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Monday 24 October 2011
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Suggested amendments or corrections will be considered by the Editor.

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

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Northern Ireland Assembly

Monday 24 October 2011

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

Members observed two minutes' silence.

Assembly Business

Extension of Sitting

Mr Speaker: I wish to advise the House that I have received notice from Mr Weir and Lord Morrow of a motion under Standing Order 10(3A) to extend the sitting beyond 7.00 pm. The Question on the motion will be put without debate.

Mr Weir: I beg to move

That, in accordance with Standing Order 10(3A), the sitting on Monday 24 October 2011 be extended to no later than 7.30 pm.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 24 October 2011 be extended to no later than 7.30 pm.

Mr Speaker: The motion has been agreed, and the House may sit until 7.30 pm if necessary.

Ministerial Statement

Prison Service Review

Mr Speaker: The Minister of Justice wishes to make a statement.

Mr Ford (The Minister of Justice): With permission, I wish to inform the House of the publication today of the final report of the prison review team, chaired by Dame Anne Owers. I welcome that report, which will form the cornerstone of a radical programme of reform in our prison system. Members will recall that I established the prison review team in July 2010 to conduct a review of the conditions of detention, management and oversight of all prisons in Northern Ireland. I want to extend my thanks to Dame Anne Owers and her colleagues Paul Leighton, Clodach McGrory, Fergus McNeill and Phil Wheatley for their painstaking work over the past 16 months and for the vast range of expertise that they have brought to the issue.

In February 2011, the review team published an interim report that set a very clear direction of travel for the Prison Service and identified the need for significant improvements in governance, leadership, working practices and culture. In short, it highlighted the need for end-to-end, fundamental reform of the Prison Service. The team's final report includes 40 recommendations for fundamental reform. All of them will require careful consideration, and I will, of course, wish to discuss them further with the Justice Committee and with my colleagues in the Executive. In reaching those recommendations, the report expands on many of the themes and issues signalled by the earlier report and sets out a vision of a prison system that provides secure custody; supports and reflects human rights standards and ethical values; is based on the premise that prisoners within it can develop and change and provides

the opportunities for them to do so; and shows that it is using and investing public money wisely. Reflecting that vision, it details the fundamental characteristics that our prisons should display. The vision set out and the characteristics described provide a model against which I want our prison system of the future and the reform programme we are setting in place to take us there to be judged. Along with the director general of the Prison Service, I am fully committed to the transformation of the Northern Ireland Prison Service (NIPS) into a service that reflects the model set out in the report.

The report not only looks forward but looks at where we are now. Any thorough and robust review of our prison system was inevitably going to make for uncomfortable reading, as many others have in recent years. This report is no exception. One of the most disturbing aspects of the report relates to the differentials that have been identified in the outcomes for various groups of prisoner, including, for example, trends of more Catholic prisoners on the basic regime or subject to multiple adjudications. The director general and I take those findings very seriously. We are clear that there are no grounds on which discrimination or preferential treatment because of religion, ethnicity or nationality will be tolerated. Although we will examine what further steps may be required to ensure that they are addressed, we have already agreed that a number of immediate steps will be taken.

It is evident that, although information on equality and diversity issues has been gathered, it has not been sufficient nor has it been used appropriately to safeguard equality of treatment and opportunity across all groups of prisoners. The director general has, therefore, issued clear instructions to the governing governors to ensure that equality and diversity information is properly examined and analysed and immediate corrective action taken where there is no clear rationale for apparent inequality of treatment. Steps are also being taken to ensure that, in future, the role of equality and diversity committees in each prison will be given proper priority and chaired at an appropriately senior level, with attendance from prisoners. The director general will report to me personally on how that issue is being addressed. Moreover, within the Department's responsibilities, I have instructed officials to amend the departmental equality action plan, which was being made ready for publication, to include actions in relation to that issue. That will provide an

additional level of monitoring and direct reporting to me as Minister.

The review team has expressed frustration that outcomes for prisoners remain largely unchanged since the publication of its interim report in February. The team identifies a number of reasons for that and highlights the lengthy processes of procurement and recruitment and the need for cross-departmental approvals, as well as the lengthy negotiations about an early retirement scheme. The team concludes that all of those protracted processes have reduced momentum and increased frustration. Summing up their own frustration, the members of the review team express their:

"fears that our review, like others, will result in a report, but no fundamental change."

They argue, rightly, that that must not happen, and I agree. They say:

"Though the transformation we envisage will take time to complete, there is an urgent need to show that its foundations are securely in place. The next six months will be crucial."

Again, I agree. With that in mind, rather than try to respond to a report of this importance in a single statement, I intend to make a number of statements and announcements during those next six months, setting out in greater detail the work that is already under way and how we intend to build on that work as we seek to implement the recommendations contained in the report.

