party member. As I said, some Members believe that this is simply an issue of parity and that parity cannot be breached. I remind Members that parity is based on equality of input, output and outcome. In other words, people can be told that they pay the same national insurance and tax and, therefore, get the same level of benefits. However, parity has also been defined as parity of outcome. No one here has argued that properly. In fact, most people argue the reverse, which is that, because people here have a lower standard of living but higher costs, the outcome of adopting such a resolution from Westminster would be inequality for those in this region.

Members of the Committee who voted to propose the prayer of annulment are of the belief that the statutory rule does not represent parity in its strictest sense. We believe that there is and should be considerable room to manoeuvre, given that our housing infrastructure will not meet the needs of those who will be affected by the implementation of the statutory rule. We argue for maximum support from the Assembly. We ask the Assembly to support the motion. The motion is not a criticism of the Minister or the Department, but other Committee members and I feel that, too often, the Department takes the strictest definition of parity. It needs to be more creative in its approach.

In proposing the motion on behalf of the Committee and supporting it as a member of Sinn Féin, I ask Members to support the motion to annul the statutory rule on the basis that it is not, in effect, a breach of parity. It would allow a formal negotiation to commence between DSD and DWP to see whether we can find a more suitable accommodation — no pun intended — to meet the needs of the people whom, collectively, we in the House represent.

Mr Campbell: I do not think that there is any doubt in the House or among Committee members about the sense of division that will be felt by those who will feel the most direct impact of this statutory rule. I certainly did not hear any raised in Committee. In every comment that I heard was a broad acceptance that it will unfairly disadvantage young males between the ages of 25 and 35, in particular. The Chairman stated so, too. The amount of money that a breach of parity would cost the Department

and the taxpayer here is, I suppose, the more relevant issue.

I am content that the Committee made the decision to allow the debate to come before the House. We can spend some time talking about the implications of the statutory rule. The rule and the impact that it could have are important matters that need to be discussed by public representatives. However, if we all fail to address how parity is assessed, they almost become side issues. Mr Maskey, the Chairman of the Committee, said that it did not have to be an issue of parity, but, unfortunately, that is the nub of the issue. Whether Members believe this to be a parity issue is not relevant. We can have views about that, and we can express them strongly or otherwise, but that is not the issue. The issue is whether the Minister for Social Development in discussion with the Department for Work and Pensions in London — they are the paymasters — conclude that there has been a breach of parity. That is what matters, not what I, the Committee or anyone in the Assembly thinks. We wait to hear what the Minister will say.

The key point in the debate is that, if the conclusion is that parity has been breached, on this issue alone, we are told, £9 million a year would have to be found from elsewhere in the budget to make up for that breach. We heard from senior DSD officials that, if there were a breach of parity and if, in other matters of welfare reform, there were further breaches of parity, the figure could rise to £4 billion — that is four thousand million, in case anybody thought that they misheard me. However, for this issue alone, £9 million would have to be found if the assessment of the Department for Work and Pensions and DSD is that there has been a breach of parity. Whether I think so is largely irrelevant. Whether the Committee Chairman thinks so is not really relevant either. However, if the Minister responsible determines that it is a breach of parity, it is a breach of parity, and we have to find the money. That is the unfortunate and invidious position that we find ourselves in.

Mr Brady: I thank the Member for giving way. Is the Member suggesting that, if the matter were considered to be a breach of parity, the entire £4 billion subvention for social security benefits would fall as a result?

Mr Campbell: No, that is not what I said. I do not know if the Member was listening, but I said that the senior DSD official was very clear that,

if this breach of parity were to be replicated across the realm of welfare reform, the figure could be up to £4 billion. We are talking about this statutory rule, which could, in itself, cost £9 million. The point that I am making — I repeat this point because I cannot overemphasise its importance — is that it does not matter whether Gregory Campbell thinks that this is a breach of parity or whether Alex Maskey thinks it is, but it does matter if the Westminster Government say, “We have listened to what you have said, and it is a breach of parity”. We would then have to find £9 million. I have not heard anyone, either in Committee or elsewhere, say where they think we will get that £9 million. I wait with interest to hear anyone outline that on the Floor of the Assembly. People are good at saying, “Find the money”, but, when you ask where they suggest we should find it, suddenly there is a dust cloud as people disappear and say that it is over to the Minister to get the money. However, somebody has to get it. If it is a question of parity, we have to take a decision about whether we are prepared to be upfront about finding £9 million to make up for that breach and the consequences that would follow.

The other issue that other members and I raised in Committee is almost as important as the one I have just outlined — it is a pretty close second — and it is as follows: is there any wriggle room for us to delay introduction of the measures to try to ensure that we can find accommodation, whether through private sector or public sector housing providers, for those who will be most directly affected by the changes within a period of, say, 12 months? Again, the Minister’s answer will be crucial because, if there is no wriggle room or room for manoeuvre, no deviation or obfuscation regarding delaying for another year or so, that will concentrate our minds. We may be told that the answer to both those questions is that DSD and DWP, regardless of what everybody else may think — that is the key — are of the mind that there has been a breach of parity and that there is no wriggle room as regards delay or phased introduction around raising the age either to 30 or possibly 35. If the answer to both those questions is a very direct “Yes, there has been a breach of parity” and “No, there is no wriggle room”, I am afraid that, inevitably, there can be only one responsible response from MLAs in the Chamber.

Mr Copeland: It would be unwise to underestimate the importance of what is going on in the Chamber this afternoon. In the Committee for

Social Development, this matter was raised, discussed, chewed, digested and recycled, and a decision was eventually taken. Almost universal concern was expressed in Committee at the effect that acceptance of the rule would have on potentially 6,000 of our most vulnerable citizens. This is not something that we should or did treat lightly. Indeed, when the issue was taken to a vote, only one party, almost without comment, voted to accept the rule. That act potentially reduced the ability for this matter to be brought to the House, where it should perhaps be more properly and fully examined. As Mr Campbell said, the issue is simple: if we accept the rule, it may adversely affect up to 6,000 of our most vulnerable citizens. No one in the Chamber should or will do that lightly.

I received correspondence in response to questions to the Northern Ireland Housing Executive. Uncharacteristically for me, I will read from it:

“The potential implications are that tenants may have to downsize in terms of the accommodation they occupy”.

They must lift themselves, against their will, from a place where, presumably, they are reasonably happy and comfortable and for reasons beyond their control remove themselves to some other property that may or may not be available. The Housing Executive went on to state:

“but the availability of that accommodation in the right geographical location may be problematic.”

That is a simple phrase, unless you happen to be put out of the house where you live and find it problematic to find alternative accommodation. The Housing Executive cites a range of barriers that deter tenants from moving. Those include sectarian and religious divides, which is peculiar to Northern Ireland, and the need for various types of support in a geographical location, such as family, welfare and education. The Housing Executive also refers to:

“separated parents, where both have access to children and may have children staying with them, even occasionally, which necessitates an extra bedroom.”

As stated earlier, the availability of appropriate accommodation in the appropriate location is also such a barrier. In the words of the Northern Ireland Housing Executive:

“The potential implications are that if they remain in under-occupied accommodation, then there will be a financial shortfall which could lead to possible financial hardship, rent arrears, potential evictions and more homelessness.”

Those are serious issues that are properly brought here for our consideration today.

If we fail to accept the rule, we may break parity and cost the citizens of this part of the United Kingdom billions of pounds. Again, that cannot be taken lightly. We seek the Minister's assurance that our failure to accept this rule will indeed break parity, because his opinion and that of those who advise him is the paramount basis on which we must make our decision. We also ask the Minister to examine the effects that accepting the rule will have on those of our citizens who will be most affected and to take whatever measures he can to lessen the damage, should the rule be accepted, by ensuring that proper safety nets are in place and taking steps to assess the current urban and rural supply of accommodation that qualifies for the single-room rate.

1.30 pm

Mr F McCann: Every time departmental officials come to the Committee, they speak of parity and tell us that in no circumstances can parity be broken. However, as the Chair of the Committee said, there have been a number of occasions in the House when it has been broken. Indeed, it was broken twice in the Committee for Social Development alone, despite our being advised that it could not be broken, and there were no consequences. There were also indications that parity has been broken a number of times by Scotland, which was able to renegotiate some of the issues that were being dealt with.

If we were to listen to the Department every time, there would be no movement forward, and we would not be able to do anything. What I am asking — I was certainly thinking of this when I put forward the proposal — is that we look at it, go back and renegotiate and try to get a fair crack of the whip for our constituents. Alex said that, in many ways, we are worse off. That needs to be taken into consideration, as do the 6,000 people who could end up being made homeless.

Mr Copeland: I thank the Member for his comments, his intervention and his previous contributions in Committee. The Scottish

example that he quoted is slightly difficult in that these provisions are not devolved in Scotland, and the issue on which it challenged parity led to parity being re-established across the rest of the United Kingdom. That is perhaps a slightly different issue.

We are faced with taking a decision today that is based on the Minister's opinion, and his is the only opinion that I can take as a stated point of fact. With respect, what you have suggested, sir, could be a gamble, and the implications of that gamble could be considerable.

We do not intend, without comment, seriously to disadvantage 6,000 of our citizens. If an alternative can be found, let us hear about it. However, if the issue does break parity, to do so would be tantamount to irresponsibility; we cannot do that.

Mr Durkan: I support the prayer of annulment. I agree with the proposed change in the definition of “young people” to include those under 35 years of age, but, unfortunately, that is about it.

Much of today's debate has been, rightly, about the issue of parity and whether the prayer of annulment would be a breach of parity. It clearly will be a breach, but it is how we reach that breach that is important. Although I fully recognise the importance of the issue and the implications of a breach, it is important that we look at the real issue that we are discussing and why we have brought it to the Assembly. We cannot lose sight of that. We cannot just tut and shake our heads in disapproval while allowing legislation such as this, which we know will have catastrophic effects, to pass. If we simply let it pass, we will fail those who elected us. Therefore, we must focus on the potential consequences of allowing the legislation to pass so that Members who are not on the Committee and who have not heard the arguments or the implications are more aware of the issue at hand.

The impact of the legislation on many young people and those who are over 35 years of age and, as a result, their families will be huge. The one section of our population that will be particularly affected — a couple of Members referred to it — are young men under the age of 35. I would narrow that even further to young fathers under the age of 35 with shared access arrangements for their children. Many non-resident fathers will be consigned to reside in shared accommodation and in houses of multiple occupation, often with total strangers.

That will obviously have major implications for child protection, and for many it will make overnight access to their children impossible.

In London, where the legislation was dreamt up, the Victorian architecture lends itself to being used for houses of multiple occupation. Here, we are more likely to end up with people living in Victorian conditions than in Victorian houses, as people accept substandard accommodation just to keep a roof over their heads.

I just received an e-mail with an answer from the Minister to a question for written answer that we submitted a couple of weeks ago regarding HMOs in my constituency, Foyle. Of the HMOs inspected last year, 52% failed. Even the approved HMOs are failing inspections, never mind the houses that people will be forced to move into due to the fact that there are not enough HMOs in the first place.

In Committee, Gregory Campbell raised the point that the problem may be further exacerbated as owners of empty properties face an increased burden of rates and will come under pressure to rent them out in a substandard condition in order to generate some income.

The legislation also threatens the rural fabric of our region, as ever-increasing numbers of younger people from rural communities will be forced further away from their families. The Government in London appear to have no appreciation of the make-up of society in Northern Ireland. Figures that we received during the week indicate that there are only 82 HMOs in rural settings in Northern Ireland.

The rationale behind the legislation is obviously to effect a reduction in the sums of money paid out in housing benefit. However, it displays absolutely no concept of the financial, social and human cost of the increase in homelessness that it will inevitably create.

My party believes that the Assembly should resist implementing the proposals until a full equality impact assessment and a cost-benefit analysis are carried out and effective measures are put in place to mitigate the hardship that the legislation will, undoubtedly, cause.

Mrs Cochrane: Although I did not vote for this statutory rule to be brought to the Assembly to be annulled, it was not because I did not have concerns about its impact. Such was the strength of my concerns that I put them in writing to the

Chairperson of the Committee, as the rule was originally due to be tabled at a meeting that I could not attend and I wanted to ensure that my thoughts were recorded. My party colleague Naomi Long was also wary of the implications of the outworking of this statutory rule and indeed voted against it being made at Westminster.

If the Assembly believes that we should be exempt from this statutory rule, surely it is for the Minister for Social Development to have made the case to DWP as to why Northern Ireland should be treated differently. From what I have been told, DWP has assessed that that should not be so. Therefore, I am sure that the Minister is disappointed not to have had the support of his MLAs at Committee Stage, given that the stakes are so high. I know that others have chosen to misrepresent my position in the press, but our constituents will not fall for such childish political gesturing.

When this statutory rule was brought to the Committee for a second time, I had the opportunity to raise my concerns. For example, at the outset, it appears that those who suffer from severe mental health issues, such as schizoaffective disorders, will be bound by this rule and unable to find suitable accommodation. However, the Department has confirmed that those in receipt of severe disability premium will be exempt from the rule. I also sought assurances from the Department that discretionary housing payment will be extended beyond six months and was informed that the discretionary housing payment budget will triple from 2012-13. Though that will not cover all of those affected by the change to this rule, it will lessen the blow.

At this stage, I take the opportunity to press the Department and the Executive to ensure that those who are affected are provided with advice and support in accessing suitable housing options and that potential wriggle room is fully explored.

My party has sympathy with housing benefit claimants. However, we believe that this is an issue of parity, and the cost of breaking parity, with regard to the shared accommodation rate, prohibits that course of action. We are honest enough with our electorate to say that that is the case. Unfortunately, the impacts of this rule are minimal compared with what is likely to be coming down the line.

Today, the Alliance Party will be responsible and sensible, as our voters expect. No doubt the DUP will support its Minister. Perhaps some

will publicly oppose the welfare reform parity measures, safe in the knowledge that others will vote them through. Parity will be maintained, but those who opposed it will not be tarnished in the eyes of their supporters. If the issue had gone to the Executive, perhaps there would have been collective responsibility for it.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I support the Committee for Social Development's motion on the prayer of annulment. I do so because of the particularly harsh impact that the ruling will have on the people whom we represent. Several weeks ago, at my suggestion, the Committee agreed to bring the matter to the Assembly to allow Members to voice their concerns, or otherwise, at the passage of this statutory rule and to come to a decision on how we can deal with this attack on the poorest and most vulnerable in our society.

As the Chairperson explained, statutory rule 293 will reduce the entitlement to housing benefit for single occupancy and, in doing so, put thousands of people out of their homes. In the future, it will undermine the ability of some of our most vulnerable citizens to secure appropriate accommodation.

Recently, a British Minister likened the plight of those who could lose their homes to that of students sharing accommodation while at university or young professionals sharing while they save for a deposit on a home. Nothing could be further from the truth. The lives of students and professionals do not mirror the experiences of the poorest in society. They cannot choose who they live with; they might not even know the people with whom they are forced to share. Those who have worked in housing for many years know the reality that the poorest in society face. In some shared accommodation, drug addiction, alcohol abuse and even violence are the norm. Imagine the plight of a single woman or vulnerable man who is driven by fear of destitution into accepting a room in a house where they do not feel safe.

I have had occasion to deal with people living in shared accommodation and know the problems that they face. They describe the chaos that such accommodation brings to their lives. Their cry for a place of their own goes unheard because the system will not allow it. They speak of constant parties in houses, bullying, intimidation, arguments over bills, repeated fights and the police never away from their door.

I dealt with one person whose cry went unheard, and he attempted suicide. Is that the road that the Assembly wants to go down? Is that really the best that we can do?

To be honest, I did not come into politics to put people out of decent homes and push them into untenable situations or on to the streets, and I know that the vast majority of Members in this Chamber did not do so either. However, it is a fact that those could be the consequences of a decision that we make here today. As we speak, 5,892 people —

Mr A Maskey: Will the Member give way?

Mr F McCann: Yes.

Mr A Maskey: In my opening remarks as Chairperson, I made comments that were echoed by Gregory Campbell and other Committee members. We all endeavoured to be fair about the motivation of all members who voted or did not vote at the Committee meeting. On behalf of the Committee, I made it clear that members of all parties had expressed reservations and that the question of parity was the basis of their decision to vote for or against the prayer of annulment or to abstain. Does the Member agree that it is unfortunate, therefore, that Judith Cochrane introduced party politics and suggested that other Members might make their decision for the wrong reasons? That was unfortunate, and it was unfair, because at no time during my remarks did I give any subjective interpretation of others' behaviour at Committee.

Mr F McCann: That is a fair point. One of the other comments that was made —

Mrs Cochrane: Will the Member give way?

Mr F McCann: No. She seemed to minimise the impact that it will have on 6,000 people by saying that there will be further problems down the line. The possibility of 6,000 people becoming homeless should be on all our minds.

As we speak, 5,892 people aged between 25 and 35 are claiming the one-bedroom rate of local housing allowance. Those people will not be able to afford to make up the shortfall in their rent. On top of housing benefit, many already pay a top-up to their landlord for accommodation. How will they afford the additional money? Will they turn to crime? People will do whatever it takes to protect themselves. Will they end up sleeping rough on the streets?

1.45 pm

On 7 October 2011, the MP for West Belfast Mr Paul Maskey and I visited the Welcome Organisation. It has premises in the Divis area, where it deals with many vulnerable people. The organisation spoke of its concerns about the impact that statutory rule 293 will have. It has already seen an increase in the number of people who attend the centre and it is afraid that that number will increase further.

Unlike in Britain, there has never been a history of shared accommodation here. From what I gather, the level of that type of accommodation required to make moving possible is not available. Throughout the North, there are 4,000 registered houses of multiple occupation and many that are unregistered. Many of those houses are used as student accommodation. Several years ago, I read a report that commented on the atrocious conditions in the HMO sector, especially among unregistered HMOs. Is that the sort of accommodation into which we wish to force our constituents? Of the 4,000 registered HMOs, only 84 are in rural communities. What sort of impact will the statutory rule have on those communities? I stress again that the majority of HMOs are unregistered and unsuitable and provide substandard accommodation.

We have also been informed by the Department that there will be an increase in the money available for discretionary payments to help those who are affected by the changes. However, the word “discretionary” speaks for itself; the payments are at the whim of district managers. They are also temporary and last for only 13 weeks.

Official figures tell us that a greater number of people will be affected here than in Britain. The Voluntary Sector Housing Policy Forum has said that in Britain, 0.1% will be affected, but in the North, 0.3% of the population will be hit by the change. It is also my understanding that the Social Security Advisory Committee, which carried out a consultation on the introduction of the legislation, subsequently advised the Government that the extension of the shared accommodation rate should not be introduced. However, the Government ignored that.

None of us in the House knows the severity of the impact that that change will have in the North. When we make our decision on the matter today, we should worry about not only

the almost 6,000 people who will be affected immediately but the additional 5,000 people who will seek that type of accommodation each year. Over the term of this mandate, more than 21,000 people will be affected by the introduction of statutory rule 293. A vote against that statutory rule is a vote to protect vulnerable people who will suffer as a consequence of its introduction.

The Assembly is being asked to endorse a statutory rule when it does not have all of the information at hand to make a judgement. The least that we should do is wait. When the Assembly makes a decision —

Mr Campbell: The Member has just said that a vote on the annulment would be a vote to protect 6,000 vulnerable people. No one disputes the fact that those people are vulnerable and that this is a disadvantageous move that appears to have been foisted upon us. However, the Member has not said from where the £9 million will come to protect those people. It could, possibly, come from other vulnerable people.

Mr F McCann: This is not the first time that we have argued against the introduction of such rules. Certainly, we have argued against them in Committee. When departmental officials come to the Committee, we are told that decisions cannot be turned around or negotiated. However, in some instances, the Assembly has breached parity. The Committee should go back and try to negotiate. We need to take a stand to protect these people. As Alex said, this is not the only piece of legislation that we will have difficulty passing; there are others that will be equally difficult. We need to go back and try to negotiate the terms of the legislation given the differences between people on benefits here and those who are on benefits in England.

In conclusion, we are being asked to endorse this statutory rule. We should, at least, wait. When we make a decision, we should do so on the basis of hard evidence. We are not doing that at present. In the midst of the statutory rule's being brought to the Assembly, a consultation had just started. We were being asked to approve the rule in Committee even though the consultation was still on the go. That tells us something about the contempt in which we are held, certainly with regard to our opinions on this matter. I ask Members to support the motion.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I want to talk about two different aspects of the debate. I know that people have already covered the parity issue. I am not on the Committee, but, from what I know about the matter, this need not be viewed as a breach of parity. That is because there is sufficient flexibility in the operation of parity to allow for different circumstances.

I want to touch on the issue of suicide. The suicide rate in the North of Ireland is considerably higher than that in Britain, and it has risen particularly sharply in recent years. There is clear evidence of a relationship between unemployment and the rate of suicide. When we look at the age and gender profiles of people in that vulnerable group, we will see that men under 35 will probably be most adversely affected by this change in housing benefit entitlement. Unfortunately, that same group carries the highest risk of suicide in the North. When we look at figures showing recorded deaths by suicide, we will see that that group of males constitutes three out of every four of such deaths and that the highest percentage is among men aged 25 to 34. We need to look at that issue when we debate housing benefit entitlement, because it is very important.

Mr F McCann: Some of the information papers that we all probably read in the run-up to the debate mentioned the type of accommodation that people will lose and said that this would not work for them. It has been said that 28% of people who are on low pay get housing benefit to help them, so this change could force many of those people out of employment, because they will be unable to find accommodation.

Ms J McCann: I thank the Member for that intervention.

Some people have already touched on the issue of homelessness and those people who find themselves on the streets. Over time, landlords may look to rent to older tenants, which will reduce the availability of accommodation to younger people, particularly younger men, in the 16-25 age group. We need to think about the vulnerability that we could be pushing young people into. Young people, particularly young men but also young women, may have to sleep rough on the streets because accommodation is not available.

There are all sorts of reasons why people may not have the backup of an extended family or

the support that they need. We will find that that means that those people may be pushed on to the streets. For a lot of people, the only recourse to date has been the private sector. This rule would close off the option of renting a single flat, for instance, to great numbers of people, and, as I say, it may propel more and more people on to the streets.

I am not on the Committee, so I have not debated the issue in full. However, as my colleague Fra McCann said, he has visited the Welcome Centre. We have talked to groups who work with people who have been bereaved through suicide. We have talked to groups who run support networks for people with drug and alcohol addictions. If we accept this statutory rule in the Assembly, I believe that we will make vulnerable people even more vulnerable, and our doing that would not be responsible. We need to look at protecting those people, particularly from suicide and homelessness.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. Like my party colleagues, I firmly believe that the Assembly should reject statutory rule 293, as it would undoubtedly have a negative effect on the lives of many young people.

We need to ask a number of questions when we look at this rule. What will be the human effect? As the Chair of the Committee and the Member for East Belfast already outlined, 6,000 people will be detrimentally affected, with a reduction in their benefits of approximately £60. Will that leave people homeless? Undoubtedly. Homelessness hostels are already overflowing, and the rule will undoubtedly lead to an increase in evictions and poverty levels. It certainly will not result in more people being ready to go back to work. It will be quite the opposite, and that needs to be taken into account as well.

Many of us are blessed with families, support and social networks on which we can rely in times of stress, but in a lot of instances these vulnerable people will not have those supports. A lot of them, perhaps estranged from their families, will have no one to turn to. You can see how quickly the journey from being housed and having a roof over your head to becoming homeless and sleeping rough can happen. It will come about as a result of this statutory rule, if it is passed.

As other Members mentioned, men under 35 will be most adversely affected by this statutory rule. That is the social group that carries the

highest suicide risk in the North. Undoubtedly, that risk will increase if those members of society lose their homes.

This need not be a breach of parity, a LeasCheann Comhairle. There is sufficient flexibility in the operation of parity to allow for the accommodation of differences. That is why parity has worked, and that is acknowledged in the language of the legislation itself, which refers to the British Secretary of State for Work and Pensions and the Social Development Minister —

Mr Campbell: I thank the Member for giving way. He says that it need not be a question of parity. I thought there was some clarity about that but I repeat the question: if the Westminster Government say it is a breach of parity, what then?

Mr McKay: I was just coming to that point. If the Westminster Government say it is a breach of parity, we can refer to past examples when they said the same but, when challenged, we sometimes came to a more positive result than if we had merely sat back and done nothing. Doing nothing in this instance is not an option.

Of course, there is an onus. The legislation states that the Minister for Work and Pensions and the Social Development Minister from time to time consult one another and agree between them. It is not a case of one telling the other what to do. There has to be some agreement and some give and take in that process. The legislation talks about ensuring a co-ordinated system, not one that is identical in every way. It is not identical as it is. Significant differences have been accommodated which have not been viewed as being in breach of parity. That can happen when a significant difference in circumstances and outcome can be identified, and this is clearly such a case.

A report from the Policy Research Institute identifies flexibility at the heart of parity and cites that as one of the main reasons why parity has worked. It also identified three elements encapsulated within the operation of parity: parity of input, output and outcome. The element of outcome allows for divergence, when the imposition of parity is clearly disadvantageous to people here.

Members may well remember when the additional difficulties faced by lone parents here in attending work-focused interviews because of the lack of childcare here compared with Britain were first pointed out. At first, we were told that

nothing could be done because it constituted a breach of parity. The Assembly challenged that anyway, and a way was found to maintain parity while accommodating that additional circumstance and difficulty.

There are parallels to be drawn from that and there are clear and significant differences in relation to this statutory rule. First, there is the lack of availability of shared accommodation, which Members referred to. The outcome here will not be to push single-tenancy occupants into renting a room as it will in Britain. What it will do, however, as Members said, is force people to seek emergency hostel accommodation or sleep on the streets. That is not what the legislation intends. Secondly, consideration must be given to the high rates of suicide here, particularly within the age and gender profile of those who will be most badly affected by this change.

I urge the House to support the prayer of annulment and allow the issue to be considered again. We need to stick up for the 6,000 people who will be so badly affected, many of them already in very vulnerable positions.

It does not matter whether it affects 6,000, 60,000 or 600,000 people, although some parties might take a different opinion if it affected a significantly larger number of people. We need to stick up for these people, and we need at least to challenge the matter. Parity is not rigid. Members should not treat the issue as though it is; it can be contested without being broken, and that is what we need to do.

2.00 pm

Mr McCausland (The Minister for Social Development): I listened with interest to Members' contributions, and I thank all who have spoken for their input. As Minister with responsibility for social security matters, I will take a few minutes to outline the purpose of the housing benefit regulations that we are discussing and to explain how voting to annul the regulations would have much wider implications for everyone in Northern Ireland.

The regulations amend the age threshold so that the shared accommodation rate applies to most single claimants living in the private rented sector who are under 35 years of age. To date, the age limit has been set at 25 years of age. The aim of the measure is to help to contain the spiralling cost of housing benefit expenditure and to ensure that single people aged 25 to

34 years of age who are in receipt of housing benefit have to make the same choices about their accommodation as those who are not in receipt of benefit.

Under the proposed measure, the amount of housing benefit for rent payable to single claimants under 35 years of age living in the private rented sector would be restricted to the shared accommodation rate based on rent levels for a single room in accommodation that is not self-contained. The restriction for those who are under 25 years of age has been in place since 1996. It was never the intention that housing benefit should guarantee that people on benefit would have unrestricted access to accommodation at any price. Many young people who are working cannot afford to rent by themselves and already live in shared accommodation.

In seeking to ensure that work always pays, it is important that benefit levels — in this case, housing benefit levels — are pitched at a level that encourages individuals to join the labour market and do not act as a disincentive to take up work by affording access to accommodation that their peer age group who are in work cannot afford.

I recognise the fact that some of those who spoke during the debate have very real concerns. Everyone has concerns about how the measure will impact on individuals. It is, therefore, important to emphasise that not all those single claimants who are under 35 years of age will be expected to live in shared accommodation. Under the existing rules, there are exemptions for many of the groups that were mentioned: for example, claimants entitled to the severe disability premium of housing benefit; claimants in certain supported accommodation; claimants under the age of 22 who were formerly in the care of social services; claimants who have a non-dependant residing with them; and claimants who require overnight care and a bedroom for a non-resident carer. The shared accommodation rate does not apply to those living in the social rented sector.

In addition, there is already a general housing benefit easement that entitles new claimants to have their rent met in full for 13 weeks if they have not claimed housing benefit in the past year and could afford the rent at the time that they entered into the tenancy. People who have been recently bereaved are entitled to

similar protection for 12 months — for example, following the loss of a partner or, for a lone parent, the loss of a child.

Those current exemptions will continue to apply, and two new exemptions are being introduced for those aged 25 and over. The first new exemption is for those who have spent at least three months in a homeless hostel or hostels specialising in rehabilitating and resettling in the community. The second new exemption is for certain offenders subject to risk management, where there is a risk of serious harm to the public. The aim is to protect the general public.

Of course, a case could be made for further groups of individuals who should not be expected to share accommodation. However, rather than creating blanket exemptions for broad categories, I consider that support to those who need it, via the discretionary housing payment scheme, is a more appropriate mechanism for dealing with such cases. In recognition of that and other housing benefit reforms, the discretionary housing payments budget has been increased by 50% to £1.713 million in 2011-12, which will triple to £3.426 million from 2012-13. There has therefore been a significant increase, and will there will in future be a substantial increase in the discretionary housing payments budget. That is intended to give the Northern Ireland Housing Executive the flexibility to sustain tenancies where additional support is needed in vulnerable cases.

(Mr Speaker in the Chair)

I accept that shared accommodation is not popular, and, as we heard today, some find difficulty in supporting its extension to a wider age group. However, it is crucial that we consider the policy issue contained in the regulations as part of the wider welfare benefits and social security arena. The change is not restricted to Northern Ireland; it was announced by the Chancellor of the Exchequer in the comprehensive spending review last October. The regulations correspond to regulations already made in Great Britain, which come into effect there from January 2012.

Although social security is a transferred matter, there is a longstanding principle of parity in those matters. In effect, a single system of social security operates in Great Britain and Northern Ireland — that is, across the United Kingdom. The principle of parity means that an individual in Northern Ireland is entitled to

the same level of benefits, paid subject to the same conditions, as an individual elsewhere in the United Kingdom. An additional practical consideration is the extent to which we utilise the IT systems provided through DWP for the delivery of benefits to our claimants here in Northern Ireland. Those practical difficulties in departing from the United Kingdom system that operates in Great Britain need to be kept in mind.

We receive over £3 billion a year from general taxation and by way of subvention from the Great Britain national insurance fund to fund our social security system. Funding that is outside of and additional to our block expenditure for departmental budgets is predicated on parity. The obvious consequences for the Northern Ireland block if parity were breached cannot be underestimated. The consensus across all parties is that parity has worked to the advantage of people in Northern Ireland; it has resulted in higher rates of benefit being paid than would be the case if Northern Ireland were to set up and maintain its own social security system. Without parity and the associated funding, the Northern Ireland social security system would probably be unsustainable.

Should the regulations in question be annulled, the additional cost to Her Majesty's Treasury for all the expected Northern Ireland claims impacted could be about £9.17 million. That figure is based on the June rates and the number of claimants. The figure of £9 million is a recurring cost, which would probably increase each year. As I mentioned, because of our dependence on the IT systems operated through DWP, there would be additional costs on top of the £9 million to adapt the computer system and for any other administrative expenses.

The position was stated very clearly by the Commercial Secretary to the Treasury in December 2010. When asked whether the Treasury:

“will adjust the annual transfer payment if new housing benefit payment policies are not introduced on a parity basis in Northern Ireland”

the unambiguous Treasury response was:

“Where costs arise due to divergence between the Northern Ireland system and policy in Great Britain, the Northern Ireland Executive must meet those costs.”

You cannot have anything more explicit than that in a response from Westminster.

That means that, if these regulations are to be annulled, the likelihood is that Executive Ministers will be required to meet a shortfall of more than £9 million from their already overstretched departmental budgets. I emphasise Executive Ministers, because that would be a burden that would fall on the Executive and all Ministers, not simply on the Department for Social Development. If Members want to work out the implications for areas such as education, health and other sectors if we start down that road, I am sure that they can do that very easily. I will return to that point in due course.

I add that, although a breach of parity would have particular implications in relation to these regulations, there is a risk that such a breach of parity could trigger a review of the present, very favourable social security funding arrangements and could well result in a less favourable outcome; for example, funding in line with the Barnett formula or regional benefit rates. The dangers of going down that road must be recognised by all who approach this in a responsible manner. It is possible that a successful prayer of annulment could begin a process of undermining parity, which would have profound implications for the Northern Ireland block. Clearly, it is in the best interests of the people of Northern Ireland that we protect the principle of parity with all its benefits and are very careful not to undermine or jeopardise it.

I hope that Members will be persuaded by the purpose behind the regulations; that is, to reduce benefit costs and provide fairer choices between those young people who are working and those who are on benefit. However, for most Members, the overriding issue must surely be that, when we take into account the concerns and fears that exist, we start down a very dangerous and slippery slope if we go down the road of breaching parity.

I want to quickly pick up on a number of points that were raised by individual Members. Mr Campbell asked whether introduction could be delayed. After its deliberations on the findings of the Social Security Advisory Committee, the Department for Work and Pensions concluded that there is no case for delaying the introduction of this change to a statutory rule that has been in existence since 1996.

Mr Copeland sought an assurance on parity. I will make the point not just to Mr Copeland but to all Members: the Treasury has stated

categorically and clearly that this would be a breach. Earlier on, some Members expressed the views that I might not think that it was a breach or that I interpret a breach or understand a breach in a particular way. You can talk about outcomes and outputs from now until next year.

At the end of the day, let us remember — and this is a response to Mr McKay — that the sovereign Parliament of the United Kingdom is at Westminster. He may not like that, but that is how it is. Northern Ireland is part of the United Kingdom, and this is a devolved Assembly. In other words, power is handed from the sovereign Government at Westminster to the devolved Assembly here in Northern Ireland, but the sovereignty remains at Westminster. The fact is that, in spite of all the arguments put forward by Mr McKay and others, if Westminster decides that this is a breach of parity and the Treasury says that it is, that settles it. They are not going to change their minds.

2.15 pm

Mr McKay: I thank the Minister for giving way. Perhaps he was not listening to or learning from what I was saying. The Treasury would say that, wouldn't it? It said it before in other instances. The fact is that there is a devolved Assembly here, and its role is to challenge when necessary and to stick up for the people out there on the streets. That is your role as well, Minister. You are putting forward, through the Assembly today, the impression that you are quite happy just to roll over for the British Government.

Mr McCausland: Some people are slow learners. The question is whether there is any scope to diverge from Great Britain. There is some room for divergence in the administration of housing benefit. For example, under local housing allowance arrangements, we retained claimant choice as to who received the housing benefit while Great Britain moved to payment to the claimant as the norm. However — let us be clear so that Mr McKay understands — any financial costs would have to be met from the Northern Ireland block grant. You can have certain divergence as regards some administrative matters. However, where there is the financial implication that we are talking about, which, at £9 million a year every year, is a substantial financial implication, it would have to be met from the Northern Ireland block grant.

Mr Campbell: I thank the Minister for giving way. Perhaps he could outline, because the issue was raised by several Members, a couple of instances in which there was a deviation or departure from strict parity. He has been absolutely clear and precise so far about the Westminster Government saying that they believe that this would be a breach of parity, but will he outline the instances that were referred to by Members opposite?

Mr McCausland: What I gave was an example of the sort of thing that I am talking about. It is around administration. Where there is a financial cost involved, we are not in a position in which we can in any way depart from it. Treasury has said that it would be a breach. I assure Mr McKay that it is not about rolling over to a Government at Westminster; it is simply acknowledging the fact that we are part of the United Kingdom and that the sovereign Parliament is at Westminster.

Mr Copeland wants the effects that flow from this to be monitored. Housing division is commissioning research on impact with a view to addressing those issues within the constraints of parity. Research will be done to monitor the impact to see how it will work out.

I return to a number of things that other Members raised.

Mr Wells: I think that the honourable Member has convinced the vast majority of Members of the House of why he is correct. Members opposite, in their enthusiasm to break parity, have tried to indicate that there are fundamental differences between the situation in this part of the United Kingdom and that in other parts of the United Kingdom. Does he accept that many of the points about the lack of social inclusion, people on poor incomes and people with broken families apply exactly the same to inner city Glasgow, London, Cardiff and Belfast? There is no difference. Exactly the same pressures affect young people throughout the United Kingdom, so there is not even a philosophical argument for the breach of parity. There is no good reason for it.

Mr McCausland: There is no doubt that there are many parts of Great Britain where the situation is similar to that in Northern Ireland.

I will pick up on some individual points. Mrs Cochrane said that all have concerns and that it is important to debate the issue on the Floor of the House. She is absolutely right. I welcome

the fact that she spoke of the need to approach the measures responsibly, and she is also right to say that this is a minor issue in comparison with some of the much larger ones that are coming down the track on welfare reform. I hope that, when we come to those other issues, we do not have the same grandstanding or beating of chests by people who are going to take on the world and everyone else for their cause. There has to be a bit of realism and reality that says that we are where we are.

Mr McCann raised the issue of the nature of housing provision in Northern Ireland. As I said earlier, it is important that we monitor the outworkings of this and, over the next while, look at the impact of the sort of housing provision that we have in Northern Ireland and our housing policies. For a long time —

Mr F McCann: Will the Minister give way?

Mr McCausland: Yes, but I am running out of time.

Mr F McCann: On the question of supply, are there enough places to take the 6,000 people who will be affected? Most of the accommodation, especially in the HMO sector, remains unregistered and, in many ways, would provide poor living accommodation for anyone. Does he advise people to go into that?

Mr McCausland: In Northern Ireland, the private rented sector is already a large sector and is growing. We have not had the sort of oversight of that sector that we should have had, and I share the concern that I am sure the Member has about that. Therefore, we are looking at a range of issues. We are aware of the changes that there will be with the Housing Executive, housing associations, welfare reform and housing policy. We need to look at housing in the round to consider how we get more affordable housing and how we deal with housing issues. The Department is taking a new look at it and, perhaps, reprioritising some things and de-prioritising others. We need to look at the nature of housing stock, whether we are building the right sort of houses with the right mix of tenures, whether we are building the right size of accommodation and so on. I accept that all of those things need to be looked at carefully, and many of us have concerns about the outworking of the private sector in our constituencies. Not all landlords are exemplary landlords.

On Mr McCann's other point, if a claimant experiences difficulty in finding somewhere

affordable — for example, due to a shortage of suitable accommodation — further assistance to help with the rent shortfall may be available through discretionary housing payments. The Member said that he had concerns about the word “discretion”, but it is not at the whim of someone sitting at a desk. I take it and believe discretion to mean that it is dependent on the individual circumstances and situation. That is not a whim; it is looking at the evidence of a situation. The Member may not have confidence in the staff who work in our social security offices and the Housing Executive, but I have a much higher confidence level.

I was a bit concerned by the line that Jennifer McCann took. There is a danger of overplaying certain things. The other day, I visited the Stella Maris hostel in north Belfast, and, fairly soon, I am due to visit another hostel that is run by the same organisation, Depaul, in Londonderry. I have looked at the issue of homelessness and the provision that we make, such as hostels for people who are sleeping rough and so on. We in Northern Ireland are in a much better position with the provision than is the case in Great Britain. The provision is based around the faith sectors, whether Salvation Army or Depaul. There are a lot of positives around how we assist the most vulnerable people. However, bearing in mind the fact that I outlined the various categories of exemption earlier, there is concern and, therefore, accommodation for some of the most vulnerable people.

Mr Durkan said that the Government have no idea — I think that those were his exact words. I assure him that, in all areas of welfare reform, we have very full and in-depth engagement with the Government. Lord Freud, for example, has been over here on a number of occasions about other aspects of welfare reform and benefits. He is taking a hands-on approach on behalf of the coalition Government at Westminster, and people who represent Northern Ireland are on some of his working groups. He is conscious of the differences, and those relate to other aspects of welfare reform. So they do know, and those points are being forcibly conveyed. I was pleasantly surprised at his level of understanding that Northern Ireland is not exactly the same as some parts of London, and so on.

However, having dealt with all those points, I come back to the core point, which was identified by my party colleague Mr Campbell and is one that I have made again and again

here. This is a difficult decision, but it has to be made. We need to respect the principle of parity as defined by Westminster. There is no point in us trying to fool ourselves or anyone else, which is all we would be doing. Let us have the honesty, courage and integrity to face the facts, to do what we can to take this forward in the most acceptable way and to ensure that, when we look at our future provision and policy for housing, we take into account the impacts of this regulation.

If we go down a road that will cost £9 million for a single regulation, which Department will pay for it? Will it mean that we close more rural schools? Will it mean that we impact more on the hospitals sector? Where will the £9 million, and all the other £9 million that come down the road after that, come from? Let us have the courage and integrity to take this forward.

Mr Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. We will come back to the debate after Question Time, when Mickey Brady will conclude on the motion.

The debate stood suspended.

2.30 pm

Assembly Business

Mr Speaker: Order. Before we come to questions to the Office of the First Minister and the deputy First Minister, I want to say something about the serious challenge that took place in the House today. To me, there was a very vicious challenge to the authority of one of the Deputy Speakers, Roy Beggs. Members should not feel that they can challenge the Chair when they want to. On this occasion, Mr Dominic Bradley made a very vicious challenge to the Chair. The Member may take the matter lightly. It was around an issue of language, and it is the convention for any Member to speak in any language in the House. However, it is a different matter when Members deliberately go out of their way to abuse the issue.

The Member is shaking his head, but he needs to learn the lesson, a very clear lesson. Too many Members feel that they can challenge, totally and absolutely, the authority of the Chair. I say to the Member directly that that will not happen. On this occasion, the Member will not be called to speak on any issue in the Chamber for some time. He should reflect on his actions today. I understand that, in the heat of debate, Members say things that perhaps, on reflection, they might have said differently or that they might have acted differently. I am saying to the Member that he will not be heard for some time in the House. He should reflect on his actions and words, and then he should come and apologise to the House for his actions. I would think far more of a Member who came to the House and apologised for his actions.

I warn the whole House that any Member who challenges the authority of the Chair will be dealt with. On this occasion, as I have said directly to the Member, he will not be called to speak in the House for some time. I also warn Members who might feel that they want to get the Member in on an intervention that they will also be dealt with. My ruling is absolutely clear. I do not want other Members playing games in getting the Member to speak because of an intervention. That will also be dealt with.

What I saw this morning was a vicious attack and challenge to the Chair. It was probably one of the most vicious attacks that I have seen and heard in the Chamber for some time.

Oral Answers to Questions

First Minister and deputy First Minister

Investment Strategy

1. **Mr McNarry** asked the First Minister and deputy First Minister, in light of the current budgetary constraints, for their assessment of how expedient the investment strategy has been in assisting the Executive to deliver on their targets. (AQO 486/11-15)

Mr P Robinson (The First Minister): The Executive's Programme for Government makes a clear commitment on infrastructure investment and promoting sustainable development. We honoured that commitment with £5 billion of new investment in the three years up to 2010-11. Our investment strategy was key to the delivery of that record level of new expenditure. The strategy helps us to plan ahead with more certainty and consolidates the capital investment plans of all Departments. That collaborative approach enables the Executive to identify opportunities for sharing and co-ordination that can save money, speed up delivery, share best practice and support service improvements.

The progress we have made to date on our investment commitments is available for public scrutiny through the website of the Strategic Investment Board. Projects completed or in delivery are clearly set out in detail and are characterised by each sector. Those investments are important elements in ensuring that the Executive achieve their Programme for Government strategic priorities. The Executive's investment and budget plans have been affected by the significant reductions in public spending imposed on us by the coalition Government. We have taken a number of measures to manage those reductions and remain determined to continue with our substantial programme of new investment. We switched £256 million from current to capital expenditure and included nearly £600 million of receipts to boost capital expenditure. As a result, the Executive's Budget committed £4.9 billion for capital investment up to 2015. We are determined to maintain the momentum of our investment programme, and we will continue to

examine further options that have the potential to allow us to deliver additional projects.

Mr Speaker: Question 3 has been withdrawn and requires a written answer. I call Mr McNarry for a supplementary question.

Mr McNarry: I thank the Minister for his answer. I recognise the commitment and the compliments that he made in his response. I also note with enthusiasm the determination that he injected into his reply. Does he accept that an up-to-date investment strategy is needed now to best serve Northern Ireland going forward? Will he move in that direction?

Mr P Robinson: The Member is right: a new investment strategy is required. Back in March, we had it in reasonably finalised draft form but decided not to publish it prior to the election. I think the hope and expectation is that we should be able to do that alongside the Programme for Government.

Mr Spratt: Will the First Minister indicate what impact the UK spending review will have on our ability to deliver our investment plans? What can we do to increase our spending power?

Mr P Robinson: Slightly over 40% of our capital budget was slashed by the coalition Government. I think that that was a much more painful cut than any of us could have expected. You cannot have a cut of that magnitude without it having a significant impact. However, the Executive determined that they would seek to take as much of the pain out of that process by looking for additional sources. We did the transfer from revenue to capital. We have produced proposals, which provide us with a very significant proposal for projects moving forward. However, it still takes us only to the 2005 levels of capital expenditure.

We are also looking at how it is possible to factor in private finance for existing projects that we have intended to bring forward, for instance. We could also look at the possibility of creating other bodies, within Treasury rules, that will allow us to be able to get additional private finance on an arm's-length basis.

Mr Speaker: Once again, I warn Members that they need to continually rise in their place, if they want to be called for a supplement question. I emphasise the word "continually".

Mr A Maskey: Thank you for that, a Cheann Comhairle. In a way, my question follows on

from the First Minister's previous answer. Has the Budget review group been able to consider the establishment of particular special purpose vehicles to ensure that we can have a method of moving some of our capital spend off?