We are reaching a point where, as a result of work that has been continuing behind the scenes over the last year, I am confident we will soon see a step change in the pace of the reform programme. While expressing the team's disappointment at progress to date, the report also acknowledges that there is a sense of change and purpose at the top of the Prison Service. The review team says that there is no doubt that those responsible for the prison system recognise the size and shape of the problem and have been working hard to find solutions for it. That hard work to lay the foundations for fundamental change may not yet have been evidenced in visible improvements to prisoner outcomes, but I want to reassure Members that much has been achieved, laying the groundwork for structural change in this first year of the programme and for fundamental changes to culture and practice in due course.

As a result of that work, there are early signs of improvements to outcomes for prisoners and real and practical enhancements to the experience of offenders in custody. The development of the Donard day centre at Maghaberry, which I will formally open next month, is transforming how we manage, support and care for the most vulnerable prisoners. The governor has recently introduced a new system of free-flow movement for all category C prisoners in Maghaberry, with plans in place to extend those arrangements to category B prisoners. The introduction of that system starts to address the report's cautions about over-reliance on physical security and the need to move towards more dynamic security arrangements across the prison system, with benefits including greater efficiency and enhanced personal responsibility for prisoners. Across all three establishments, the recent introduction of central detailing, as the report notes, has resulted in a more consistent regime and noticeably fewer lockdowns.

In the report, the review team has scoped out the sheer scale of the change that is needed. It is clear that lasting and effective reform on this scale will take time. We cannot expect fundamental change to happen overnight. The report refers to the strategic effectiveness and efficiency (SEE) programme and describes it as:

“to a large extent consistent with the perceptions and recommendations”

made in the interim report. I have compared the scale of the SEE programme with that of the Patten reforms of policing. Indeed, we know from that experience that the process of delivering fundamental and lasting organisational change on such a scale takes years. The SEE programme is a four-year change programme, and the NIPS four-year corporate plan, published this month, sets out how change will be achieved across each year of that programme.

The work to date on year 1 structural change has included the development of a new business operating model for the Prison Service that will transform and modernise working practices; the development of new roles for NIPS front line staff; and reviews of non-core functions to examine possible opportunities to improve existing service delivery. The past eight months have seen the reinforcement of governance arrangements across the service, including the restructuring of Prison Service

headquarters. Governors in charge now report directly to the director general on operational performance matters. As the review team has acknowledged, along with other initiatives such as central detailing, the new emphasis on accountability is delivering a demonstrably more predictable regime and is beginning to have a positive effect on prisoner outcomes.

The report makes some very interesting and thoughtful recommendations about the size and shape of the prison estate in the future. It recommends a quite radical reconfiguration of the Maghaberry site into three mini-prison areas and presses for a clear decision on the role and future of Magilligan prison. It also recommends the development of new halfway house and step-down accommodation for long-sentenced prisoners and those with mental health and substance use issues. Those recommendations will be considered in full in the estates strategy, about which I will make a further statement in the months ahead.

In relation to the size of the prison estate, the report makes a number of recommendations aimed at reducing the number of people being sent to prison, especially on remand, including tackling delay; identifying alternatives to custody for fine defaulters; and reinforcing the view that custody should only ever be a last resort. Those are, of course, matters for the wider justice system rather than our Prison Service, and, although more must be done, we should not understate the scale of change that is already happening across the justice system. The Justice Act (Northern Ireland) 2011, enacted in May this year, makes provision for alternatives to prosecution, including penalty notices and conditional cautions. I have also brought forward considerable work to address fine default, which the report has also highlighted as a barrier to progress, reform and a reduction in offending. The pilot of a new community-based alternative to custody for fine default — the supervised activity order to which the report refers — will commence in the Craigavon area before the end of the year.

12.15 pm

Our programme of work to tackle delay in the system includes streamlining and improving existing processes and procedures, as well as looking to the future and more fundamental structural and legislative reform. The review team has gone further in the report than

previously by recommending the implementation of statutory time limits from arrest to disposal, staged over three years. I am already considering a related recommendation arising from the recently published review of youth justice, and it is significant that Dame Anne has added her voice to the debate. I am giving careful consideration to such an initiative and will return to it in due course.

The review team devotes a chapter of the report to the particular needs of women and young adults in our system. The team identifies successful programmes for women, such as the Inspire project, and recommends those as models on which to build. However, it also highlights the weaker aspects of our provision and makes innovative recommendations for a new custodial facility. It applies similar innovation to young adults and recommends the transformation of Hydebank Wood into a secure college. It also adds its voice to that of those who have strongly advised us to end the detention of under-18s at that establishment. All those recommendations deserve further detailed consideration, and, again, they will be the subject of further announcements by me in the coming months.