Mr P Robinson: It has talked about the issue. We are hoping that the Budget review group will meet tomorrow at, I think, 3.00 pm. I understand that there are several papers on how to access private finance and the creation of other bodies that might be able to draw down that funding. That will be on the agenda for tomorrow.

St Andrews Agreement: North/South Co-operation

2. **Mr McMullan** asked the First Minister and deputy First Minister for an update on the St Andrews Agreement review of North/South implementation bodies and areas of co-operation. (AQO 487/11-15)

Mr P Robinson: The St Andrews Agreement review into the North/South implementation bodies and areas of co-operation is being taken forward under the auspices of the North/South Ministerial Council (NSMC). As we advised the Assembly in our statement of 21 June on the NSMC plenary meeting, which took place on 10 June, the Council discussed the review and noted proposals relating to its first term of reference. That concerns the efficiency and value for money of the existing North/South implementation bodies and Tourism Ireland. The Council agreed that proposals on those bodies, which had been put forward by the review group, should be forwarded, along with a copy of the report, for consideration by relevant Ministers in the Executive and the Irish Government. Most Ministers have responded, and, in line with the plenary decision, the NSMC joint secretariat is preparing recommendations on that element of the review for consideration at the forthcoming plenary meeting in November.

It was also agreed that the second and third terms of reference of the review would be discussed at that meeting. In accordance with the statutory requirements, we will make a statement to the Assembly on the outcome of the plenary meeting of the Council in November. That will include any decisions taken on the St Andrews Agreement review.

Mr McMullan: Why was the report of the experts and advisers on the efficiency and value

for money of the existing North/South bodies not made public, and when will the outcome become known?

Mr P Robinson: To some extent, the Member answered his own question. As the outcome has not been agreed, we have not released any documentation. It is still a matter to be considered. The intention is to discuss it at the November meeting, and it will be up to the NSMC and Assembly Ministers to decide what further steps are to be taken either on decision-making or, indeed, publication.

Mr Ross: Value for money is obviously very important in all aspects of government, particularly in North/South bodies. Will the First Minister indicate what steps have already been taken to maximise efficiencies in North/South bodies.

Mr P Robinson: The Finance Ministers, who are, of course, charged by their Government to look at ways of making efficiencies, met and considered what efficiencies could be made in North/South bodies. Their proposal was that there should be 3% cash-releasing efficiencies year-on-year. That was sent out by way of each Department informing the sponsor Departments of each North/South body that they should effect that saving. Indeed, the corporate plans and business plans have been brought forward on the basis of that proposal, which is for 3% efficiencies this year and a cumulative total of 9% in the next three years.

Mr McDevitt: I am sure that the First Minister would agree that the area of co-operation that might well deserve urgent attention is how this island jointly commemorates the forthcoming centenaries. Has his office and that of the deputy First Minister included in their submission to the review specific proposals as to how we might co-ordinate our acknowledgement of this decade's centenaries?

Mr Speaker: Order. Once again, I will say to the whole House that I know that, on occasion, supplementary questions can grow legs. This one has certainly grown a lot of legs. *[Laughter.]* There is no doubt about that whatsoever. I will allow the First Minister to decide whether he wants to answer it or whether he should answer it. The Member knows very well that the supplementary question must clearly connect with the original question. I must rule the Member out of order on this particular issue. I think that he knows fine well why.

I call Mr Jim Allister.

Mr B McCrea: My goodness. *[Laughter.]*

Mr Allister: I will resist.

The Finance Minister said that necessary and practical co-operation does not require all the costs and formal structures of the North/South bodies, yet we continue to spend £100 million a year on them. Why, then, is the option of a reduction in the number of bodies not included in the terms of reference of the review? The only option is expansion. Why is that?

Mr P Robinson: It is good to see the Member back speaking in the Chamber. I hope that he is now house-trained and will behave himself in the future. *[Interruption.]* He was, of course, present at St Andrews and knows as one who endorsed this proposal and was party to the statement made collectively by all of our members at the end of St Andrews— *[Interruption.]*

Mr Speaker: Order. Allow the First Minister to answer.

Mr P Robinson: The Member knows very well that the terms of reference were in three parts, the first of which related to efficiencies. Of course, under that part, proposals for a reduction in the number of bodies can be considered. Overall, I agree entirely with the Finance Minister. I have found that, in practical terms, it is much more advantageous to make personal contact by a telephone call or a meeting rather than through the structures of the North/South Ministerial Council or the various bodies.

The second term of reference of the St Andrews Agreement review clearly qualifies the option to expand, in that the review has to examine objectively whether there is an advantage in having any more bodies. I think that anyone looking at the matter objectively would say that there is much more advantage for Northern Ireland in having direct contact with Ministers using the normal procedures that any two Governments employ.

Mr Speaker: Question 3 has been withdrawn.

2.45 pm

Corporation Tax

4. **Mr P Maskey** asked the First Minister and deputy First Minister for an update on their

discussions with Treasury in relation to the devolution of corporation tax powers. (AQO 489/11-15)

Mr P Robinson: Members will be aware that the Treasury consultation on rebalancing the local economy, which included a proposal to devolve corporation tax powers to the Northern Ireland Assembly, ended on 8 July this year. We were very pleased with the level of interest that was shown in this important economic policy issue. The Exchequer Secretary to the Treasury, David Gauke MP, wrote to us on 30 September following his exchange of letters during the summer with our Finance Minister, Sammy Wilson. That correspondence and the discussions at official level raised a number of concerns about estimates for corporation tax that would be collected.

The Acting deputy First Minister and I recently met with the Secretary of State for Northern Ireland, Owen Paterson MP, to discuss the next steps. Most recently, the Exchequer Secretary to the Treasury wrote again to us last Thursday to seek ministerial nominations for a joint working group that will be tasked with seeking to establish with clarity the costs, administrative changes and potential legislative vehicle for transferring corporation tax powers. Although the recent Treasury correspondence is to be welcomed, and we will respond positively, we are disappointed that its commitment to a final decision this year appears to delay momentum.

This is an urgent issue. While in Northern Ireland on 10 June, the Chancellor, George Osborne, indicated that the UK Government would make their decision in the autumn. We will continue to press the Government for an early resolution.

Mr P Maskey: Go raibh maith agaibh, a Cheann Comhairle agus a Aire. I would be grateful if the First Minister would outline some of the benefits of devolving corporation tax powers that he and his office believe will result for the Assembly and the Executive. He mentioned the time frame being put back. Is there any sign of that possibly being brought forward?

Mr P Robinson: First, the time frame is clearly going to have to take into account meetings of the group that is being tasked with looking at the appropriate cost to our block of a reduction in the rate of corporation tax. I suspect that that job is unlikely to be completed much before the end of this financial year.

The advantages have been fairly well established by a number of economists and business representatives. However, the deputy First Minister and I have been in no doubt about the advantages, because we have spoken not just to people involved in foreign direct investment but to representatives of companies based in Northern Ireland. They all indicated that a reduction in corporation tax would have a major impact on the decisions that they will take on placing more business in Northern Ireland or on expanding existing business. Most recently, during our visit to the United States, we spoke to several people who indicated that it was a significant factor in their decisions as to whether they would make various investments in Northern Ireland. Only last week, I spoke to people here in Northern Ireland who indicated that it would be a key factor as to which part of the United Kingdom they would place further business.

Mr A Maginness: I thank the First Minister for his answers. I agree with him that this is very important for the future development of our economy. That being so, will the First Minister say to the Finance Minister that he needs to make a robust case for the devolution of corporation tax powers? It is essential that there be no weakness on this side, because there seems to be such a weakness on the Westminster side. Does the First Minister detect some lessening in Westminster's commitment to the devolution of corporation tax powers?

Mr P Robinson: In my private meetings with representatives of the Government, I do not detect that those who supported it in the past are any less supportive. I think that they recognise that there are difficulties that we must overcome, and the working group will set about the business of overcoming those difficulties.

The Finance Minister responded on behalf of the Executive to the general consultation process in the most robust terms, and he indicated the Executive's support for that fiscal instrument. It must also be said that four representatives of the Executive will be on the task force, and they will put a united case from the Executive on the devolution of such tax-producing powers.

The Member should be under no doubt as to the strength of support that there is within the Executive for this measure or the benefits that the power to reduce corporation tax will have for Northern Ireland.

Mr Humphrey: Will the First Minister outline how quickly the Executive would set a rate for corporation tax in the event of it being devolved to Northern Ireland?

Mr P Robinson: We have now reached the stage in the process of appointing representatives to the group that was set up by the Treasury, and it will be necessary for the Executive to be brought along with any proposals that are put forward by Executive colleagues at meetings of that group. One would assume that, if we reach the stage of the power being devolved to Northern Ireland, it will have been preceded by agreements in the Executive to take that power. Therefore, the decision on what level we should strike the tax at should be taken fairly expeditiously. We would have the options of announcing but delaying the beginning of the reduction or of phasing in a reduction, and that would be an Executive decision. However, I would imagine that, if we were given the power, decisions would be taken fairly instantly.

Mr Cree: The First Minister referred to the cost to the block grant. Given the wide variance between Her Majesty's Treasury figures and those of the Department of Finance and Personnel, would he care to give me his assessment of the most accurate figure?

Mr P Robinson: There is a difference between the Treasury's sets of figures. In the consultation document, it gave us two sets of figures for a reduction in the block grant, and it brought out a further and much higher figure after it had produced that document. One would be tempted to say that, if its higher figure were true, we would not need to introduce a lower rate of corporation tax, as we would be doing so swimmingly well on our own. Therefore, there is a false nature to the final set of figures that we have from the Treasury, and it is the job of the Executive to ensure that the reduction in our block grant is as small as possible.

I will not be tempted by the lure that the Member has put in front of me to give him a figure. All that I can say is that the Treasury figure is far too high.

Older People: Discrimination

5. **Mr Ó hOisín** asked the First Minister and deputy First Minister what progress has been made on proposals for legislation to address

discrimination in the provision of goods, facilities and services for older people. (AQO 490/11-15)

Mr P Robinson: Mr Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer that question.

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): The Office of the First Minister and deputy First Minister is committed to the principle of equality for all the people of Northern Ireland. With that in mind, we are continuing to consider the issue of discrimination in the provision of goods, facilities and services for older people, which is one of the six proposals for legislative reform that were flagged up by the Equality Commission for Northern Ireland. We are also monitoring developments in Europe on anti-discrimination directives that would extend the protection on the grounds of age to the provision of goods, facilities and services.

We are aware that the Westminster Equality Act 2010 contains provisions that enable a ban on age discrimination in the provision of services and public functions. We are also examining the draft EU equal treatment directive, which seeks to prohibit age discrimination in the workplace. Should that draft directive be adopted, we will take steps to comply with EU law. However, it is important to remember that implementing the age discrimination ban would require secondary legislation to be made, which would set out the circumstances in which it would remain lawful to use age as a reason for treating people differently. We will carefully consider the outcome of the consultation by the Government Equalities Office which sets out the proposed acceptance of the ban on age discrimination and any other developments in that area. We also intend to seek the views of the recently appointed Commissioner for Older People, Claire Keatinge, after she formally takes up her post on 14 November.

Mr Ó hOisín: Go raibh míle maith agat, a Cheann Comhairle agus ba mhaith liom buíochas a ghabháil leis an Aire. Why are we waiting on the outcome of a possible EU directive on this issue when we should be taking it forward on equality grounds in their own right?

Mr Bell: Members will understand that, before we progress the matter, it is reasonable to await the draft EU Equal Treatment directive and the outcome of a consultation undertaken by the

Government Equalities Office which sets out the proposed acceptance of the age discrimination ban. It is also important that, having appointed a Commissioner for Older People, Claire Keatinge, we take her mind on the subject.

Mr T Clarke: Following the recent appointment of the older people's commissioner, will the junior Minister outline to the Assembly how valuable Dame Joan Harbinson was in the interim as the Older People's Advocate?

Mr Bell: It is difficult to put words on just how valuable the contribution that Dame Joan has made. The whole House salutes the service she has given. She was appointed as an independent adviser to Ministers and has been in post from 3 December 2008. Following the appointment of Miss Keatinge as Commissioner for Older People, Dame Joan will formally stand down as of 14 November 2011. The immense contribution that Dame Joan has made is hard to put into a two-minute answer. I would say that she has identified all of the current problems faced by older people and she has done an excellent job of bringing to all our attentions the issues that concern them. Those issues include pension provision and transport, and she has forged links with her counterparts in Europe. The advocate has provided independent advice on a range of issues impacting on older people, including what the issues and problems are; and she frequently brought solutions to those problems and how they might be addressed. The advocate's appointment and office will cease once the commissioner is appointed, as I have said. However, the whole House will join me in saluting the work and contribution that Dame Joan gave us all.

Mr B McCrea: Has the junior Minister had the opportunity to take any advice from older people, notably today?

Mr Bell: If I may, I will answer that question in two ways: first I will make a serious point, and, secondly, a point of levity, which the honourable Member and I encountered when on a cycle ride this morning.

As to advice, there was a very successful launch given by the Office of the First Minister and deputy First Minister on the appointment of Claire Keatinge. It was hugely well attended. As junior Ministers, we continue to listen carefully, through avenues such as the pensioners' parliament, in order to gauge people's views directly. Recently, we met many of the charitable-

sector organisations for older people, which have a large number of people feeding views into them, and those views are distilled down to us as Ministers.

Older people can be direct and straight-talking, and in that way their contributions are probably more valued than a lot of what we take. Mr Basil McCrea and I, among others, were doing a wonderful cycle ride to highlight the issue of addictions and which was organised by Fr Martin Magill. We were escorted by four police cyclists. An elderly lady passing us turned to the policewoman accompanying Basil and I and asked: “Are they all prisoners?”

Ms Lo: We now have a raft of anti-discrimination law in Northern Ireland. Does the junior Minister have any plans to put forward a single equality Bill in line with the rest of the UK?

3.00 pm

Mr Bell: The Member is right about the legislative background to that question. There is a lot of material. The Equality Commission gave us six proposals for legislative reform in the introduction to the legislation, specifically prohibiting unjustifiable age discrimination by those providing goods, facilities and services. As has already been mentioned, that proposal is being driven elsewhere in Great Britain and Europe. Do we look specifically at the inclusion of a provision in the GB Equality Act 2010 to prohibit age discrimination outside the workplace, because, in those terms, it would relate to adults only? Do we look specifically at a draft EU equal treatment directive seeking to prohibit age discrimination outside the workplace against people of all ages?

GB has decided not to wait for or rely on agreement to be reached in Europe to legislate against age discrimination in the provision of goods, facilities and services. It has decided that that is the right thing for it to do, and it has included the necessary provision in the Equality Act 2010. However, to legislate in advance of Europe on this matter would require primary legislation — that is, an Assembly Bill. Should the draft EU directive be adopted, we would then be required to take steps to comply with EU law. That could be achieved either by way of an Assembly Bill or by subordinate legislation, using the enabling powers in section 2(2) of the European Communities Act 1972. Legislation is being taken forward in GB, and we will monitor

those developments closely and consider any implications that they may have for us here.

Finance and Personnel

Public Expenditure

1. **Mrs McKeivitt** asked the Minister of Finance and Personnel for a breakdown of the 25% of expenditure which is not approved by the Assembly. (AQO 501/11-15)

Mr Wilson (The Minister of Finance and Personnel): I presume that the Member is referring to the recent discussion that my officials had with the Committee for Finance and Personnel on Her Majesty’s Treasury’s misalignment exercise, which was conducted in 2008 and in which Northern Ireland participated, when it was estimated that about one quarter of the Northern Ireland Executive spend is not formally voted for in the Estimates process.

I want to make one point clear before I go any further. It is not that we have made some attempt to hide spending from the Assembly so that it does not know what spending actually goes on. It is more as a result of the way in which the information is presented to the Assembly. At no stage is the information hidden in any way. Indeed, where there is misalignment between the Budget Bill and the Estimates, there will be a reconciliation table at the end of the big blue book that Members receive that will show where that misalignment occurs and that there are historical reasons for it.

There are three areas in which there might be a misalignment: the first is on national insurance contributions and the national insurance fund; the second is on capital resource; and the third is on the full resource consumption of non-departmental bodies.

Mrs McKeivitt: What actions are being taken to ensure that the financial process is streamlined, accessible and transparent?

Mr Wilson: During the Budget debate last year, I made it clear that we were engaging in an exercise in which we were seeking to make the figures much more transparent. I want the figures to be more transparent, because, apart from anything else, we had three different debates — the Budget, the Budget Bill, and

the Vote on Account — and they may as well all have been the one debate because people did not recognise the difference between what was being presented in each of those debates. My officials who attended the Committee meeting were marking up the fact that there would be a consultation paper, which I hope will be published this week and will look at what changes we intend to make.

The whole idea is to try to have all that expenditure aligned, so that people will know exactly what is being voted for and where all the spending is going, and the figures will be much more transparent. I also want the heads of expenditure to be clearer so that people will know where the money is going. All of that will be included in the proposals that we are bringing forward, which I hope will be in place within the next couple of years. However, I cannot remember the exact timetable.

Mr Murphy: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's commitment to the consultation. He will know that the Committee for Finance and Personnel has also been doing work on that in consultation with the other statutory Committees. Can he assure the House that the review of the Budget process — some of the anomalies have been outlined in the original question — will take account not only of the passage of the Budget through the Chamber but of the scrutiny function that Committees wish to provide and will ensure that there is a meshing of the House's requirements and those of the scrutiny Committees?

Mr Wilson: I thank the Chairman for raising an important point that I should, probably, have mentioned in the first part of my answer, which is that it is a matter not just of having the accounts in a better position for debate in the Assembly but of presenting the information that is contained in those accounts in a way that enables proper scrutiny of how Departments spend their money. Therefore, headings will be clearer. All the money that is available to, for example, non-departmental public bodies — not just their cash requirement — will be fully declared and, therefore, open for scrutiny. That should better enable Committees to do their job of scrutinising Departments' spending.

Mr Speaker: Question 3 has been withdrawn. I call Leslie Cree to ask a supplementary question.

Mr Cree: The Minister was getting close to answering my question. Obviously, non-

departmental public bodies are part of the problem. Will the scheme that is envisaged bring them within the accounting boundary?

Mr Wilson: Non-departmental public bodies are within the accounting boundary. The difficulty was with the information that was presented. At present, the information is presented in such a way that only those bodies' net cash requirement or the net cash that goes to them is voted on in the Estimates. However, if, let us say, a non-departmental public body had a source of revenue, and then it had a total spend of, say, £80 million and, on top of that, a depreciation, which is a non-cash figure, of, say, £20 million, all that would be available in the Vote on Account would be the net figure of £70 million. The non-cash element is not there. The revenue element is not there. Therefore, there is a misalignment between what is actually spent and what is actually voted on. That is an accounting procedure. It is not the case that there is no accountability or no vote on the money at present. However, the amount of money that is actually spent is sometimes misaligned because, currently, some elements are not included.

Public Services Training College

2. **Mr I McCrea** asked the Minister of Finance and Personnel for an update on the final business case for the Desertcreat training college. (AQO 502/11-15)

Mr Wilson: I am delighted that, on 30 September 2011, the Department of Finance and Personnel (DFP) approved a business case for the Desertcreat joint public services college. That was announced in the media last week. When it is completed, the new facility will provide a combined and integrated training and learning environment for the police, the Fire and Rescue Service and the Prison Service in order to equip professionals from all three services and to provide a level of service that is expected and required. Now it is up to the Department of Justice to go to market and identify partners to take the project forward.

Mr I McCrea: I thank the Minister and commend him for the speediness with which he and his Department finalised the business case for the project. Will he detail the cause of the delay of the project? Although it was an Executive priority, the previous Health Minister refused to sign off on it. Will the Minister comment on

that? Furthermore, will he ensure that adequate social clauses are —

Mr Speaker: I encourage the Member to finish.

Mr I McCrea: — included in the tender?

Mr Wilson: First, the business case was submitted to DFP on 12 September and approved on 30 September. Therefore, I do not think that any of the delay was the responsibility of my Department. Preparing the business case was a considerable piece of work. Of course, as the Member will know, towards the end of the previous Assembly, there was a dispute as to whether the Health Department would actually make the £30 million contribution towards the capital cost and the running cost contribution towards the Fire and Rescue Service element of the college. That probably caused some delay to the decision even to go ahead with the project. However, it is worth pointing out that, although the project goes right back to the time of direct rule, the Department of Justice has been involved only from April 2010 and the Department of Finance from September 2011.

Mrs Overend: I very much welcome last week's decision. Will the Minister advise of the likely revenue costs of running the facility, including the cost of its being hired by any other bodies?

Mr Wilson: The detail of the running of the college will be down to the Department of Justice. However, it is my understanding that the ongoing annual running costs will be £35 million.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for the efficiency with which he took the decision and signed off on the business case. Is the Minister in a position to indicate any timescale for the tender process?

Mr Wilson: I am not in a position to do that. As I said to Mr McCrea, it is now up to the Department of Justice to take the project forward. Obviously, procurement comes under my Department's remit. We will advise on procurement and how best to move that process along. However, it is really up to the Department of Justice to take the project forward.

Mr McCarthy: Will the Minister give credit to the Department of Justice for its involvement in the decision to bring this vital college to Northern Ireland?

Mr Wilson: I am sure that the Member's party leader will have heard his comments and reward

him accordingly. I do not know whether the party leader has any posts that he is about to allocate, but I will convey to him the fact that the Member has praised him for bringing the project forward so quickly. I am sure that the Member's reward will follow swiftly.

Mr Speaker: Question 3 has been withdrawn.

Air Passenger Duty

4. **Mr Ross** asked the Minister of Finance and Personnel to outline the process for devolving air passenger duty powers. (AQO 504/11-15)

Mr Wilson: The first stage is for us to agree the precise arrangements for the devolution of the powers. That will include agreeing which aspects of air passenger duty (APD) will be devolved and the administrative arrangements for its collection. As indicated in the Government's announcement, the next stage will be the primary legislation that is required. The Government are considering precisely what kind of legislative changes will be required. We will work with them to ensure that the devolution of the powers is secured as soon as possible so that our longer-term competitiveness is maintained. We want to use the devolved powers to ensure that we have the best possible connectivity to as many destinations as possible.

Mr Ross: I welcome the Chancellor's announcement. At the risk of sounding like Mr McCarthy, I praise my colleagues the First Minister, the Finance Minister and the Minister of Enterprise, Trade and Investment for their efforts in negotiating with the Chancellor on the issue. It is important for our economy and for tourism that we get air passenger duty powers devolved. Will the Minister indicate the anticipated cost to the Northern Ireland Executive of devolving those powers?

Mr Wilson: As I promised Mr McCarthy, I will pass on the Member's comments to the First Minister. I am sure that he will also be very pleased, and, indeed, he may well be in a better position than Mr McCarthy's party leader to confer some reward.

The cost of the proposal to reduce air passenger duty on flights to North America is £3 million. In 2009, total air passenger duty receipts were estimated at between £45 million and £55 million. The cost to the Executive will depend on what they do with air passenger duty and how

far they decide to extend exemptions or reductions once the powers have been devolved.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. Obviously, there is still work to be done on air passenger duty. Has the Minister's Department identified any other fiscal powers, in addition to air passenger duty and corporation tax, that could be transferred to assist the Assembly in building economic recovery?

3.15 pm

Mr Wilson: First, I noticed that the Member did not praise the deputy First Minister for the part that he played. I will also pass that omission on when I have the opportunity to talk to him.

There has been no discussion about any other taxes that may be devolved. Although I understand the reason for the devolution of air passenger duty, which we believed to be the only mechanism to achieve our objective of keeping and extending flights to North America, the corporation tax issue has been well aired in the Assembly on previous occasions.

I do not believe that we should seek the devolution of a whole range of taxes to Northern Ireland, for two reasons. First, I am a unionist and believe that being part of the United Kingdom and having a regime that complies with the rest of the United Kingdom is important. Secondly, for very good economic reasons: having more taxes devolved to Northern Ireland — tax revenues from corporation tax, air passenger duty or other forms of tax can be volatile — makes budgetary planning much more difficult. Currently, with the block arrangement, when tax arrangements go up and down we are sheltered to a certain extent because they are not reflected in the block grant allocation to Northern Ireland.

Mr B McCrea: No doubt the Minister will send his thanks to George Osborne, who did a fair amount of work on this. If it is within our remit to change APD on transatlantic flights, do we have the same powers to alter domestic routes for the Northern Ireland element of it, and has he given any undertaking that that will not, in fact, be enacted?

Mr Wilson: The Member always aims higher than anybody else. Mr McCarthy praised the mere leader of the Alliance Party, Mr Ross the First Minister, but Mr McCrea goes right to the top to the Chancellor. Perhaps he is hoping for a job from Tory headquarters.

More seriously, however, the Member raises an important point. This would not have happened but for the personal intervention of the Chancellor. I am not seeking a reward from any of them, but the Secretary of State and Hugo Swire also played an important part. The Chancellor acted promptly when the crisis point arose, and it is important that we recognise that. I do not know the Member's motive for raising that matter, but I am glad that he did because it gave me the opportunity to make that point.

With regard to air passenger duty for internal or other flights, once the power is devolved to Northern Ireland — and we will know whether full power is devolved or power just for certain bands once we have the legislation — it will be up to the Executive to decide what they wish to do. As the Member will know, however, if we do accede to reducing air passenger duty for a wide range of flights, we forego that duty and have to find the money from somewhere else.

Mr Byrne: I welcome what the Minister said in relation to air passenger duty. Would the Minister hope that there would be some way of recovering the £3 million internally from economies of scale? Secondly, is the Minister content that there are detailed figures relating to all tax revenues collected in Northern Ireland? There seems to be an uncertainty about the corporation tax figures.

Mr Wilson: As far as recovering the tax is concerned, we believe that for the transatlantic link to North America it is a cost worth paying. Attracting tourists to Northern Ireland may have been a minor reason. The importance of the link was to get the business connections and, therefore, the return that there is from investment by having easy connectivity with North America. That is where the return will be, and that is one reason why we want to see it devolved.

It was probably a bit easier to estimate the amount of air passenger duty than the corporation tax, because it was estimated on a cost-per-ticket basis. There are all sorts of problems with estimating corporation tax, such as the year you take and whether businesses are considered by their postcode or the tax office they make their payments to, or whether they are part of an international or UK-wide organisation. That is one of the things that we have to talk to the Chancellor about between now and the new year.

Civil Service: Equal Pay

5. **Ms Boyle** asked the Minister of Finance and Personnel what steps he is taking to resolve any outstanding equal pay issues. (AQO 505/11-15)

Mr Wilson: The Northern Ireland Civil Service equal pay settlement has been implemented in line with the terms agreed with the Northern Ireland Public Service Alliance (NIPSA). It has been approved by the Northern Ireland Executive, and I have no plans to extend the agreement to include groups of staff who have no entitlement under the terms of the settlement.

Ms Boyle: How much of the money allocated to offset the equal pay settlement has been used to date?

Mr Wilson: Almost all the cases have been settled. I cannot give you the exact figure. A few cases are outstanding where people have taken tribunal cases, but, by and large, and off the top of my head, most of the approximately £120-something million has been allocated. I cannot give the exact figure, but if the Member wants it, I shall make sure that it is passed on to her.

Mr Wells: I think that many Members have been approached by staff working for the Police Service. Why have they not been included in the settlement? Many of them seem aggrieved by that decision.

Mr Wilson: We negotiated on behalf of Northern Ireland Civil Service staff. At that stage, those who work for the Police Service were in the Northern Ireland Office, and they are now in the Department of Justice (DOJ). Staff employed in the PSNI were not included in the settlement except for those times when they spent eligible periods in the Civil Service. There were discussions between the PSNI, DFP, the Northern Ireland Office and the DOJ regarding the entitlement of PSNI staff to the lump sum settlement. However, it is the opinion of the Departmental Solicitor's Office that, given that the pay delegation was passed to the NIO pay group in 1996 and remained in place until the devolution of justice in April 2010, police staff did not have an entitlement to access the Northern Ireland Civil Service equal pay scheme.

It is, therefore, up to the PSNI to say whether there is justification for an equal pay claim in the Police Service because of a difference in payments between people in certain grades

where one is exclusively female and the other exclusively male. No case to that effect has been made by PSNI to date.

Mrs Dobson: Is the Minister aware that the head of the Civil Service has confirmed that secondees continue to be civil servants and remain subject to Northern Ireland Civil Service terms and conditions of service, including pay?

Mr Wilson: That may well be the case. Where there have been secondees and the exercise has been purely a secondment, that will be the case. However, many of the cases we are talking about concern not secondees but those whose pay remit was passed either to the Department they went to work in or to the organisation they went to work with. In that case, it is up to the organisation to show whether there is an equal pay issue to be addressed. If there is such an issue to be addressed because of a difference in pay among grades in that organisation, it has to present the case for that. However, we can look at and deal with only those cases where there is a legal entitlement because of a differential in pay between groups deemed to be doing a similar job but where there was a discriminatory element because one group was mostly male and one group was mostly female. Where people have moved into an arm's-length body or another Department, it is up to that body or Department to make a justification.

Mr McDevitt: As the Minister begins to reflect on the prospect of his own retirement from office in the next couple of years, will he tell the House why he will not use his discretion today to come to a fair and equitable agreement with the Northern Ireland Pensioners' Alliance that is capable of delivering to them the justice that they believe they deserve?

Mr Wilson: First, we can make settlements only where there is legal entitlement to such settlements. It is quite clear that anyone who left the Civil Service six months before the legal claim was made does not fall under the terms of the Equal Pay Act 1970. Many who may have retired before that date do not come under the terms of the legislation and are therefore not eligible for payment. I have no doubt that the first organisation to descend on payments of that nature would be the Audit Office, looking at why payments have been made that did not have to be made.

Secondly, let us say that we did decide to use some discretion, whether it would be legal or

not to do so. How far do we go back? Do we go back to 1975, when the 1970 Act came into force? We would not have records of many people who might be covered by that. Although it may be populist for the Member to make the calls that he is making, he has to consider the legality and practicality of doing so. No one has given me an answer as to what kind of criteria they would use to select individuals. The last question is where, at a time of austerity, would we get the money to do something that we are not even legally obliged to do?

Banks

6. **Mr T Clarke** asked the Minister of Finance and Personnel for an update on discussions he has had with local banks. (AQO 506/11-15)

Mr Wilson: I met local banks on a number of occasions in recent months. Those meetings have included representatives from the Ulster Bank, Bank of Ireland, First Trust, Northern Bank, Barclays, Santander and HSBC. Discussions have focused mainly on the current economic context, the state of the financial sector and the property market, bank lending and the implementing of the business finance task force recommendations to improve the services that banks provide to their customers. Just last week I attended a bank lending clinic at Barclays' Belfast branch to promote lending to small businesses, and I am due to meet the governor of the Bank of England, Sir Mervyn King, in November to discuss banking issues as they relate to Northern Ireland.

Mr T Clarke: I thank the Minister for that answer. The Minister will be aware, and it is widely known, that there is a perception that the banks are restricting the amount of lending. I suppose that explains why the overall figure seems to be decreasing. Will the Minister give any other reason why there is a decrease in the amount of money that the banks are lending?

Mr Wilson: It has been surprisingly difficult to get to the bottom of that. One of the reasons why we have engaged with the British Banking Association and asked it to implement all of the recommendations of the task force report in Northern Ireland is to try to find out what is actually happening to bank lending. We have had the first report, which causes me some difficulty, although it is all fairly high-level information at present.

Even on that high-level information, between the last quarter of last year and the second quarter of this year, bank lending to small businesses in Northern Ireland has gone down by 30%. We do not have the long-term trend, so I do not know whether it is seasonal. We probably need the data for a year or two to show whether there is any significance in that. However, the anecdotal evidence and high-level evidence presented to me causes me some concern. On the other hand, the banks would say that 90% of all loan and finance applications made to them are actually granted.

3.30 pm

Dr McDonnell: I draw the Minister's attention to the fact that, despite all the suggestions from the banks — I have heard the patter from the banks that they are lending shops and all the rest — there is a serious shortage of credit liquidity for small businesses. Are there any additional steps that he could take to ensure that small businesses have access to the credit that they desperately need at the moment?

Mr Speaker: I remind all Members not to walk in front of Members who have the Floor. I issued that warning some weeks and months ago. Minister, please continue.

Mr Wilson: There are two or three things. First, the constant meetings with the banks give me an opportunity to raise the issue of lending to businesses. Secondly, the information that is now going to be provided on a quarterly basis as a result of the task force report and the requirements of the British Bankers' Association will give us data that we can look at. Thirdly, I will meet Mervyn King to discuss banking in Northern Ireland and to see whether we can get more detailed information on the figures that are produced by the banks for the Bank of England. That, at least, will give us a full picture. It is a long process of ensuring that, if we are told that the banks now have sufficient liquidity to do the lending, we will engage them in doing that.

Committee Business

Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment

Debate resumed on motion:

That the Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011 (SR 2011/293) be annulled. — [The Chairperson of the Committee for Social Development (Mr A Maskey).]

Mr Brady: Go raibh maith agat, a Cheann Comhairle. At the outset, I would like to say to the Minister and anyone else who cares to listen that I am not here to grandstand or beat my breast. I am here to represent my constituents and, indeed, those vulnerable people to whom this legislation particularly will apply. I want to make that clear, Minister, because you seemed to suggest that we were doing this as some sort of stunt. I can assure you that it is no stunt.

As the Committee Chairperson pointed out, there was some lack of consensus in the Committee on supporting this prayer of annulment. However, I think that the House should be in no doubt as to the concerns that all members of the Committee expressed about these draconian regulations. It is not necessarily a matter of parity — I will talk about that later — nor is it necessarily about a breach of parity. However, it opens the way for the Department for Social Development (DSD) and the Department for Work and Pensions (DWP) to have some constructive discussions around the issues.

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

Gregory Campbell, who was first to speak after the Committee Chairperson, talked about the broad acceptance that the statutory rule will disadvantage young males aged 25 to 35 and that there was some concern about that. He said that there was a cost implication of £9 million per annum. It strikes me that £90 million in housing benefit is paid out yearly to the unregulated private rented sector, yet no one seems to be particularly bothered about that. That may be something that we should also be addressing.

Mr Campbell went on to say that parity must be addressed by all of us. That is obviously very relevant, whether we consider the regulation to be a breach of parity or not, or whether DSD and DWP consider it to be a breach of parity or

not. We do not know that at present, because that was not stated. The Minister has given us his opinion, but he has not given, constructively or concretely, DWP's views. According to him, it is DWP that makes the decisions, not him, with respect. That is what he alluded to in his speech. Perhaps that could be addressed.

Mr Campbell went on to talk about the £9 million, but it could cost us up to £4 billion.

Mr Campbell: It is probably not in anyone's interests to second-guess what we heard the Minister say. I was very clear that the Minister's reading out of what DWP said was unambiguous and unequivocal. That was my reading of it. Did the Member hear a different statement?

Mr Brady: I heard the Minister say that the Chief Secretary to the Treasury had made statements, but I did not hear him say that he had had discussions with DWP about the issue. Perhaps he can enlighten us on a future date, but he certainly did not mention it today. That is simply the point that I was making.

Mr Campbell talked about wiggle room for delayed introduction to try to ensure that appropriate accommodation can be found. We have a waiting list of 60,000, so I look forward to your solutions to that problem. Michael Copeland mentioned the Committee's concern about the impact on approximately 6,000 citizens and said that the decision should not be taken lightly. All but one Committee member agreed that parity was the issue, and that, given its importance, it should be dealt with on the Floor of the Assembly. He quoted from the Housing Executive about the impact of the changes on the 6,000 citizens and said that it may be problematic to find alternative appropriate accommodation in the appropriate geographic location. It is probably more than problematic.

The Housing Executive also highlighted the risk of homelessness. The University of York and Heriot-Watt University in Edinburgh recently did research into the correlation between the reduction of the welfare safety net and homelessness. It is clear that there is a link. According to the research, homelessness in Britain is rising; people are sleeping rough on the street. There is no doubt that that will be replicated here.

Mr Copeland asked the Minister to examine the effects on those who will be affected, ensure that measures will be taken to protect

those who are affected by the regulations, and address the shortage of appropriate housing supply in urban and rural areas. He said that the Minister's opinion is key to the decision that is made today and that breaking parity would be tantamount to irresponsibility.

Mark Durkan spoke in favour of the motion. He said that we cannot let this legislation pass because we would be failing the constituents who voted for us; he also said that we must consider the impact of the legislation. He highlighted the plight of young non-resident fathers and said that the legislation would make access to children very difficult. He also highlighted the difference in housing supply between London and the North and the fact that our housing supply does not lend itself to shared accommodation. In addition, he highlighted the plight of those who live in rural areas and said that 82% of multiple-occupation dwellings are not in those areas. I presume that that was not taken into account when the legislation was being drafted. He also, reasonably, called for a full cost-benefit analysis of the regulations before their implementation, as well as an equality impact assessment.

Judith Cochrane was not in favour of the regulations. She did a reasonably good impression of Pontius Pilate, and we know about the bad press that he has had for a couple of centuries. I will leave her contribution at that.

Fra McCann said that he did not accept the British Minister's assertion that this is similar to the case of students who share accommodation. I agree with him. Many constituents have been forced to share accommodation, often with disastrous and tragic consequences. He also spoke about the 6,000 people who are affected by the regulations and asked how they will afford any shortfall in rent. In addition, he spoke about his visit to the Welcome Centre, highlighted the risk of homelessness and asked how organisations that deal with homelessness every day will cope. He spoke about the unsuitability, and the often dire state, of HMOs across the North and the lack of HMOs in rural areas. That was also highlighted by Mark Durkan, who said that 52% of HMOs that had been inspected in the Foyle area were found to be unfit for purpose.

Furthermore, Fra McCann said that the discretionary housing payment is not an adequate safety net. The fact that it is discretionary highlights the difficulties therein because it can

often be at the whim of a local office and what it considers to be deserving and non-deserving. Fra McCann said that we must go back and negotiate on the regulations, and that should be considered. Any decision on the regulations must be based on evidence.

Jennifer McCann spoke on two different aspects of the issue: parity and suicide rates.

Ms Gildernew: I thank the Member for giving way. As he is aware, today is world mental health day. I accept that the legislation contains some provisions for people with identified mental health issues. Given that the statutory rule is likely to have a disproportionate effect on young men, is there a risk that, if the legislation were to go through, many of our most vulnerable young people could find themselves homeless? That could compound mental illness difficulties and, possibly, lead to an increase in suicide rates.

Mr Brady: I thank the Member for her intervention. In the case of many people with mental health problems who have not been diagnosed, the problem gets worse, particularly when they are put in the position of being in shared accommodation.

Jennifer McCann went on to highlight the high rate of suicide among young males aged between 24 and 35, and that group will be particularly affected by the regulations. The regulations will reduce the supply of private sector accommodation and increase the rate of homelessness as people are pushed on to the street. Passing the regulations will push already vulnerable people towards increased substance abuse.

Daithí McKay said that the regulations will lead to an increase in homelessness and eviction. He highlighted the fact that many of the vulnerable people who will be affected by the regulations do not have the necessary family support network to help them to cope. He reiterated the risk of suicide among the under-35 group and said that the regulations will serve only to push people towards suicide. He did not consider an annulment of the regulations to be a breach of parity. He highlighted previous examples of parity being contested and flexibility being found, such as in the case of lone parents, as the lack of childcare was an issue here. He went on to say that we must consider the outcome, the issues that will be affected and the difference between here and Britain.

The Minister outlined the purpose of the regulations and recognised the concerns of

all about the impact of the regulations. He cited the exemptions provided for under the regulations and two new exemptions that have been introduced. He considers the discretionary housing payment to be an adequate safety net, and he highlighted the substantial increase in that budget over the next three years. He accepted that shared accommodation is not for all and recognised people's concerns about it.

The Minister reiterated that the issue is one of parity and highlighted the practical difficulties of moving away from parity with regard to the IT system. He also warned of the consequences for the block grant if parity is breached. He said that parity has worked in favour of people here and that, without parity, the social security system here could not be maintained. He also said that the cost of breaking parity would be in excess of £9 million, not including the cost of altering the IT systems. If parity were breached, it would be up to the Executive Ministers to meet the £9 million shortfall from their budgets. He warned that a breach of parity could trigger a review of the current funding arrangements and lead to less favourable funding for social security. He said that maintaining the principle of parity is in the interests of people here and warned that, if we were to breach parity, we would be heading down a slippery slope. He said that the Treasury is unambiguous that an annulment of the regulations would be a breach of parity, and he quoted the statement that the Treasury Secretary made earlier in the year.

In response to Mr Campbell, the Minister said that there was no room for delayed introduction, and in response to Mr Copeland he said that the Westminster Government were very clear that an annulment would be a breach of parity. In response to Mr McKay, he said that the power is handed from the sovereign Government in Westminster to the devolved Administrations and that we must be ruled by what they decide. Also in response to Mr Copeland, he said that research will be done to monitor the impact. He welcomed Mrs Cochrane's responsible approach, and, no doubt, he was entitled to do so. In response to Mr McCann's point about the supply of suitable accommodation, he accepted the need to have a comprehensive look at housing and he said that the discretionary housing payment was sufficient.

3.45 pm

In response to Jennifer McCann, the Minister warned of the danger of overplaying the issue. He said that, thanks to the faith sector's provision of hostels for the homeless, the position here is better than in GB, and he pointed out that there may be an exemption for homeless people in the regulations. He also assured her that there is ongoing engagement with the Westminster Government in respect of the impact of welfare reform changes.

In summary, a difficult decision has to be made. The principle of parity, as defined by Westminster, must be maintained to ensure that, when we look at future housing policy, we take into account the impact of the regulations. Where is £9 million to be found?

I will now speak as a party member. In his statement, the Minister seemed to be supporting Tory policy, even though his party often attacks the Ulster Unionists for doing so. He seemed to be happy enough with the Government's ideological position on housing benefit and welfare reform and more than happy to implement that. I ask that the Minister give us some detail —

Mr Humphrey: I think that it is unfair of the Member to misrepresent the Minister. The Minister did no such thing. In fact, he stood up to Tory cuts. At Westminster, the Democratic Unionist Party clearly voted against such cuts. All that he was doing was explaining the position of our national imperial Parliament in London.

Mr Brady: With respect, I was not misinterpreting the Minister. I was simply giving my interpretation of what the Minister said. [*Laughter.*] I think that there is a subtle difference there. We both have our views. You are entitled to yours, and I am entitled to mine. He was not just supporting Tory policy but saying that he is quite happy to implement it. I would like to know what discussions he has had with Lord Freud. It seemed that the previous Social Development Minister was on first-name terms with Lord Freud and was never away from him. That was the information that the Committee was getting in the previous mandate.

Parity is a huge issue that requires wider discussion. What the Minister did not allude to is the fact that there is selective parity. There are many differences between the two. Parity is about ensuring like for like. However, the

fact that much more is deducted from people's benefits in the North, because the Department has the power to do so, and that a council tax that was introduced in England was not introduced here — most people would agree that it is probably just as well that that was not introduced here — show that parity is not always what it seems.

The Barnett formula is supposed to deal with parity. Barnett is all about providing equality in Britain and the North. However, it is very clear that there is inequality here given the availability of housing and the number of people with disabilities. Those issues do not seem to have been factored in. There is also selective parity in Scotland and Wales for certain issues. If the Minister's argument is based on parity, that is fine. However, parity is not simply about our accepting legislation from Westminster. There has to be some room for negotiation. Even Mr Campbell talked about the possibility of wriggle room, and I think that that should be open to debate. Perhaps the Minister could give us some details on the degree of engagement that he has had with the Department for Work and Pensions and on what wriggle room may or may not be available. I do not think that anybody here wants to see a £4 billion subvention disappearing into thin air. It would be nonsense for anybody to argue that. We are not saying that. Parity issues affect how things are administered and are done better, and they impact the people we represent. The Minister needs to take that on board.

In conclusion, some view the Department for Work and Pensions' proposal as a form of blackmail, because we are left with no option but to accept it; we cannot refuse. It is like when Henry Ford told potential customers that they could have any car as long as it was a black one. We do not seem to have a choice. By extension, the Department for Social Development is telling us that we can have any regulations we like as long as they are the ones made by Parliament in Westminster and do not, of course, break parity. Members noted that parity is the fundamental issue raised by these regulations, which the Committee voted to pray against. Some Members are not convinced that we would be breaking parity by annulling this statutory rule.

There are examples in which parity has been broken, and the sky has not fallen in. We have given some examples of that. That raises the

question of whether we can realistically stretch parity on this issue. The Minister and other Members mentioned that welfare reform is coming down the road. We are talking about the dismantlement of the welfare state as we know it, social engineering and all sorts of issues that will affect the people whom we represent. It is time that we took a stand, took a considered view on parity and engaged in negotiations on how parity is impacting on the people whom we represent instead of applying south of England standards to the North. Go raibh míle maith agat.

Question put.

The Assembly divided: Ayes 34; Noes 55.

AYES

Ms M Anderson, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Brady and Mr F McCann.

NOES

Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

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

Question accordingly negatived.

Department of Justice: Initial Ministerial Provision

Mr Deputy Speaker: The next item on the Order Paper is a motion to refer matters to the Assembly and Executive Review Committee. The Business Committee has agreed that it will be treated as a business motion. There will, therefore, be no debate.

Resolved:

That, pursuant to Standing Order 59(4)(b), this Assembly refers to the Assembly and Executive Review Committee the matter of a review of the initial ministerial provision in relation to the Department of Justice; and agrees that the Committee should make recommendations relating to the provision that should exist from 1 May 2012. — [The Chairperson of the Assembly and Executive Review Committee (Mr Moutray).]

Private Members' Business

Water and Heating Supplies

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

Mr F McCann: I beg to move

That this Assembly calls on the Minister for Social Development to put in place measures to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period.

Go raibh maith agat, a LeasCheann Comhairle. A leasCheann Comhairle agus a chairde, Sinn Féin has brought this motion to the Floor to ensure that the Minister for Social Development explains to the House what preparations are in place to avoid a repetition of last year's failure by the Housing Executive and housing associations to offer a service to their tenants. I believe that it is not down to only one Minister to develop a strategy; that rests with a number of Ministers. I ask that the Minister for Social Development uses his good offices to find out what strategies have been put in place, especially by the Minister for Regional Development, to deal with severe weather. Many people had to fend for themselves and depended on local organisations to assist them through the worst of the severe weather. That was greatly appreciated, and I commend them here today.

I will not try to rehearse all the issues, because those have been well documented, but I notice that a number of Members have been active in asking what has been put in place to avoid a repetition of last year's events. That indicates the level of concern not only in the House but in our constituencies. I ask the Minister for Social Development to lay out for us what strategy has been put in place to deal with possible bad weather this year. Will he tell us what the Housing Executive has learned from last year and if the housing associations learned from the events of last Christmas?

We need to hear what strategy will be put in place to ensure that all eventualities are covered. Last year, I was particularly peeved at the attitude of some people in NI Water who

believed that they rose to the occasion and that it was not really their fault that everything went wrong. The housing authorities had serious questions to answer. They were receiving complaints up to a week before Christmas, many days before the crisis hit the water service. From speaking to people in the Housing Executive over that period, I know that they were struggling to deal with the large number of calls, but it took days to react. I understand that the call operation played a crucial role for people, but for many it was too little too late; the damage had been done. The heaters that the Housing Executive left with people were inadequate and offered little heat, and many contractors who called to houses told people what they wanted to hear — that they would be back — but did not return.

Systems connecting the Housing Executive with some contractors collapsed at an early stage of the crisis, which had serious consequences for residents. People were told that parts for heating systems were not available and would not become available until after the holidays. I might have accepted some of the excuses had there not been any warning of severe weather, but not to the extent of what transpired.

To have nothing in place was not good enough and was, in fact, inexcusable. It makes it all the more important that we learn from our mistakes and that we ensure that whatever strategies are put in place can cope with the type of weather that we had last year. Again, I ask the Minister to use his offices to engage with other Ministers and to have a joined-up approach to any severe weather.

I ask that people know their lines of responsibility so that one agency cannot blame another at the height of any crisis. I ask that all holidays are arranged in the knowledge that staff could be called back to work at a time of crisis; that there is a central control team to oversee the operation that Ministers can tap into at any time; that there is a system that elected representatives can feed into for the most up-to-date information; that there is a publicity strategy so that the media can help to get information to people; and that press briefings take place regularly to update people on how things are being handled.

I ask that suppliers are contactable so that they can reopen their premises to allow contractors to be supplied with the items that they need;

that additional contractors be put on standby to ensure that, if one contractor cannot manage, additional help can be brought in; and that a new form of temporary heating is found to replace the outdated electric heaters used at present.

I ask that local government knows its responsibility in times of emergency. It was embarrassing to listen to the inter-agency arguments about who was responsible for gritting cities, towns and villages last year. There should be no magic line that one agency says it cannot cross because the area beyond it is the responsibility of another agency.

I ask that housing associations with responsibility for elderly dwellings in their stock ensure that people and staff in those dwellings are made aware of the strategies being put in place to offer assistance in times of crisis. I believe that senior management in those organisations need to take control of events to ensure that the strategy works and that a senior staff member is nominated by all those organisations and is on standby so that they can be easily contacted over the holiday period.

We all have a responsibility to put our shoulders to the wheel to ensure that what happened last year does not happen again. I again ask the Minister to tell us what has happened since last year to ensure that pipes have been lagged, that condensate pipes have been relocated and that frost stats have been provided that can trigger a pump to circulate water around the system. The Minister for Social Development gave that information to a member for Foyle just last month, but it did not detail how many homes had been fitted with those systems.

I ask Members to support the motion.

Mr Campbell: The motion is really a preparatory motion in that all of us are concerned that we may well — although hopefully not — be about to get the third extremely bad winter in a row. Mind you, I marvel at how some in the press can speculate on the type of winter that we will get as some of those same people told us that we would get a barbeque summer, and I did not hear any apology in September. The experts tell us that they cannot tell us the weather more than four or five days in advance, so I think that we can park the guarantees of a bad winter. However, we do know that we have had two bad winters.

Mr F McCann: My point is that, up to seven days before the bad weather arrived, there were

warnings on TV that we would probably get the most severe weather that we had had in many, many years.

Mr Campbell: For once, I was not attacking Sinn Féin. I was just making the point that it was a national issue. Over the past couple of years, there have been big headlines in the press about what the winters would be like. It was nothing at all to do with what the Member had said.

There are people who tell us that they can predict the weather months ahead when, in fact, they cannot. However the relevant point is that the Department needs to be in a state of readiness and preparedness for what might be yet another exceptionally bad spell of winter weather.

I remember last Christmas, when we were into the third day of extreme weather. I, like other Members, had been informed that some of my constituents were without any bottled water — many others were in the same position — and they were told that they would have to make a 60-mile round trip to collect some. So, I arranged with one of my constituency colleagues that I would collect the water as I lived closer to the NI Water depot than the constituents. When I went to the depot, I was met by a very efficient staff member who informed me that I could have four bottles of water but that that was as much as I could have. I explained that I was going to load the bottles in my vehicle to take to dozens of people without water. A senior member of staff then came to talk to me, and we overcame that problem. We got a sufficient quantity, which then allowed me to drive to constituents to distribute the water. We need to hear from the Minister that as soon as it becomes obvious that extreme weather conditions are not just probable or likely but are imminent — and we can normally tell within 24 or 48 hours — all members of staff in all the relevant agencies will be on standby and ready to go. That addresses the point that the Member for West Belfast raised.

4.15 pm

We hope that that will not be the case but if it transpires, we must ensure that lessons have been learned from last year and previous years, and that a pragmatic view will be taken by the Department so that people will have confidence that, whatever the severe winter is going to throw at us, officials will be there to try to deal with it. That can be done through manned phone lines, getting bottled water out there, and having maintenance people ready to respond as soon

as any thaw occurs. This is really about getting in place a state of readiness in advance of any expected extreme weather. I look forward to the Minister's response.

Mr Copeland: The events of last winter, which I presume are the seed point of these proceedings, are a matter of some interest to those of us who lived through them. It seemed, in some ways, that the weather and the climate had taken charge of us, and that our ability to respond was somewhat limited. At the time, I was aware of criticism, some of which may have been justified, of Northern Ireland Water (NIW) and the Northern Ireland Housing Executive by members of the public who, in some cases, had genuine difficulties in contacting both organisations.

Just before the holidays, I learned that there was the possibility of an extremely cold snap. I made arrangements with the Northern Ireland Housing Executive and Northern Ireland Water to access an emergency email address. In fairness, I worked from home, taking reports from Sir Reg and some of our office staff who were out on the ground. I must say that I found the workers from Northern Ireland Water and the Northern Ireland Housing Executive particularly attentive, even though they were under intense pressure.

A statement was issued today by the Met Office that we in Northern Ireland are facing a mini ice age due to the return of a phenomenon referred to as La Niña. That was news to me, but it indicates that this winter may be extremely difficult. We have heard that between 1,000 and 1,300 people died last year because of the effects of cold. We have heard about the effects of fuel poverty. I am not sure what command over water and heating supplies any individual Minister has. However, this motion, in a roundabout way, indicates that we have to do something. We have to plan and to give citizens the notion that, should their pipes freeze, their water supply be interrupted or their houses become incapable of being heated, there is a readily contactable number with someone at the end who can record their difficulties and take action to alleviate them.

The Department for Regional Development seems to have got away in the smoke somewhere because I would have thought that part of this issue comes under its remit. I appreciate that Minister McCausland has been in the Chamber for quite some time today. I am sure that he will take away with him the feelings of all of us

about what needs to be done, but I sometimes wonder whether his time would not be better spent actually doing some of the things that we ask him to do. That having been said, there is nothing in the motion that gives me any difficulty in supporting it wholeheartedly.

Mr Byrne: I support the motion. It is important that the subject is debated at this time. I accept what Mr Copeland said about the Minister for Social Development's not being wholly culpable for all of last year's difficulties.

On the substance of the motion, it was the lack of water supply to many households and businesses that caused the greatest concern. I pay tribute to Northern Ireland Water engineers, who, at a local level, tried to come out and repair supplies to houses and businesses. However, the real concern was that people could not log their complaints. The call centre failed, and, despite the regulator intimating a year previously that there should be better call centre facilities, that was not acted on. Senior management in Northern Ireland Water seemed to go missing over the Christmas period, the public got frustrated at not being able to log their complaints, and, as a result, we had a near disaster because people felt so angry about what was happening. However, I have to pay tribute to those in the communications department of NIW, particularly those middle- and lower-ranking communication personnel, who coped admirably under severe pressure.

I also pay tribute to the way in which the Housing Executive responded in many instances. Although the situation occurred during the Christmas holidays, many of its subcontractors came out and did a good job. Indeed, I would contrast Northern Ireland Water's subcontractors with those who worked for the Housing Executive. The Housing Executive's subcontractors worked extremely well. I blame NIW for having only three main maintenance contractors, which is a system that it brought in about five years ago. The result of that was that, when NIW needed subcontractors, they were not there. There seems to have been a disconnect between NIW and its subcontractors, and I think that that is where a lot of the difficulties arose.

In some cases, water bowsers were available. However, they were not available at all NIW depots, and I think that that was a mistake. Hopefully, that has been rectified for the ensuing year.

I also pay tribute to local plumbers. Many small plumbing companies worked extremely hard over the Christmas period, and I know of at least two who did not have even a Christmas dinner because they were out trying to help householders get their water supplies reconnected.

There is a real problem with Northern Ireland Water that arises from the fact that, in housing estates, some people have purchased their properties and some are still Housing Executive tenants. If there is a connecting supply between households of different ownership, that seems to cause great confusion and annoyance. I ask the Minister for Social Development to examine that. It is very frustrating for those who are caught up innocently in situations and who have no water supply, but no one knows exactly where the leak occurred. If it happens to be in the private garden of one of the houses that has been purchased outright, neighbouring Housing Executive houses with a connecting supply have no water. That causes great frustration.

Finally, I hope that NIW is in a better state of preparedness this time —

Mrs McKeivitt: Will the Member give way?

Mr Byrne: Yes.

Mrs McKeivitt: Does the Member agree that it is hard for constituents to accept that NI Water can make so much profit when it cannot guarantee the supply of water? Does he further agree that the fiasco that happened last Christmas has left farmers and businesses with colossal water bills?

Mr Byrne: I thank the Member. She reflected the great angst and pain that many people experienced. I hope that the new document from Northern Ireland Water will at least address immediate needs and ensure that it is in a better state of preparedness this year than it was last year.

I am glad that Roads Service has stockpiled over 100,000 tons of salt and grit. Last year, it had only about 50,000 tons in storage, and, over the winter period of 70 days, 110,000 tons were used. I was delighted to be told by Roads Service personnel at the meeting of the Committee for Regional Development last week that over 100,000 tons have been stored. That should bode better for the ensuing year

Mrs Cochrane: I want to record my sincere thanks to the individuals, voluntary groups, local

councils and government agencies for their efforts over the past new year period, which was one of the coldest months for 100 years.

Many front line operational teams worked effectively in very challenging weather conditions to restore water and heating supplies to properties across Northern Ireland. As other Members emphasised, it is crucial that we learn from mistakes and ensure that adequate measures are in place to prevent a repeat of the chaos that we experienced last year.

As Members are aware, East Belfast was one of the constituencies worst affected by the water shortage during the freeze-thaw. Northern Ireland Water was not prepared for a crisis of that magnitude and, evidently, neither were many Departments and agencies. Due to the initial lack of a co-ordinated response from key Departments, my colleagues and I spent much of the Christmas period knocking doors and distributing bottled water to the most vulnerable. The action to open up leisure centres from which to supply water originated from local councils.

Strong working relationships with clearly defined roles need to exist between Departments, local councils and public service providers to ensure that urgent action can be taken in a crisis. Last year, around 80% of the additional water demand was created by the freeze-thaw that caused leaks from domestic and business water pipes, but poor communication exacerbated that already difficult situation. For example, information on the rotation of water availability in postcode areas was unclear and resulted in many people unnecessarily filling up vessels with water when, in fact, their water was not turned off. That significantly depleted water reserves and added to the problem.

If temperatures this year are to be any way similar to those of last year, communication methods need to be clear, accurate and up to date. Last week, I met the interim chief executive of Northern Ireland Water, who outlined a number of improvements that have been made to communication tools over the past few months. He also described the role that NI Water played in protecting some schools during last year's crisis. I am sure that similar work could be done to help to safeguard housing estates, and I urge the Minister for Social Development to explore that option as a means of proactively protecting vulnerable citizens.

During the freeze-thaw, an unprecedented number of calls were made to the Housing Executive requesting urgent repairs to heating and plumbing. Almost a quarter of all Housing Executive homes needed some form of repair. That worrying statistic raises questions as to why those homes are more susceptible to damage from burst pipes and broken heating systems than homes of any other tenure. I understand that, as other Members highlighted, considerable work has been undertaken to improve emergency plans. Although I welcome those improvements, I urge the Minister to focus more on prevention than cure.

The winter brought into sharp focus the ongoing problems of fuel poverty that many in Northern Ireland face. There is a real need for investment in Housing Executive homes to ensure that they are protected from future cold spells. The Housing Executive performance review highlighted a number of areas where additional physical works, including insulating and heating-related matters, could be undertaken to mitigate risks in the event of further bouts of adverse weather. By focusing on those measures, the Minister can make an impact. The provision of better insulation will inevitably safeguard household heating supplies by minimising energy wastage and reducing energy bills. I urge the Minister to ensure that such improvements are made as quickly as possible. Better information also needs to be given, especially to the vulnerable, to ensure that they know how to prepare for the winter, deal with an emergency and where to get help. NI Water has winter weather advice on the home page of its website and, although that is welcome, the Department for Social Development, bearing in mind that many tenants do not have access to the internet, should be taking the lead in communicating information to those in social housing on how best to protect their property.

In preparation for this winter, the Minister should also work closely with the Minister for Regional Development. In my constituency last year, the icy conditions and lack of road gritting in certain areas meant that people felt trapped in their homes and were unable to access public transport. Some elderly constituents in Ballybeen missed hospital appointments when taxis were unable to drive into their streets, and pavements were so treacherous that constituents could not make their way out on to the main road. The Minister for Regional Development has confirmed that it costs £150

to supply a new grit box and service it for a year, so thought needs to be given to further provision of those boxes, particularly in areas where constituents rely on public transport. Perhaps the Minister, in conjunction with the Minister for Regional Development, could go one step further and consider ensuring that areas surrounding sheltered dwellings for elderly people are adequately gritted to protect the most vulnerable.

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

Mrs Cochrane: In conclusion, we have heard that serious lessons have been learned. I hope that, with the benefit of hindsight, the Minister for Social Development will ensure that those measures are taken forward. I support the motion.

4.30 pm

Mr Easton: Earlier this year, thousands of householders experienced burst pipes, heating system failures and other difficulties. Many of them were tenants of the Housing Executive and/or housing associations. Some tenants' homes were severely flooded, which resulted in damage requiring extensive repair work.

Over the period of the freeze, more than 4,900 temporary heating appliances were distributed by the Housing Executive and others. From 17 December 2010 to 9 January 2011, the Northern Ireland Housing Executive received 24,777 unique telephone calls and tens of thousands more repeat calls. On New Year's Eve, it received more than 3,500 calls, and, on New Year's Day, it received more than 1,000 calls. On the Monday after the New Year, 2,154 calls were taken by the Housing Executive. Between 17 December 2010 and 2 January 2011, some 30,000 work orders were placed with contractors. That obviously put pressure on all involved in trying to resolve system failures. However, it is clear that the initial phase of the response to the emergency could have been better handled.

In my experience in north Down, I found it relatively easy to get through to Northern Ireland Water, even though it seemed to have the biggest problems. However, I had difficulties when trying to get through to the Housing Executive. The Housing Executive's emergency number put you through to an answering machine message, which gave you

another number. When you phoned that number, it put you back to the original phone number. Therefore, you ended up going round in circles. Hopefully, that issue can be resolved. It was virtually impossible to get hold of anyone in DRD over the Christmas period. It is clear that the initial phase of the response to the emergency could have been better.

The Housing Executive and contractors were asked to review their emergency plans in light of the experiences of many tenants. Contractors were requested to revise their emergency plans to take account of experiences learned, and a revised business continuity and emergency plan template was developed by the Housing Executive to aid contractors to build their plans further and in a uniform format. All housing associations were also instructed to review their policies regarding emergency procedures.

It must also be remembered that Northern Ireland Water's response to severe winter weather conditions was appalling, and, as an elected representative who was inundated with calls at the time, I hope that lessons have been learned and that, in the event of severe weather conditions this winter, it has developed new policies that are fit for purpose.

I experienced difficulties trying to contact Northern Ireland Water and receive information that I could pass on to constituents. The same can be said of my experience with the Northern Ireland Housing Executive. I am aware that Northern Ireland Water has commenced a winter awareness campaign, and I think that it is important that all customers take note in preparation for a possible freeze. Customers can take steps to reduce the risks of pipes freezing and subsequently bursting. Those steps include lagging pipes, knowing where the stopcock is, and having contact details of a plumber ready in the event of a burst pipe.

All that is valuable information, but, in order to prevent freezing and to limit the effects of any thaw, you need to be able to afford it. In other words, you need oil in your tank. I know that many people find it difficult to afford oil, never mind getting it delivered during the thaw. However, the key thing is for people to prepare in advance.

I am aware that, given the pressure that Northern Ireland Water came under earlier this year, it has already held discussions with various stakeholders, including the Northern

Ireland Housing Executive and housing associations, on the need to protect pipes. The Housing Executive has also agreed to arrange the distribution of information leaflets to its tenants, and housing associations will provide information and advice in their publications to tenants on how to protect pipes. I welcome the opportunity to debate this issue.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. During the severe cold snap at the end of last year and the beginning of this year, it was obvious that the measures in place to safeguard the water and heating supplies were inadequate, as were the repair services.

In parts of West Tyrone, homes were without water and heating for weeks over the Christmas and New Year period. They included entire housing estates, such as the Strathroy housing estate in Omagh, where the water supply was completely cut off. That breakdown had the most profound impact on the most vulnerable people in the community, particularly older people, people with disabilities and households with young children. However, I pay tribute to the local Housing Executive staff who worked closely with councils, residents' groups and community leaders on the ground to try to minimise the impact.

Not only were the local Housing Executive offices understaffed, but the breakdown of the telecommunication system compounded an already dire situation. As a basic measure to safeguard water and heating supplies, it would have been preferable in such a situation for tenants to deal directly with the approved Housing Executive contractor than to try to navigate through an entirely dysfunctional telecommunication system. In addition to the telephone systems collapsing, communications with tenants were, generally, very poor. Many tenants did not have basic preventative information about how to avoid frozen pipes. Tenants lost thousands of pounds due to having inadequate insurance cover for the contents of their homes. It is essential that safeguarding measures are incorporated in the provision of information, especially to the most vulnerable people.

Finally, when I spoke to local Housing Executive officers during the most recent cold snap, they said that, in many cases, the same pipes and houses suffer those bursts almost every year. That should provide some intelligence and information that will enable us, when we move

forward to invest in repairs, to do so with a more planned and phased approach.

Mr Hussey: I support Pat Doherty's comments about the estates in Omagh. Does he agree that it was scandalous that the additional cost of dehumidifiers that were required in people's homes after they were flooded at that time was not covered by the Housing Executive, but by tenants themselves?

Mr Doherty: I thank the Member for his intervention. I agree with him. I was trying to impart to the Minister that local information, which is held in the memory and in local offices, is advance intelligence that should be used to try to move forward and deal with the problem strategically in the future.

Finally — I might have said that previously — some of the coldest temperatures ever recorded were in Castlederg, which is also in my constituency. That indicates that as the Minister approaches all of that, the west, and West Tyrone in particular, needs special attention.

Mr Douglas: I also welcome the debate and the opportunity to provide input. The severe weather throughout Northern Ireland in December 2010 was the coldest for more than a hundred years. Like many others in the Chamber, I witnessed the effects of sub-zero temperatures on the lives of thousands of people. Residents, particularly the most vulnerable, such as the elderly and young children, need our protection this winter from the problems of the big freeze to the thaw.

If we rewind to winter 2010, which was certainly the coldest that I can remember, we will recall that problems with frozen and burst pipes highlighted the problems that many vulnerable people faced from outdated heating systems, which put strain on the water supply. That aspect, and all of the problems of fuel poverty that we discussed in the Chamber recently, must be tackled by the Assembly. The evidence of colder winters in the past few years, as my friend Gregory Campbell mentioned earlier, raises the prospect that we need to work harder and smarter in our preparations to meet the challenge of severe cold weather. There is the possibility of similar adverse weather for years to come.

Northern Ireland Water came in for widespread criticism at the time. I do not want to dwell on that aspect of the debate, because it has been well rehearsed. However, we need to ascertain the progress that has been made on the 57

recommendations in the Utility Regulator's investigation, some of which relate to the importance of communication between Northern Ireland Water and the Northern Ireland Housing Executive.

A number of Members mentioned the problems that tenants and residents had in trying to contact the call centres. I have an iPhone, and I can contact my son in New Zealand on FaceTime. I can speak to him, and I can see him. However, last year, I was not able to contact my local Northern Ireland Water agency a few miles away. Surely there is something wrong with that in this age of global communication, and we have to work on it.

I welcome the Committee for Regional Development's commitment to keeping a close eye on progress against the Utility Regulator's recommendations and the freeze/thaw recovery plan. The Assembly also needs to look at that progress.

I witnessed at first hand some of the communication problems that need to be ironed out. I remember a plumber being sent out and managing to access a home despite all the problems with the frost, snow and ice. However, it was really a heating engineer that was needed rather than a plumber. It is those little foxes that spoil the vines. Those problems should have been sorted out but were not. We hope that those problems will be resolved for the coming winter.

I appreciate the role of call centres in such emergencies, but many of my constituents in East Belfast could not get through to their local centre. Many others simply cannot relate to automated machines or call centres. The Housing Executive dealt with an unprecedented number of calls from tenants during the period of extreme weather. Initially, tenants experienced difficulty in contacting offices to report repairs, which resulted in a delay in jobs being issued and work being carried out.

However, as Joe Byrne did, I pay tribute to the Northern Ireland Housing Executive for its response, particularly at local district office level, and for working closely with local councillors, politicians and others. The district office in Castlereagh, for instance, was open for tenants to speak to staff. Housing Executive staff worked during their planned holidays and went out to people's homes. There is nothing to match the personal touch. This year is the fortieth anniversary of the Northern Ireland

Housing Executive, and I hope that local district offices will be here for the next 40 years.

I understand the enormity of last winter's crisis — the water supply of some 215,000 homes was interrupted. However, for senior citizens in particular, the appearance of someone dealing with the problem in person, rather than it being done through a call centre, is by far the best option. Whatever our response to the challenge of future water and heating supplies, let us do our utmost to ensure that people, particularly the most vulnerable in society, receive the local service that they are entitled to from people, rather than from automated machines. I look forward to the Minister's response.

Mr Beggs: The motion calls for improved methods to safeguard water and heating supplies. It is, of course, impossible to guarantee the safeguarding of those supplies, but it should be possible to lessen the likelihood of things going wrong, which is what we must strive for.

It is important to reflect on the huge number of properties that were affected. Over 25,000 Northern Ireland Housing Executive properties were affected, and it had 41,000 repair orders associated with the cold spell. Those caused considerable expense to public services, and so on, but that was nothing compared with the inconvenience and the disruption to the lives of those who had to endure leaking pipes or the absence of a heating supply during that very cold period.

We need to improve our home design fundamentally. As the Member for East Belfast said, it is important not only to conserve energy but to retain that energy and ensure that it contributes to preventing the freezing of pipes and water systems. It is well known that Scandinavian countries survive even more adverse conditions than we experienced. Protection can be built in through the design of homes. We must strive not only to deal with emergency phone calls and emergency responses but to build in further resilience so that we do not experience trauma in the first place.

4.45 pm

The Northern Ireland Housing Executive is already working on relocating gas condensing pipes to try to prevent them from freezing, which is positive. It is also putting frost stats on new oil-fired installations. However, that

leaves many other Housing Executive properties with potential weaknesses. Perhaps DFP and the Minister need to reflect on and review our standards of home insulation and the protection of our water systems for not only social housing but all housing, because they need to be upgraded.

We have learnt that the Housing Executive and Northern Ireland Water have reviewed their emergency plans, have improved their call handling ability, and will, hopefully, work better with their subcontractors to get a faster response. However, again I say that we want to minimise the risk of those events happening, and fewer call-outs should be required.

Will the Minister indicate what the Housing Executive is doing with its vacant properties? Is it already identifying which stopcocks should be closed so that leaks will not happen? In the run-up to a cold spell, it may be wise to empty cold water tanks in homes that will have no heating because they are empty. Those are more proactive plans than simply picking up the pieces, and I hope that that sort of thinking is built into the plans of the Minister and the Housing Executive.

We have to appreciate that 80% of water that leaked during the cold spell was not from Northern Ireland Water pipes but from pipes in private properties, which I assume includes Housing Executive property. So, there is an onus on us all if we see a leak to collectively work to get it stopped at the earliest possible time. I recall visiting an estate several years ago, and water was just pouring out of an empty house. When I enquired, I was told that it had been happening for several days. If we do experience problems and want to retain our water supply, it is important that we, as a community, assist everyone — neighbours, the Housing Executive or local businesses — so that when a leak is identified it is closed off as soon as possible. There is a responsibility on us all.

I notice from Northern Ireland Water's plans that it is improving staff availability, liaising with contractors, looking at transport and at fuel and water storage, and liaising with third parties about alternative water supplies and telephone communications. That all has to be welcomed, because the reviews recognised many failings in the plans that Northern Ireland Water had and a great deal of ability to improve. I hope that we will see that in the coming months.

We all have responsibility, as do a range of Departments.

Mr Deputy Speaker: Time is up.

Mr Beggs: I hope that, collectively, we will produce a much better response and have fewer difficulties in the future.

Mr McCausland (The Minister for Social Development): Members are fully aware of the unprecedented spell of very cold weather that presented major challenges at Christmas last year. They are also aware of the scale of the problems faced by many tenants and homeowners. I, therefore, welcome today's timely motion, which provides me with an opportunity to highlight how the Housing Executive and housing associations have been working to ensure that they will be fully prepared should there be a repeat of the severe weather that we had to endure last winter.

It is, perhaps, worth recalling that, over that period from 17 December to 9 January, the Northern Ireland Housing Executive received 24,777 unique telephone calls and tens of thousands more with repeat callers. On New Year's Eve, there were 3,545 calls, on New Year's Day 1,125, and on new year holiday Monday 2,154. Some 30,300 work orders were placed with contractors between 17 December and 2 January, 14,400 with heating contractors and 16,000 with other contractors. That gives some indication of the scale of the problem that people faced and what they had to endure last year.

Since then, the Housing Executive has responded to the need to review the challenges that it faced last winter and identify any issues that need to be addressed to ensure that its services to its tenants will be of the best quality and the most efficient in any future emergency, and to ensure that all tenants are warm, safe and dry in their homes. Consequently, a considerable amount of work has been undertaken to ensure that Housing Executive staff and their contractors will be in a position to respond effectively and speedily in the future, particularly if we have severe weather conditions again this winter, which some people are already forecasting.

The Housing Executive has put in place a comprehensive list of plans to deal with any emergency situation and to ensure that tenants are provided with a quality and efficient service. All the emergency plans have been reviewed at district, area and central levels to ensure

consistency of response throughout all areas. A formal annual review procedure has also been put in place to ensure that we learn lessons as we go along. To test the effectiveness of its reviews, the Housing Executive has carried out tests of its plans and procedures in three Housing Executive areas, involving area and district staff, contractors and community representatives.

The area of telephone communications was particularly criticised. The Housing Executive has reviewed contacts from tenants and between the Housing Executive and contractors. A number of actions have been taken to address that, including, first, the enhancement of the pool of staff willing and able to respond to an emergency across the Province. Secondly, a review has been undertaken of the triggers that provide pre-warning of a potential emergency, such as the volume of calls coming into the customer service units and the number of calls not being answered. Thirdly, to facilitate use by emergency services and public and community representatives, a priority call-handling system of what are described as silver numbers is now in place. Fourthly, the Housing Executive holds contact numbers for all the contractors that cover both normal working hours and after hours. Those numbers provide round-the-clock contact details.

A review of the performance of contractors during this period is of key importance. As there were issues around the response of one or more contractors in some districts, the Housing Executive has reviewed all of the all-trades and heating contractor emergency contingency plans, and has put a formal annual review procedure in place. Contractors were requested to revise their emergency plans to take account of experiences learned, and a revised business continuity and emergency plan template was developed by the Housing Executive to aid contractors in building their plans further and in a uniform format. Area-based awareness seminars were also held for area and district staff, along with contractors.

Investigations have also been undertaken to identify a range of technical improvements, particularly in relation to boilers and heating. These have been included in the ongoing work. Those include, for example, the relocation of gas condensate pipes internally, or the provision of a frost stat, which will trigger the pump to

circulate water around the system. That is happening at each new oil heating installation.

In offering guidance to its tenants, the Housing Executive's website will provide a series of information pages to provide clear advice and guidance that can be activated at short notice depending on the type of emergency. That leads me on to the issue of Housing Executive properties that suffer damage because some tenants cannot afford to heat their homes properly during the cold weather. To address that, the Housing Executive will strengthen its advice to all tenants about the need to heat their homes in very cold weather through its publication 'Housing News', which will be issued to every Housing Executive tenant in mid-October.

It is also essential that in the event of any emergency, as much local information as possible is available at Housing Executive district level. To that end, a menu of services that community groups may provide, including sharing mobile phone contact numbers, opening community facilities and assisting in identifying those who might be vulnerable, will be agreed locally.

I will now turn to the performance of housing associations during that period. Although the scale of problems was different in the housing association sector — and that may be because much of the stock in that sector is newer — many of its tenants were also affected. Therefore, the housing association movement must also ensure that appropriate arrangements are in place to ensure that tenants are warm, safe and dry in their homes at all times. To that end, all housing associations were instructed to review their policies regarding emergency procedures. Reviews took account of the need for emergency opening of offices during critical incidents, as well as reviewing the need to ensure that offices are also open between periods of bank holidays — that is, that they will not be closed continuously from Christmas until after New Year's Day.

Fold Telecare provides emergency after-hours services. Telecare holds a complete list of contractors, individually provided by social landlords, to respond to call-outs. If the call is assessed as an emergency, the Telecare call adviser will call contractors who have been nominated by their respective social landlord and request that they respond to that call on an emergency basis. Housing associations also provide emergency staff contact numbers

for use when an incident cannot be dealt with without further authorisation or advice. As a final backup, Fold staff will instruct a Fold contractor to respond in the event that there is difficulty in engaging the social landlord's nominated contractor.

Telecare has increased the number of telephone lines from 16 to 24 to meet demand, and its number of call-handling stations has been increased from eight to 12. There is now a roster of additional staff who are available to support Telecare in the event of a future significant increase in emergency calls, and an extensive network of contractors on top of those engaged through its measured term contract.

In reviewing emergency planning arrangements, my Department also took a number of actions. We now have in place emergency contact details for all housing association chief executives and nominated deputies and, in turn, the housing associations have emergency contact details for all senior housing division officials. Arrangements are also now in place for housing associations to register their sheltered accommodations with NI Water.

Finally, I have already been in contact with my ministerial colleague in the Department for Regional Development, who has assured me that Northern Ireland Water is now better prepared to handle the effects of severe weather conditions, and its major incident plan will provide a fully planned response to all types of emergency. That includes a range of contingency plans for specific types of events, such as severe weather conditions.

I am very pleased that Northern Ireland Water has been liaising with various stakeholders, including the Northern Ireland Housing Executive and housing associations, to ensure that tenants receive information and advice on how to protect their pipes during winter weather and what to do if they experience problems. I understand that it is the intention of NI Water to run an extensive public awareness advertising campaign from 24 October. The key message will be "Don't Wait; Insulate", and it will use a wide range of media outlets. The campaign will also include a leaflet drop to all customers throughout Northern Ireland. The Housing Executive will also include the NI Water advice leaflet in the next edition of 'Housing News', which is due to be published in mid-October and issued directly to each tenant.

During the debate, a range of other points were raised which I want to pick up on. A number of people spoke about the need for more energy efficiency, and that brings us into the area of better insulation of homes and maintenance of social housing. I see that as a priority. Some previous Ministers de-prioritised it: we are in the business of re-prioritising it.

5.00 pm

It is important that tenants in public housing, whether through housing associations or the Housing Executive, have good standards of energy efficiency in their homes. For example, I pointed out recently that, at present, 60% of Housing Executive stock has single-glazed windows, which is totally unacceptable. We want to address that and we are seeking the necessary funds to do so. In some constituencies, such as my own, the figure is 70%, which is unacceptable. That is an example of the de-prioritising that I spoke about. There is now an increased emphasis on energy efficiency and insulation.

The Member for East Belfast Mrs Cochrane mentioned sheltered dwellings. She made the valid point that we need to ensure that the tenants of such dwellings, particularly elderly people, have access to gritting facilities and services. The Housing Executive has only one sheltered dwelling complex in north Belfast, which is at Ardavon. We had difficulties there that we had to work on last year. Those are things that will be dealt with by my colleague in the Department for Regional Development. The responsibility stretches across Departments; we do not have many farms in north Belfast, but I heard some farmers talking on the radio the other day about the amount of water that they had lost because of pipes to outbuildings being frozen. We need the holistic approach that I mentioned.

The motion calls on me to put measures in place:

"to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period."

I believe that we have learned from last year's severe weather. I have ensured that social landlords have in place effective emergency and continuity planning arrangements that are fit for purpose. Tenants must not go through a repeat of the problems that occurred last year. Following

in-depth reviews of all that happened, and the subsequent revisions of the emergency planning arrangements, I believe that the measures now in place should ensure that all relevant agencies are fully prepared should we experience another severe winter and that tenants will receive the services that they are entitled to. However, I also want to ensure that social homes are energy efficient. In order to assist tenants in heating their homes effectively, I am working, as I said already, with the Housing Executive to develop a programme to double-glaze all properties as soon as possible. In the interim, I have already made a bid for additional funding in the October monitoring round to enable the Housing Executive to replace single-glazed windows with double glazing and to provide additional insulation measures to tackle the thermal efficiency of individual homes. Much of the housing associations' stock is already double-glazed, and most have advised that they intend to replace any remaining single-glazed windows with double-glazing in their planned programme.

Today's debate has demonstrated to Members that I have ensured that the failures of the past are not repeated but have been used to learn lessons and ensure that procedures are in place for the coming winter. I also assure Members that I consider this issue to be of the utmost importance. For that reason, as well as the regular meetings that I have with the Housing Executive, in which the issue does feature, and because we have entered a cold weather period, I have arranged a dedicated meeting to review preparations and response plans. I am due to meet the chief executive of the Housing Executive on Thursday.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his comprehensive statement, and all the Members who spoke in the debate. The House is unanimous, and it is good to make a winding-up speech on a motion on which everyone has agreed.

As Joe Byrne said, this is a timely motion, particularly as we move into the winter months. As all those who spoke in the debate outlined, the results of the past two winters, but particularly 2010-11, were devastating. I will not rehash those contributions, but Fra McCann said that what was needed was a joined-up strategy, particularly involving NI Water.

As a member of the Committee for Regional Development, I have experienced officials

appearing before the Committee over the past couple of months, particularly on this issue. I was not there the day that the group went to see the communications centre. From what we read and see, we know that it has been dealing with a lot of the key issues on staffing, technology and communications. Most Members outlined that those were the key criticisms that were made.

Mr McCann talked about the Housing Executive, which is what we are all here to talk about. What happened was not good enough. We have all experienced devastating results. A Member on the opposite Benches — I think it was either Mr Campbell, Mr Copeland or Mr Roy Beggs — said that one third of the Housing Executive's stock was damaged last year. I live in a housing estate in the constituency of Fermanagh and South Tyrone, where one third of the houses was damaged in one way or another.

Mr Campbell said that the Department needed to be in a state of readiness. None of us would disagree with that. I agree with him. As soon as any bad weather is on the horizon, we should get ready to move all the measures into place. Some of the Met Office forecasts tell you that we are in for a cold spell before the end of the month, but it does not always get it right.

Mr Copeland talked about the pressures that the Housing Executive and NI Water were under. We do not disagree, and we are not used to winters of such severity. It was said that a winter as severe as last year's would occur once in 100 years, but we cannot afford to sit on our hands and wait another 99 years. There must be plans to deal with citizens, because the most vulnerable and the elderly were affected by last winter more than a lot of people.

Mr Byrne talked about the lack of water supply, and he paid tribute, as did others, to the social services and community groups. I think that we all agree with that. He said that there were subcontractors who worked over and above the call of duty during that period. There was no doubt that some plumbers worked 24/7. I know some of them. Some plumbers are looking forward to another hard winter so that they can make money; most of them are out of work for most of the year because of the downturn in the economy.

Pat Doherty said that he was in the coldest place — Castlederg. That could be true, but, coming from Fermanagh, I can tell you that it was pretty cold there as well.

A lot of people said that lessons needed to be learned from what happened. We must learn lessons, and there needs to be a joined-up strategy between the two Departments, so I welcome the Minister's statement.

Other Members talked about last winter being the coldest that we have had in a long time. We all agree on that. Mr Douglas talked about the age of global communications. We all know about that, because we can contact people in any corner of the world, but it was very difficult to contact anybody, particularly people in Northern Ireland Water. Hopefully, however, that will have changed, but the whole litmus test will be what happens if there is another bad winter.

The Minister talked about the challenges that the Housing Executive experienced. Nobody would underestimate those. He said that he had addressed the problems, that work was being undertaken to do so and that emergency plans were put in place. I am glad to hear that that has happened. He agreed with the criticism of the communications and said that plans were put in place in that regard.

He mentioned the installation of frost stats. I heard tell of that type of instrument only in recent days. A lot of problems were caused when elderly people and people with few resources switched off their heating at night when going to bed. That led to their water system freezing during the night, and then the thaw burst their pipes.

If frost stats were installed in houses, they would go some way to ending that problem.

I welcome the provision of information at local level. One of the difficulties was the lack of information, and local representatives said that some autonomy should be given to local areas by supplying them with more information rather than the information coming from the top down. That would help them to be prepared for critical periods. Finally, I hope that we do not get the severe weather that the Minister has planned for, but, if we do, that will be the litmus test.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister for Social Development to put in place measures to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period.

Dealing with the Past

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

Mr Lyttle: I beg to move

That this Assembly calls on the Secretary of State to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past.

I realise that we are at the end of today's business, and I am extremely grateful for the opportunity to propose this important motion. I am glad to accept the amendment, which is in the spirit of the substance of our proposal. I make it clear that the motion is not intended to incite party political debate on the complexities of our past. Rather, it is to offer political parties in the Assembly an opportunity to send out a clear message that we can at least agree on the need to deal with our past and to commit to urgent and inclusive talks to progress this important matter.

It is now over two years since the consultation on how we as a society might deal with the past. Since then, the Secretary of State, Owen Paterson, has stated repeatedly that political consensus is needed to progress the issue and that such consensus will be hard to achieve. I do not disagree with that analysis, but surely a meeting of the political parties in the Assembly would be a good start. Dealing with the past is, of course, sensitive and complex. It is vital that we recognise and acknowledge the individuals and families in our community experiencing profound suffering and that we meet their needs and rights. However, we must also recognise the fact that a failure to deal with that legacy comprehensively risks fuelling division and suspicion for generations of our society to come. I, for one, am committed to doing all that I can to ensure that my children do not live in that type of society.

Some people have expressed concern that a comprehensive approach to dealing with the past could be counterproductive and that political stability and distributing resources for the important challenge of service delivery to victims are the best outcomes that we could realistically hope to achieve. Others have argued that, as a result of our contested past and contested future, aiming for an agreed approach to dealing with the past is, at best, naive. It is important to remember that, since around 2006, the Commission for Victims and Survivors has been exercising a mandate to promote the interests of the bereaved, the injured, carers and witnesses of conflict-related incidents. If we can find a way to address comprehensively the civil rights of victims and deal with our past in a collective manner, perhaps we can replace that contested future for a more shared and better one.

Recent statistics have shown that 30% of the population consider themselves to be directly affected by the Troubles, which is more than 500,000 people. Eighty-one per cent do not wish for assistance, and 19%, or around 100,000 people, are receiving or would like help. Ten per cent of the population are bereaved from the Troubles, which is around 170,000 people. In 2010, research identified 50,000 people not in work in Northern Ireland due to mental disorder.

5.15 pm

We can debate definitions and processes, but, in my view, the need is crystal clear. Although the Victims' Commission and other groups are working to meet that service need, we have, at present, a fragmented, patchwork approach to recovery and are responding to issues as they emerge. We need an overarching process capable of listening to the individual needs of families and the wider need of our society to heal divisions and to learn from the lessons of the past in order to avoid repeating them.

The significant objection to aspects of the report by the Consultative Group on the Past overshadowed the greater potential at the heart of it. It was a far from perfect report, but my party maintains that many of its recommendations provide a basis from which we can consider a more comprehensive process for dealing with the past. Many loud voices have called for the wholesale rejection of the Eames/Bradley report and have used different analyses to support their claims. One such analysis included

reference to a Northern Ireland Affairs Committee report, which, on closer reading, is clear on the issue. It stated that a "do nothing" approach was not an option and that a number of proposals in the Consultative Group report should be built upon. It stated that the past must be approached within a coherent overall framework and that although a legacy commission could not be supported at that time, it was possible that a similar body could be effective in the future following further debate.

There also appears to be a degree of agreement among victims' groups that key strands for any approach could include investigation, information recovery and the examination of key thematic issues and events that have significantly affected our society. There is also evidence to suggest that storytelling has been a useful mechanism in such processes. I recognise that any approach will have to add coherence to existing structures, such as the Historical Enquiries Team (HET), the Victims' Commission and the Community Relations Council, and underpin the valuable work of community and voluntary groups that are working to support victims.

The Historical Enquiries Team set out to review over 2,500 cases, involving over 3,200 victims by April 2013; it is just over halfway through the murder cases, and, in chronological terms, it has reached approximately 1977. I strongly agree that victims deserve to know whether an investigation into a crime against them or their loved ones has been carried out properly. I also agree that the HET has met the needs of many families through investigation and information recovery. For many victims, that has been the first coherent narrative that they have received about what happened to their loved ones during the Troubles. It is clear, however, that there are outstanding demands for truth and justice and that the criminal justice system may not be able to deal with them all.

If we are to deal with the past, we must recognise and acknowledge victims and survivors; however, to stop there is to fail to examine the full legacy and consequence of our past. Dealing with the past is not just about victims, and it would be wrong to put that challenge out to victims alone. Deep division, sectarianism, segregation, suspicion, and the socio-economic deprivation that affects our wider community and economy are all legacies of the past. It is for that reason that we need an overarching policy framework to include an independent, co-ordinating body that

will take forward, in a realistic time frame and with possible international involvement, investigation, information recovery, the examination of key thematic issues and the use of storytelling to form a basis from which we can consider a comprehensive way of dealing with the past.

I would like to think that —

Mr Allister: The Member talked a lot about storytelling and thematic issues. Has he no appreciation of the fact that what those who suffered most in the conflict want most is justice and that they see much of what he talks about as a deflection from justice?

If we had, within our investigative process, the vigour that could have been applied, and could yet be applied, we might actually attain justice against some of those who seem to be beyond the reach of justice and are very good at storytelling, telling us that they never belonged to the IRA or that they resigned on some fictional date. So, before the Member gets carried away with advocating things like storytelling, should he not return to justice, which is the core issue that victims need addressed?

Mr Lyttle: I thank the Member for his intervention. I gratefully gave way to him, but I am not sure that he was listening to what I was saying, particularly my reference to and emphasis on the justice that had been brought to bear on many families through the work of the Historical Enquiries Team. In fairness, the reference to storytelling has been fairly minimal in my comments so far, but, nonetheless, international evidence supports the view that it can be a useful mechanism to deal with past conflict and to build a more shared future. I thank the Member for his intervention nonetheless.

I would like to think that the British Government, the Irish Government, this Assembly and our international friends have enough creativity, ability and sensitivity to seek agreement on this issue. As I said, the issue must be addressed in an inclusive manner, not only for the sake of individuals and families but for the good of wider society, so that the more prosperous, hopeful and shared future that most of us are seeking to build is set on stable foundations.

I acknowledge profound concerns about this type of process.

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

Mr Lyttle: However, I appeal to Members to support the motion and the amendment, because it would display our collective commitment to this issue.

Mr McDevitt: I beg to move the following amendment: Leave out all after "political parties" and insert

"and, working with the Irish Government, to identify and agree mechanisms to address the legacy of the past informed by the needs and requirements of victims; and to have regard to the views of the Commission for Victims and Survivors, the Consultative Group on the Past and others".

The SDLP has tabled the amendment to provide further context to the honest and noble sentiment of the motion. We have tabled it specifically in order to reference the fact that dealing with the past is not simply a matter for the British Government and this House — there is an obvious and clearly codified and stated role for the Irish state — and that it is not something that we would start to do or to discuss from scratch, as we would come to any debate on this topic on the basis that a considerable amount of work has already been done. That work has been done by the Commission for Victims and Survivors, the Consultative Group on the Past and others.

The SDLP has long seen the need to be able to frame the debate on dealing with our past on an ethical basis. We see a basic need to inform this debate in a way that has its foundations in some sound ethical grounds. If I may, for the benefit of the House and for the record, I will reflect on some of the ethical bases on which we believe this debate should progress. We believe that full consideration of the past and its impact on the present is more than acknowledgement and accountability: it is a critical part of creating a healed and reconciled society. We also believe that failure now to address the past in the most complete terms will impede the creation of a healed and reconciled society.

The SDLP is of the view that the creation of a healed and reconciled society needs people, communities, politicians and others in leadership positions and elsewhere to acknowledge, listen to and attempt to understand the experience of others. That is not — I repeat, not — to legitimise wrongdoing, to create equivalence in personal circumstance or, in any other way, to diminish the horror of experience during the

years of conflict. It is to make the point that an essential component of attempting to address the past is an understanding of the differing experiences of that past.

Addressing the past on an ethical basis also means that the issues arriving from the past are of the utmost sensitivity, and, as a result, all should tread cautiously and demonstrate, deepen and work to achieve new levels of respect between persons, communities and others. The needs and views of victims and survivors should, of course, be a central and essential touchstone against which to judge proposals for addressing the past. There should be genuine acknowledgement of victims and survivors, accepting that, as we see things, there is not equivalence between each set of individual and personal circumstances. There should be collective caution and constant vigilance against allowing the abuse of history through a rewriting of the experience of the past and the deliberate non-disclosure or partial disclosure of the truth exclusively or primarily to protect individuals, state agencies and terror organisations who have narrow and selfish interests.

Addressing the past on an ethical basis also means that there is a need for truth, defined by each victim, through apology, acknowledgement, independent investigation, prosecution, conviction or any other model of accountability. It means acknowledging each and all debts in the conflict and paying particular regard to victims where there has, to date, been no or little accountability, such as in the case of the victims of the Ballymurphy massacre.

Addressing the past on an ethical basis means truth processes complying with due process, international law and obligations. It also means that there is a particular and urgent responsibility for those in state organisations and terror groups who directed wrongdoing and terror and were in command and control to personally acknowledge and account for their actions. It means that all must address the facts of all the conflict. There is evidence that some seek to misrepresent or diminish the scale of their individual wrongdoing or the culpability of particular state organisations or terror groups. That must not be allowed to continue.

Addressing the past on an ethical basis means that there is a need to acknowledge that many people, by their actions and attitudes, cannot be held culpable for the wrongs of others. The vast

majority of people across the community held to democratic practice, a sense of justice to all and a toleration and acceptance of difference. They cannot be held responsible for those in the state or other groups or parties who did not uphold those standards.

Addressing the past on an ethical basis means that there should be an understanding of the harsh and alienating experience in which people and communities lived and how people of very young ages in particular were made to become involved in violence. It also means that each person — each of us — should consider his or her personal conduct in the context of the experience of years of conflict.

That is not the definitive list of principles, but we listed them to shape the character of our approach to this debate. I bluntly say to anyone who wants to reduce the narrative, argument or future debate about the past to either a justiciable or narrative-based outcome: you are incomplete in your thinking.

There is another context, which, at the times we wrote those words, was not as evident or upon us as it is today, namely the question of commemoration and how it informs our ability to deal with our past.

5.30 pm

We are at the dawn of a decade of centenaries, and we must not allow that decade to become dominated by a retrospective, revisionist view of our early past. There is an opportunity for the House to redeem itself in the eyes of the people and to redeem its place in history if it is capable of rising above the selfish interests represented here and seeking a determination to build a process on the principles that we have outlined. It can go further and reach out in a genuine desire to build a shared history, so that, when we come to acknowledge the centenaries that are upon us, we will be able to do so looking forward to another century, one in which we can honestly resolve that the mistakes of the past century will never be repeated, but where we do not forget, where we are capable of remembering without insulting, and where we are capable of finding justice without the need to divide our society. That is the challenge before the House. It will be the standard by which I and my party will forever measure this place. Is it brave enough to face its past honestly, to deliver justice to those from whom it has been denied and to offer hope in the

next century to a land that has, sadly, been too divided for too long?

Mr Campbell: I know that the words “this is a timely motion” are often overused. Almost every debate seeks to be timely to one group of people or another. However, it is undoubtedly pertinent concerning today’s motion. We have no difficulty with the motion, but we will oppose the amendment, and I will deal with our response to both of those in a moment.

Although we support the motion, we do not do so with any great expectation of success, and by success I mean the successful outcome of the talks that should be convened as a result of the motion. The reason for that is that there is no clear agreement or consensus on the troubled legacy that we have in Northern Ireland. We had a very explicit reference to that last night and this morning as regards the person who was convicted of assisting the IRA terrorists who attacked a police station. Even though that person was convicted for his part in assisting the IRA terrorists, he was rewarded with a significant amount of money for his trauma — as I think it was described — because he was unarmed, although the soldiers had no way of knowing that he was unarmed. There we have, if we want it, a nucleus of why there is a divergence, a gulf, a chasm of Grand Canyon-like proportions. It would appear that there is not the acceptance by people in the republican community to divest themselves of the reasons for the perpetration of murder in the first instance.

Mr A Maginness: Will the Member give way?

Mr Campbell: Do I get an extra minute? Then I will give way.

Mr A Maginness: The Member has gone on from the court case to talk about memories of the republican and nationalist community and their interpretation. However, a court of law determined that issue, and the court of law decided that there was disproportionate force used by the army in such circumstances, despite the fact that that person was guilty of a criminal offence. The damages were reduced accordingly.

Mr Campbell: Heaven forbid what the damages would have been beforehand. However, the point is that if the law concludes that that is the case, then my argument is that the law is wrong.

If a person is engaged in criminal activity, which includes the attempted murder of numbers of people in a police station, and he receives the just rewards of his activity, he should not get any cash reward; he should pay the same price as his colleagues. I do not want to get sidetracked by that particular instance, but I am using it as an example of why we have the dispute about the origins of the past in the first place.

There are those who are unable to face up to the fact that the disadvantage, alienation or whatever they argue existed cannot justify the emergence of a brutal terror machine known as the Provisional IRA. However, there are people who are prepared to do that, and Sinn Féin does so continually. Until those people come to the point where they concede that it was something that they should not have been engaged in, that it was wrong, that it was in error and that they apologise for it, there will be no convergence. However, I happily concede that they are not likely to make those concessions. We will not accept now, or ever in the future, that there was any such need or desire or requirement. If there had been, members of my community, in a much more recent time, could have adopted the same principle and said that they would engage in terror, murder and violence because they felt disadvantaged and alienated. However, they did not adopt the same policy. While there is that divergence, the likelihood of all-party talks reaching agreement on how we deal with the past is remote, to say the least.

There are republicans who talk about the murder campaign as a conflict, as though we are talking about various sides of the coin being equally guilty, to a greater or lesser degree, of inflicting violence on the other. That is the way they word it. The difference, of course, is that there were several organisations on the paramilitary side of the coin whose whole rationale for existence and *raison d’être* was to kill, murder and maim. On the other side of the coin were the forces of the state. However minuscule the number — 0.1% — who may have exceeded their authority, the rationale and *raison d’être* of the British army, police, UDR, RUC Reserve and all the organisations was never to murder, kill or maim. That is the distinction, but Sinn Féin will never accept that distinction. While it does not accept it, there is no possibility whatever of there being a meeting of minds.

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

Mr Campbell: Therefore, while we agree with the motion, we think that the likelihood of progress is remote, to say the least.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. That contribution in many ways represents the challenge for all of us. One of the failures amidst a catalogue of quite remarkable political and historical changes over the past number of years has been the inability to agree a methodology for bringing forward an effective truth recovery process.

Mr Beggs: Will the Member give way?

Mr McLaughlin: Let me get started, please. There cannot be a sensible argument that there was not a conflict. It was a conflict that involved many different sides. There were victims and survivors on all sides, and there were protagonists on all sides. Sinn Féin's position is that you cannot recover the truth by asking some of the protagonists to answer questions, and you cannot recover the truth by asking some of the questions. If you do that, you will recover some of the truth, and that is the most that you can expect.

We have many victims and survivors on all sides in our society. They are represented here by all the parties who have a mandate to be here.

Mr Campbell: Will the Member give way?

Mr McLaughlin: No, I am sorry. With every day, week, month and year that passes, it will get more difficult to deliver an effective truth recovery process. The fact that we have failed to deliver one is our responsibility. There are many arguments: what was the motivation of the IRA? What was the motivation of the British army? What was its intention? Did it intend to murder? Did it intend to kill people? We are really addressing here the victims and survivors. We should recognise that their grief, trauma and suffering were the same. The colour of their blood was the same.

We cannot refuse to move forward just because people will insist on having a hierarchy of blame and responsibility. Well, we can, of course. It is now 16 years since we reached agreement, and we have not moved an inch. Is that the way to represent the people who sent us here to try to resolve these issues? That is the question that I put to the House. We have to start to talk to each other. Yes, we heard some of the old arguments being rehearsed, and I have a few

arguments of my own. However, the motion gives us the opportunity to begin to find an agreed formula. Not talking to each other ensures only one thing: that we will not find such a formula.

Roy, if you still want in, I will let you in now.

Mr Beggs: The Member indicates that he still wants a truth recovery process. Does he accept that when Mo Mowlam let all the prisoners out without placing any requirement on them to tell the truth, the whole truth, in advance, she torpedoed that, and that the great concern is that no truth would come from those involved in terrorism because they have no incentive to tell it?

Mr McLaughlin: I do not accept that, Roy, with respect, because we might not have got to first base had that approach been taken. I think that Mo Mowlam acted in a very pragmatic and strategic fashion in responding to that particular pressure. It created the opportunity for the agreement, on which we have been attempting to build ever since, to emerge.

Republicans have made it clear that, in the circumstances of a fair, equitable, objective and independent truth recovery process, they will be there. That has to be contrasted with the remarks of Owen Paterson at the Tory Party conference last week. He basically told us to forget about it and said that we would not recover this truth. In my view, the main reason why we will not recover it is that the British Government refuse to give the lead. They are not forthcoming about their role in what was undoubtedly, undeniably, a conflict —

Mr Allister: When did Martin leave the IRA?

Mr McLaughlin: I could point the finger of blame —

Mr Allister: Some truth.

Mr McLaughlin: I am telling the truth. The truth is —

Mr Deputy Speaker: Order. I ask the Member to resume his seat. Under no circumstances will any Member make remarks from a sedentary position.

Mr McLaughlin: Let me make the point again, without interruption. Unless all protagonists can come forward on the same basis, not all of the protagonists will be willing to address that issue. There is no point in hearing part of the story. The truth of the past four decades

of conflict and division, death and destruction, will be a mosaic of all those different stories pieced together. That is the only way that we will resolve the issue. We cannot resolve the issue for some and leave others to continue to suffer; in fact, their suffering would be increased by the fact that their particular heartbreak was not being addressed. Whether they are unionist, nationalist or republican, combatant or non-combatant, their relatives and families are victims and survivors, and they are entitled to our support in finding the truth that they need to allow them to come to terms with the suffering of the past decades.

So far, the Assembly has failed to respond to that challenge. I will avoid getting involved in a shouting match with anybody on this issue. There are many things to be said about some very difficult and sensitive issues. However, dialogue, we know, will not hurt anybody. So let the dialogue begin. Let the discussion begin, and let us hear each other's perspective on how we can move forward. We have put forward our proposition, and we are entitled to do so. We are also prepared to listen to others' observations and proposals. If they come up with a better model than Sinn Féin, we will respond to it.

Mr Nesbitt: On the face of it, what is there not to support in an innocuous motion that calls on the Secretary of State to convene talks? Yet the motion from the Alliance Party, our conscience when it comes to highlighting duplication and the associated costs, makes no reference to the Consultative Group on the Past, the work that it has done or the £1.25 million that it cost to do that work.

The motion, I fear, also does what politicians tend to do with victims — it raises false hope that, finally, an initiative is coming round the corner. Meanwhile, previous plans sit on shelves gathering dust when they should be used to inform decisions by people such as the Secretary of State. Perhaps we should call on the Secretary of State to give us his definitive views on the Consultative Group on the Past.

Mr Lyttle: I thank the Member for giving way. Was it not the case that I made specific reference to facets of the Consultative Group on the Past's recommendations that could be used in a practical way for the benefit of victims and survivors?

5.45 pm

Mr Nesbitt: I thank the Member for his intervention. I refer him to his own motion, which makes no reference to the Consultative Group on the Past.

The motion also fails to address the fact that we cannot even agree on what we mean by "the legacy of the past". Mr Campbell hinted at that. We cannot agree on what happened, and we certainly cannot agree on why it happened. We cannot even agree on the language that we use to describe it. Was it "the Troubles", "the conflict", or was it, as republicans like to say, a "war"? If it was a war — as a small example — putting a bomb on a school bus in Lisnaskea was a war crime, and those responsible should be sent to The Hague to answer for themselves. If the deputy First Minister is correct in saying that some killings by the IRA were, in fact, murder, perhaps the next incumbent of *Áras an Uachtaráin* will be subject to an extradition request from the British Government.

I agree that the current processes add up to an incomplete, imbalanced and imperfect set of initiatives, be it public inquiries, the Historical Enquiries Team or, indeed, the Office of the Police Ombudsman. The trouble is that, although each investigation in isolation may have some merit, when you put them all together, they add up to something else: a body of work that, in fact, represents the rewriting of history. That rewriting has the result that the state and its agents are consistently portrayed as the villains of the piece.

I question to what end we are doing all this. Who, for example, changed their mind about what happened to Billy Wright in the Maze prison because of the public inquiry? I do not wish to linger on the cost of these things, but that inquiry cost £1 million less than the entire three-year budget for victims and survivors in the previous Programme for Government. For whose benefit do we want to deal with the past? Is it for the individuals who were most impacted, or is it for the benefit of society, moving forward? Those are not parallel tracks.

What is legacy? Is it to be measured narrowly in terms of truth and justice, or is it something much broader? Despite what Mr Allister may feel, if we cannot agree on a single narrative for what happened, perhaps the best thing to do is to facilitate storytelling to ensure that all voices

can be heard and can be left as a legacy and as an educational tool for future generations.

(Mr Speaker in the Chair)

We are all aware of the book 'Lost Lives', a thick tome that recounts the stories of 3,000-plus killings during the Troubles. Perhaps what is missing is a whole set of books named 'Impacted Lives'. If it were to detail only the physically injured, we would need no fewer than 10 volumes the size of 'Lost Lives'. If we look at those whose health and mental well-being has been affected by the Troubles — and we should think about that on this world mental health day — there would be innumerable stories and dozens of volumes littering our libraries.

The legacy of the past is with us in the Assembly, the Departments and the Executive. It is with us in the work of the Office of the First Minister and deputy First Minister; the Department of Health, Social Services and Public Safety; the Department for Social Development; the Department of Agriculture and Rural Development; the Department of Education; and the Department for Employment and Learning. We tend to define dealing with the past in terms of the dead: how they died and why they died. I suggest that this House has a duty to deal with the past by doing what we can for the living. Those who suffered during the conflict, who carry the physical and mental scars — those whom we can reach out and help. Perhaps that is the greatest power that we can bring to dealing with the past. If it is a chase for truth and justice then, unless everybody, as Mr McLaughlin hinted, is prepared to tell their truth, there will be no truth.

In conclusion, it is interesting that the Eames/Bradley Consultative Group on the Past did not talk about truth recovery. It talked about information recovery: an acknowledgement that we are on the road to nowhere.

Lord Morrow: I believe that the Alliance Party's motion is a genuine attempt to move forward the vexatious issue of dealing with the past. I hope that that does not come as a surprise to the Alliance Party.

Much has been said about dealing with the past. However, it appears that the past means different things to different people, not least the innocent victims who had to suffer the brunt of a ruthless terrorist campaign that went on for far too long; indeed, for almost 40

years. One of the most glaring failures of all was the Consultative Group on the Past, which was established in June 2007 and which was co-chaired by Lord Eames and Denis Bradley. It reported on 28 January 2009. Sadly, it failed to grasp the issues, and, as we read through its report, it was patently obvious that there was no inclination to identify the prime culprits in the years of terror that this country was forced to endure. What was all the more disturbing about that report was the attempt to equate innocent victims and terrorists on the same level and on the one page, with blame equally shared. The report sought to justify why we had had the long years of terrorism, but, in any event, it made a bad situation infinitely worse.

The motion asks the Secretary of State:

"to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past."

The amendment is a crude attempt to blur the lines and to politicise the issue. For that reason, as my colleague Gregory Campbell said, the DUP will not support the amendment. There can be no doubt that the Republic of Ireland is culpable, not least because its constitution previously claimed jurisdiction over Northern Ireland. Furthermore, its refusal to extradite wanted terrorists sent out a clear message that the Republic would and could be used as a safe haven for those who were wanted for heinous crimes in Northern Ireland.

I am firmly of the opinion that victims deserve the truth, but I am extremely doubtful that that will ever happen. Sinn Féin has set its face against the Historical Enquiries Team and has made it clear that it will not co-operate with the team's investigations. That is in the face of indisputable statistics that show that republican paramilitary groups were responsible for the murder of over 2,000 people, and it indicates that if accepted ground rules are not endorsed by Sinn Féin its participation will not be forthcoming.

That non-co-operative stance sends out a powerful message about the attitude that Sinn Féin will adopt in any attempts to deal with the past genuinely and meaningfully. Its failure to recognise the Provisional IRA and other terrorist groups for what they are will always be a hindrance to getting to the truth and the hard facts. A much vaunted truth commission on Sinn Féin's terms might only serve to make

victims suffer twice over, as there would be no legal requirement for terrorist organisations to be brought to justice. Is that what we want for the innocent victims of our troubled past? It is a double indignity, and it will add insult to injury.

However, I note a divergence in Sinn Féin's stance. Martin McGuinness recently and finally acknowledged that innocent victims of the Troubles' atrocities were murdered. He said:

"where innocent people lost their lives, then it is quite legitimate for the term murder to be used."

Sinn Féin and the IRA had formerly referred to victims by the convenient phrase "regrettable accidents", which trivialises the slaughter of the innocent. Spilling your tea is a regrettable accident; callous murder is deliberate and deplorable.

It appears that Sinn Féin's understanding of victims is polluted by the term "legitimate targets." I accept that its stance has since been altered, but its members still appear to have a major problem with the role that they played in the past. In order to create a future, they must accept that their past has left the victims' blood on their hands; the sooner they reach that conclusion the better it will be for all concerned. There is a long distance to go.

Mr Speaker: Bring your remarks to a close.

Lord Morrow: However, an acceptance of past activities would go some way to start them off on a path to a better future for society, and for victims in particular. The challenge for Sinn Féin members is that they can attempt to rewrite history, but despite all the distortions, the truth will come out and they will have to accept it.

Mr Speaker: Your time is up.

Lord Morrow: The challenge for the rest of us is that, whatever the end result, the legacy of the past must not serve —

Mr Speaker: I must insist. The Member's time is certainly up.

Lord Morrow: — as a prison for the future.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle. The fact is that there is no perfect blueprint for dealing with the past, but there are some universal principles, and one of those has to be independence. If we were to suggest that Sinn Féin, or republicans or even the Irish Government, should set up a truth recovery

process, it would be laughed out of court, and rightly so. That is how we feel about the suggestions that the British Government should set up a truth recovery process. The fact is that the British were protagonists in the conflict and they have a lot of questions to answer. Independence is the first universal principle on the list. No protagonist should have an oversight role in any truth recovery process. Given how small a geographical area we live in and how much mistrust there is, it is not unreasonable to suggest that there should be international oversight of any truth recovery process.

Some rubbish has been written recently about Sinn Féin's proposal for a truth recovery process. Denis Bradley, one of the authors of the Eames/Bradley report, said that Sinn Féin wanted the UN to pay for a truth recovery commission and that it wanted the UN to come in and set it up. That is not true. If there is to be a truth recovery process, the two Governments should pay for it. The UN has a role in advising on best practice in setting up a truth recovery process and on the international personality who should head it. The difficulty is that, in the absence of an agreed truth recovery process, we get the disjointed approach that we have been getting up to now. We have the Historical Enquiries Team, the Office of the Police Ombudsman, the Cory inquiries, inquests, the selective release of information to the media, people writing books and so on.

One of the arguments against any sort of truth recovery commission is the cost. If anyone wants to count up the cost of all those inquests, inquiries and so on, he will find that it amounts to quite a few quid. Look at the Saville inquiry, which cost an absolute fortune. One of the reasons for that is that, at every step of the way, the Ministry of Defence (MOD) tried to block the truth from coming out.

Mr T Clarke: I thank the Member for giving way. He cites the Saville inquiry and claims that the MOD blocked the truth. Did the former deputy First Minister not also try to block the truth by not giving evidence at the inquiry?

Mr Speaker: The Member will have an extra minute added to his time.

Mr Sheehan: Go raibh maith agat.

I do not know how you work that out.

Mr T Clarke: He refused to give information.

Mr Speaker: Order. Allow the Member to continue.

Mr Sheehan: The deputy First Minister went and gave the truth to the Saville inquiry.

However, I do not want to enter into a confrontation with the other side of the House. Republicans have proved their credentials in dealing with the legacy of the past. The head of the commission for the disappeared publicly praised republicans for co-operating with his commission in trying to find the bodies of those people who had been disappeared.

Mr T Clarke: Buried.

Mr Speaker: Order.

Mr Sheehan: The fact is this, and I do not say that in a confrontational way, but there is a challenge here, that unionists and unionism in general needs to face up to its role in the conflict.

6.00 pm

A few months ago, I listened to Arlene Foster speak about her father, and she spoke with obvious pride about the role that he played in the RUC defending the unionist community. That is fair enough. I think that children should be able to have pride in their parents. As Gregory Campbell said earlier, he does not expect to change our minds, and I do not expect to change the minds of unionism. I do not expect the people on the far side of this House to become republicans any time soon. I acknowledge what Arlene Foster said about her father, but I ask unionism to acknowledge that the people in the community from which I come had a different experience of the RUC from the experience that the unionist community had. If we can agree on that, perhaps we can agree to move forward. Sin a bhfuil uaim. Go raibh maith agat.

Mr S Anderson: The motion before us is vague and woolly. It does not address the real issues that I imagine those who tabled it seek to address, but, as others have said, I suppose that it is an attempt to deal with the past. The motion asks for talks to be convened with the aim of brokering an agreement on how to deal with the past. Let us suppose that the Secretary of State convened those talks — that would be the easy bit. To broker a deal that deals effectively and fairly with the past will require a commitment from all parties to play their full part. That is something that we have never had. There must be a level playing field.

I thought that Members opposite supported the Belfast Agreement, but it seems to me that they are not even prepared to face up to the present, never mind the past. The Acting deputy First Minister told us no later than yesterday that he will not meet Her Majesty the Queen, yet he sits in this Assembly within the United Kingdom. Surely he and his colleagues need to recognise one very important reality: Northern Ireland is part of the United Kingdom and will remain so.

I suspect that the Members opposite are not prepared to openly, honestly and robustly reveal their own past. They want others to do so, but they will not do so themselves. We see that now on an almost daily basis in the Irish presidential campaign. Gerry Adams still says that he was never in the IRA. No one believes that for one minute, but he sticks to that story. Martin McGuinness appears to be suffering from selective amnesia. I understand that he says that he was in the IRA between 1972 and 1974, but he has no recollection of the years before or after. How convenient is that? He still says that he knows nothing about the murder of Frank Hegarty or the Claudy bombings. What if he maintains that position? The IRA never owned up to the sectarian element in its terrorist campaign or, for example, actions at Kingsmills. Suppose that continues to be the case? As long as some Members of this House are not prepared to face the realities of the present, I have little confidence that they will be prepared to face the reality of their own past.

Turning now to the amendment, I believe that it does no more than turn a vague motion into a totally unacceptable one. I have two main concerns. First, it casts the Irish Government in the role of facilitator, but, with respect, the Irish Government cannot be a broker, for one of the realities of the past is that the Irish Government of the day helped to finance, train, arm and establish the Provisional IRA. That is what happened, and we have to face up to that reality.

Mr McDevitt: Will the Member give way?

Mr S Anderson: No. I am trying to get through this speech.

The SDLP amendment has handed the Southern Government the chance to stay off the hook over the role of one of their predecessors in helping to set up the Provisional IRA. Various Governments of the Irish Republic also provided republican terrorists with a safe haven during the dark days of ethnic cleansing along the border.

Even today, IRA secrets lie buried with the disappeared in the Irish Republic. It is a shame and a disgrace that those IRA murder victims have still not been returned to their families for a Christian burial. The Irish Government, who have put pressure on the British Government with regard to Bloody Sunday and similar events, must step up to the mark. Until they do so, they cannot be seen as being a facilitator.

The second thing that the SDLP amendment does is to try to resurrect the discredited Eames/Bradley recommendations. Those recommendations took the position that where a family encouraged and supported a family member as he or she set about murdering their neighbour on the sole grounds of religion, that family are victims just like their slain neighbour. That notion is repellent, and it shames those SDLP Members who tabled such an amendment.

The Protestant and Unionist people who witnessed so many of their loved ones murdered and maimed by the Provisional IRA over 40 years are looking for real answers from those who carried out those atrocities. Only when those questions are answered by the people who know can we begin to give proper thought to addressing the past.

Mr Elliott: Obviously, I acknowledge the principle behind the motion from Mr Lyttle and the Alliance Party. However, I question the likelihood of making it happen and having a positive outcome. I am sure that Mr Lyttle will go some way towards acknowledging that.

I have noted some of the words that have been used by contributors to the debate so far; in particular, Mr Sheehan, who spoke just a few moments ago. He said that republicans have proved their credentials. I tell you, Mr Sheehan, and everyone else in the House, that republicans certainly have proved their credentials over the past 40 years. They have proved their credentials by murdering, maiming and bombing society. Many people in society and the community will not forget that. That is not to say that many people from the Loyalist community did not do the same. They also murdered their fellow citizens.

It is time that we acknowledged the facts. Despite all of the talk about a truth commission or truth recovery process, does anyone here believe that he or she would get the truth from someone who went out and murdered his or her neighbour and who is still in self-denial about

it? Absolutely not; it is absolute nonsense. I will tell you what one would get from a truth recovery process. One would get some truths from certain people; I acknowledge that. One would get half-truths from others. From the vast majority, however, one would get only a bundle of lies or an absolute blank where nothing whatsoever is told. It is time that people acknowledge the situation.

Mr A Maginness: I understand the Member's point about not getting the truth from certain people. However, does he accept that there is a need for the concept of a truth recovery process?

Mr Speaker: The Member will have a minute added to his time.

Mr Elliott: Thank you very much, Mr Speaker. I thank the Member for his contribution. I acknowledge, and would like to see, the truth. The vast majority of people in the community want the truth. They would love to hear it. They would love to see a proper process in which one would get the truth. What I am telling Members is the reality of the situation. We cannot step away from the fact that one would not get the truth.

In fairness, if there were a system that could actually bring out the truth, I would be all for it. I think that the community at large is all for it. However, a group of people who might be able to give more evidence to the Historical Enquiries Team than most others does not even offer to bring any of that evidence forward. Perhaps, some of them will contradict me. I am quite willing to listen to them. I do not know of any member of Sinn Féin, which, let us not forget, was inextricably linked to the IRA, who has even come forward to HET with a shred of evidence or to give it any support, acknowledgement or assistance in solving some of those heinous crimes that were committed in society.

We must not forget the fact that people are still hurting and suffering, and we do not want to re-traumatise them. That is for all communities throughout this society; it is not linked to just one community. It is right throughout society, where neighbour murdered neighbour. That is the fact of it.

No one can deny that there was ethnic cleansing in the community. I look back at electoral registers from the 1930s and 1940s and realise how some areas in Northern Ireland have been decimated and a particular community totally taken away. The west bank of Londonderry is a prime

example, if we want one that is easy to recognise. However, there are many others, such as Rosslea and Newtownbutler in my own constituency.

We will not move forward, folks, until we have a proper definition of victim. We cannot continue to have a process in which the perpetrators of violence and those who murdered others in this society for no reason whatsoever can be classified as victims and have the rights that — what I would term — real victims should have.

The SDLP amendment says that work should be done in conjunction with the Irish Government. As Mr Anderson highlighted, we must remember the role that the Irish Government played in the Troubles in Northern Ireland for many years. Although they might not have been openly supportive of it, many in this society would suggest that, at best, they turned a blind eye to some of what was going on and allowed terrorists free movement in that society. We need only look at the ongoing Smithwick tribunal. A number of people have given evidence that a member of the garda in the Dundalk station —

Mr Speaker: Bring your remarks to a close.

Mr Elliott: — was, if not a member of the Provisional IRA, at least giving significant evidence and information to it.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I half expected the debate to go the way that it has gone. It is unfortunate, because the people who brought forward the motion and the amendment did so in good faith and thought that it would have been supported by the whole House. I see nothing in the amendment to upset anyone on any Benches, but that is for others to decide.

Many Members spoke about the need to deal with the past; no one is saying that that need does not exist. However, there also has to be sincerity and a process of reconciliation. Sometimes the language that we use when we discuss issues such as this in the Chamber does nothing except add pain and hurt to families. My party has said many times that there should not be a hierarchy of victims. As my colleague Mitchel McLaughlin said, all families should be treated with dignity and respect, no matter what has happened in their lives. Any process will undoubtedly be very difficult and painful, particularly for those families, and has to be conducted in a sensitive

and genuine way. It is essential that we put the victims at the centre of it.

Through the peace process, we have created the space in which we can try to reach out and build relationships, not only between communities across this island but between Ireland and Britain. My party wants that relationship to develop; we want to reach out to people in the unionist and loyalist communities. A lot of work is being done between communities to break down barriers and to create the spaces in which that can happen. That work of partnership is ongoing, and it is ongoing in places such as this. It is all about the outworkings of the Good Friday Agreement and the St Andrews Agreement. We really need to build that future for people and make it as inclusive as possible.

6.15 pm

However, when talking about the past and how to deal with it, as well as about a truth recovery process, there is also a very clear need to look at the causes of the conflict. I know that we will perhaps never agree on some issues, but we need to look at the causes of the conflict when we are trying to deal with the past. It is really important for us here to ensure that our children, the children out in those communities now and the children of the whole of Ireland, never have to experience and see what people of our age group experienced and saw. For me, that is the important thing about this process. It is about reaching out and trying to deal with the issue in a way that is sensitive and that gives all those families dignity. I really hope that we can do that and not create a hierarchy of victims.

Mr T Clarke: I probably disagree with my colleague to the rear of me, who referred to the debate as possibly being woolly in substance. The motion is a genuine attempt to look for avenues to see how we could discuss the past. When I came in here today, I was unsure exactly what I wanted to say, although I had my own thoughts on the subject.

However, it was interesting that, as the debate unfolded, we had probably two different versions from Sinn Féin, one of the parties on the opposite Benches. Mitchel McLaughlin seemed to suggest that a discussion would be useful, but the party then pushes out Mr Sheehan, who had an unapologetic view about what he and other members of his party were involved in. I know that Mitchel McLaughlin talked about the process having gone on for 16 years and about

moving it on, but, whenever you put someone up to speak who has an unapologetic view about what they were engaged in in the past, we will have difficulty examining the past, given that they do not see that what they did was wrong.

Mr Sheehan: Will the Member give way?

Mr T Clarke: No, I will not give way. The Member then referred to the commission for the disappeared. I think that he wanted a pat on the back for how the commission said that it engaged. It does not deserve any pat on the back, because, at the end of the day, we would not have had that commission had it not been for those in his party who took people up back streets, murdered them and then took them to various parts of Northern Ireland and buried them. So, we would not have needed that commission but for his party's members, himself and whoever else was involved in paramilitarism. I find it difficult to move this argument on when we have that unapologetic view.

We then had the Member from the Front Benches of the same party who was probably trying to show sincerity in her concern for how the debate went. The nationalists keep referring to a hierarchy of victims. There is no hierarchy of victims. I do not think that anyone in the Chamber would describe them as being in a hierarchy. There is either right or wrong, and there was never a right time for someone to take someone else's life. Unfortunately, the people on the opposite Benches were engaged in practices where they went out and murdered people.

One of the good things that I heard in the past number of weeks was the former deputy First Minister suggesting that it was murder. That is a step forward. It has taken us 16 years to get there. However, the only welcome thing I heard from Sinn Féin in the past number of weeks was that it has now decided that it was murder. So, where a hierarchy is concerned, I think that it has now come to the mind that perhaps what it was engaged in was murder and that its members should not be classified as victims.

I heard other things today that concerned me. Mr Nesbitt said that the motion was not very broad, and I appreciate that Mr Lyttle was not going to make his whole speech about why he was proposing the motion. However, one thing that Mr Lyttle said that concerned me, and the Member for North Antrim picked up on this, was to do with storytelling.

The people of Northern Ireland, regardless of what side of the community they come from, have had enough of storytelling. The leader of the Ulster Unionist Party got it right when he said that wrong was done on both sides and murder was conducted on both sides. Regardless of whether people are from a Roman Catholic family or a Protestant family, they do not want stories to be told any more. They have heard stories for years; they want truth and justice.

Until we have some sincerity from those involved in wrongdoing in the past, it does not matter how much we talk. They must genuinely accept that what they did in the past was wrong. All of those who were involved in perpetrating violence must come to the table, say that what they did was wrong and offer information. I do not know whether this applies, but if some of the Members opposite have not yet served time, it may mean their having to serve in Her Majesty's Prison. They are happy enough to take her money here. If they have to serve under Her Majesty in prison, that is where they should go.

Mr Givan: Does the Member agree that, where there is the potential for individuals to be prosecuted and ultimately sent to jail, it would be a positive step if Sinn Féin as a party decided to engage with the Historical Enquiries Team and encourage those in the republican community to do likewise? My understanding is that that party refuses to work with the Historical Enquiries Team at the moment.

Mr Speaker: The Member has a minute added to his time.

Mr T Clarke: I thank the Member for that point, and I agree wholeheartedly. I have had the unfortunate experience of having to deal with the HET because of a family bereavement. One point to make in relation to that is that eight workmen were blown up while travelling, and, as Lord Morrow said earlier, some have said in the past that they were "legitimate targets". I do not believe that anyone was a legitimate target.

The work of the Historical Enquiries Team has been difficult because it looks at only one side of the debate. It cannot examine how Northern Ireland gets the truth from Sinn Féin or others who have conducted murder. Until these people come forward with information and engage in commissions that already exist, we are never going to get the truth. I support the motion.

Mr McCartney: On a point of order, Mr Speaker. Will the Speaker, allowing for the emotion of the debate, look at Mr Clarke's references to this party and make a ruling, please?

Mr Speaker: I hear what the Member is saying. *[Interruption.]* Order. I will look at Hansard.

Mr D McIlveen: I will keep my comments brief as I am conscious that this has been a long debate. It is a challenging motion, and it has been interesting to hear what has been said. Mr Lyttle's comments about our not veering into a complex party political debate may have been wishful thinking, but we are where we are, and we have to accept that it is a very sensitive issue.

It is important to ask why we do not deal effectively with the past. I feel that going down the road of hugely expensive inquiries during an economic crisis would be unfortunate, because all they achieve is further division. We have to accept that these inquiries have veered away from their initial remit, which was to establish the truth. I am all for the truth; do not get me wrong. I would love to see the truth brought to the fore in all cases, but we have to accept that these inquiries have become a push to get the answer that the instigator of the inquiry wants rather than to find the truth.

We have to accept that the cost of these inquiries has got out of control. The Saville inquiry is a perfect example: the cost of that would have paid one year's salary for 15,000 nurses, 5,000 doctors or 11,000 policemen. The party opposite has its red flag unfurled to the wind at the very sniff of industrial action. How it can go back to its constituents and try to justify that sort of waste of money is beyond me. I cannot see how that can be accepted.

Something else that baffles me is the fact that it must be simple to answer some questions, yet we do not seem to be getting those answers. I cannot be alone in finding it disconcerting that we can discover how much the First Minister spends in Asda, but we cannot establish exactly when he left the IRA. I am baffled by that, and that is something that we have to address.

Mr T Clarke: You mean the deputy First Minister.

Mr D McIlveen: I mean the deputy First Minister — I apologise. *[Laughter.]* I am glad that the party whip is not here.

We have to accept that there is a huge disparity between everybody's version of the truth and what they are looking for. Although, like a lot of my colleagues, I will take the motion in the spirit in which it was tabled, I have huge difficulty with the amendment. I will therefore support my colleagues in opposing the amendment.

Mr A Maginness: Dealing with the past is central to the process of reconciliation in this Chamber and in our society. If we do not tackle the past, and address the issues arising from the past, how can we ever reconcile our society? Do we occupy a conflict-resolution process or a conflict-substitution process? If we use issues from the past to shape and form the politics of the present then, in fact, we are not moving from the past at all, and we are doomed to repeat the mistakes of the past. It is that acute and urgent that we have to look at it extremely seriously, and I do not think that we have really applied our minds to it.

It is insufficient for the DUP to state in the Assembly that the motion is not sufficient for addressing the issues of the past. There seems to be reluctance on the part of the DUP to accept the very concept of a mechanism for dealing with the past. I hope that I am wrong about that. At least the Ulster Unionists, through their leader, Tom Elliott, have accepted the need for a process. He may say that it is doomed to failure or will be flawed or imperfect, but at least he accepts that process. I do not sense that from the Benches opposite.

I think that Sinn Féin members are being disingenuous in their embracement of a truth recovery process. They stipulate that it has to be an independent, international process. Sinn Féin has accepted inquiries by English judges, American judges and Irish judges. They have accepted those inquiries and are quite prepared to accept the outcome of those inquiries when it suits them. It seems to me to be less than frank to say that they will only accept an international, independent inquiry. That seems to me to fall short of what is required by the spirit of the Good Friday Agreement, which is an attempt to reconcile people and bring them together.

Through the violence of the republican movement — and that of loyalists, but, in particular, the republican movement — they divided our people even further. There was no justification whatsoever for any violence on the part of republicans. That should be accepted

now by them. It is quite wrong for republicans to justify everything retrospectively and claim that violence was justified. It was not justified. There was a peaceful pathway, which the civil rights campaign developed and the SDLP promoted after that, through which people could non-violently change this society and bring about a reconciliation of our people. Instead, they chose to go down a violent pathway, which divided our people even further. They claimed at the same time that they wanted to unite Ireland.

How can you unite Ireland if you are going to divide the very people whom you want to persuade to come into a united Ireland? How can you do that through murder? That is a reality that Sinn Féin has to address when it addresses the past.

6.30 pm

I believe that Sinn Féin is deliberately avoiding that central issue. It is necessary for the party to come to that acceptance, but it is necessary for us all to agree on good and thorough mechanisms that will bring about truth recovery. The report of the Eames/Bradley group outlined mechanisms —

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

Mr A Maginness: We can refine those mechanisms, but the very bones, basis and foundation for that truth recovery is contained therein.

Mr Dickson: Thank you, Mr Speaker, for the opportunity to make the winding-up speech in the debate. I thank my colleague Mr Lyttle for proposing the motion and Mr McDevitt for his amendment. I will speak briefly about the amendment. We cannot see any reason why the House should not be free to support the amendment. After all, the Irish Government have been part and parcel not only of the history and troubles of the past that we are trying to unravel in this debate for the future but of the settlement that brought us where we are today. Therefore, it is valuable and important that they play a role in any mechanism that we invite the Secretary of State and others to set up to reveal to us and, perhaps —

Mr Campbell: The Member is talking about the Republic's part in dealing with our past, but does he accept that part of the problem with the Irish Republic is that, in Northern Ireland, there

are many who talk about our Government being to blame for what arose in the past and how violence was responded to, but the Republic's Government have never owned up to the part that they, as a Government, played in arming and establishing the Provisional IRA that caused 30 years of mayhem?

Mr Dickson: Perhaps before I answer that point, I should say that the purpose of the debate is not to enter into what people describe as the blame game. I have to congratulate many Members in the Chamber who have, rightly, not pointed us in that direction although some, sadly, have.

My response to Mr Campbell is simply this: I accept all the debate and discussion that has taken place today. I am not apportioning blame, nor am I saying who is right and who is wrong. Mr Campbell raised a valid point; it is a point of view to which many people subscribe, which is that the Irish Government were as complicit as they were helpful in the process over that period. Yes, in that respect, if the British Government, as Sinn Féin suggested, are to pay for this, why should the Irish Government not participate in that as well? Sinn Féin tells us that the British Government are to blame for this process, Mr Campbell tells us that the Irish Government have also to bear some blame for all this, so why should they not contribute to it? I do not wish to apportion blame today, because to do that would be to fall into the trap from which the motion is genuinely trying to save the Assembly.

The purpose of the motion is to invite the Secretary of State and others, if we agree, to assist in the setting up of a process that will allow us to examine very deep, hurtful and painful issues. I dare suggest that many, if not all, in the Chamber have in some shape or form had such issues visited on our lives. Those issues have touched us in our lives, whether through the death of a loved one or an attack on our property. No matter how the situation of the past has affected each one of us, we owe it to ourselves and to every young person born and unborn who will come into this society in the future to know why we did what we did to one another and to know and understand what drove us to do the things that we did to one another, regardless of who we were and whatever our background or the motivation for doing it.

We did not propose the motion to open up the debate on contentious issues. Rather, it was to

determine that the House could demonstrate our willingness to begin to process the legacy of the past and that it can be addressed effectively. Dealing with our past is a very difficult and complex issue, one that the few minutes — in reality, they have been only a few minutes — in the Chamber have demonstrated today. After 40 years of conflict, peace has not had, and will not have, immediate effect. There still exists deep individual and collective hurt in our society. Everyone in the Chamber, whether sceptical or otherwise of today's debate, will acknowledge that those who have directly suffered as a result of violence and conflict want to have answers. They want to have an answer to why it happened to them, our community and our society. As my colleague Mr Lyttle highlighted at the beginning of the debate, one third of our present population consider themselves to be in that category. One third of the population of Northern Ireland consider themselves to be affected, hurt or damaged in some way by what has gone on over the past 40 years. That is a deeply troubling figure.

It is not just an issue about our past. The debate is also about our present and, most importantly, our future. We have all heard it bandied around the Chamber on many occasions, but it is worth repeating that the cost of division in this society is over £1 billion a year. The number of peace walls, which shame this society, has increased in recent years. Sectarianism continues to account for over 50% of all hate crimes. PSNI statistics show that there has been a 24% increase in sectarian crimes in the past year.

Division affects us all. It affects our children. Recent research shows that one third of children already identify with Protestant or Catholic communities by the age of six. Catholic and Protestant children were found, from the age of three, to show differences in their preference for particular people's names and flags, and differences in their attitudes towards marches and the police. We are a society that is deeply flawed, and we need answers to those flaws.

We must acknowledge that such division is not absent from the Assembly, as we have seen in the debate this afternoon. However, I wish genuinely to rise above that. It is important to emphasise that the debate has set us on a pathway to inviting external forces, our Secretary of State and the Irish Government, if that is the desire of the Assembly, to move the debate

forward. We have had organisations such as the Eames/Bradley group, the Victims' Commission and the Historical Enquiries Team. Those organisations may be criticised for the part that they have played, but they have all played a part. I do not think that anyone would genuinely say that the part they played has not, in some way at least, been a constructive way forward.

Mr Byrne: I thank the Member for giving way. Does he agree that the Eames/Bradley group afforded many families that had been suffering quietly in isolation the opportunity to come forward and at least engage in some way in some sort of a process?

Mr Dickson: Indeed I do. We are trying to develop that. There are all sorts of pathways and routes for people to come to an understanding about and a conclusion on those things that have hurt them very badly. Mr Allister demanded justice. We all demand justice. Where justice can be achieved, it should be. For many, however, the justice of a jail sentence will not be available to them. For many, simply an acknowledgement of, "I did this to you, and this is why I did it to you" will be sufficient for them to have an understanding of what happened.

My colleagues in the Alliance Party and I have emphasised for many years the importance of overcoming our divisions and building a shared future for Northern Ireland. That cannot be achieved without us, as a society, dealing with the legacy of the past, which, if left untouched, will be a cancer that will grow. It is clear that the legacy of the Troubles must be addressed in a way that transforms our society. We have heard some transformational comments in the Chamber, but we have also heard some regressive ones.

I encourage Members to grasp the need to transform the debate and take it a step forward, not to say that we have finished with the debate and that it is now the responsibility of the Secretary of State and the Irish Government. Remember: the purpose of the resolution is to convene a meeting of the parties, and it is for us, the Members in the Chamber, to determine the way forward. History will not judge us fairly or kindly if we cannot resolve the problems of our past.

It is over two years since the publication of the Eames/Bradley report, and there has been no progress towards the establishment of a reconciliation process. It has been

acknowledged on all sides that that report was not perfect, but it provided a foundation on which a process could be built. In particular, the central recommendations to establish a legacy commission with separate elements of reconciliation —

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

Mr Dickson: I will, Mr Speaker. There must be a willingness to address the truth of incidents. I appeal to Members to support the motion and to call on the Secretary of State to convene those talks. If we do that with a united voice, the Secretary of State will have to listen to us.

Question put, That the amendment be made.

The Assembly divided: Ayes 41; Noes 42.

AYES

Ms M Anderson, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mrs Cochrane, Mr Dickson, Mr Doherty, Mr Durkan, Dr Farry, Mr Flanagan, Mr Ford, Ms Gildernew, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mrs McKeivitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr D Bradley and Mr Durkan.

NOES

Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Irwin and Mr Nesbitt.

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

That this Assembly calls on the Secretary of State to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past.

Adjourned at 6.52 pm.



information & publishing solutions

Published by Authority of the Northern Ireland Assembly,
Belfast: The Stationery Office

and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone 0870 240 3701

TSO@Blackwell and other Accredited Agents

ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325

Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited

© Copyright Northern Ireland Assembly Commission 2011

ISBN 978-0-339-50501-8



9 780339 505018