Of critical importance throughout the report is the recognition that our prison system does not exist and operate in a vacuum but is an essential part of society and only one of many agents that contribute to the creation of a safer society through the reduction of offending. That is immediately evident in the provision of healthcare in prisons, where responsibility for commissioning healthcare has transferred from NIPS to the Department of Health, Social Services and Public Safety. The review team commissioned two independent reviews of the delivery of those services, and those are also being published today. The overall conclusion of the review team is that, although progress has been made, much more is required. The team makes detailed recommendations about the governance structure for the delivery of healthcare and for improvements to the relationship between healthcare and the wider criminal justice system. Obviously, the consideration of those conclusions and recommendations will fall to me and the Minister of Health, Social Services and Public Safety.

The report also emphasises that responsibility for driving forward change towards an effective prison system reaches across the entire justice

system and beyond to become the responsibility of the entire Executive. The rehabilitation and successful reintegration of offenders into society cannot fall solely to NIPS. The report touches on issues of health, employability, learning and skills, and on the many other social and economic barriers to and springboards for changed behaviour and desistance from offending.

At an operational level, success will rely on the development by NIPS of effective partnership work with other agencies and communities. The Prison Service already enjoys positive working relationships with a number of other agencies and organisations, particularly the Probation Board for Northern Ireland. I am also aware of the director general's determination that NIPS will develop a more outward-facing approach by working more effectively with existing partners and seeking out and developing new relationships.

For my part, I am determined to join up our response to offending at a strategic level among Departments. The report is explicit:

"Everyone who wants to live in a safer and more peaceful society has a stake in successfully reintegrating ex-prisoners; so everyone should play their part in making reintegration happen."

Similarly, the point is made:

"There is virtually no department in the devolved administration that does not have an interest in, and a need to contribute to, the reduction of crime."

I am committed to developing and delivering a reshaped Executive-wide approach to reducing offending. The review refers to such an approach as a "safer society strategy".

Members will appreciate that the report is a far-reaching one that challenges all of us to embrace the urgent need for fundamental reform. I hope that all sides of the House will do so. As we do so, we must not lose sight of the fact that the Northern Ireland Prison Service is an operational service that provides custody, services and interventions to offenders 24 hours a day, seven days a week. The pressure on that service to deliver the programme of change that we demand, on top of its ongoing operational responsibilities, will be intense. Through the SEE programme, the strategy for moving forward has been put in place. I now look to colleagues in the Executive, the Justice Committee and the wider Assembly to lend their weight and support

to making the strategy happen. NIPS needs to be empowered and supported in starting the journey towards change.

As I have said, I share the review team's assessment that the next six-month period is crucial. Indeed, it is a watershed for the Prison Service. With colleagues' support, I am confident that we will pass a number of critical milestones, including the announcement of an exit scheme aimed at right-sizing the service and refreshing the workforce; the appointment of a dedicated change programme team, the selection programme for which is nearing completion; a comprehensive new business operating model to transform totally how NIPS works, which will be in place and ready for launch by April 2012; radical changes to healthcare, with healthcare staff scheduled to transfer to the South Eastern Trust by April 2012; completion of reviews of the provision of non-core functions, such as learning and skills, catering and estate management; publication of a revised prison estate strategy that will set out how the prison estate will be developed, taking account of the recommendations in the review team's report; and further changes across the wider justice system, including outcomes of the review of community sentences.

In closing, I repeat the challenge that has been set before us by the review team when it reminds us:

"this is a unique opportunity to create a public sector prison system that is a model of excellence".

Dame Anne also said:

"incremental improvements are not enough, and there needs to be a determined cross-party approach to driving through the whole package of change."

I seek the support of the Assembly for the work that will need to be done by the Prison Service, the Department of Justice (DOJ) and other Departments and agencies to meet that challenge.

Mr Givan (The Chairperson of the Committee for Justice): I thank the Minister for bringing the report and the statement to the House. Most people will agree that we should be trying to reduce offending, that we should do so efficiently and effectively and that we should try to reform and rehabilitate those prisoners who can be engaged in the system. In the coming

months, the Committee will go through the report in more detail.

There will be areas that we can support and others that we will find difficult to support, particularly the recommendation that suggests the automatic release of prisoners who are held in remand for more than one year. The report recommends that they should get automatic bail. Minister, I ask you to rule that out as an option, because taking that proposal forward would only further erode public confidence in the justice system. Sixty people would be entitled to that, including some who face the serious charge of murder. We want to ensure that that does not happen, and I ask the Minister to deal with that issue.

How does the Minister intend to deal with prolific offenders who do not engage in the system and do not exhibit any potential for reformation? The public see that a deterrent value is needed through strong sentences and a robust regime in the prison so that they do not do it again. That aspect does not seem to be in the report.

Lastly, Minister, your previous report on the youth justice review was put out for a full public consultation. Given the low public confidence in the effectiveness of the justice and prison systems, would it not be wise to put this report out to public consultation to allow ordinary members of the public to have their say on how the prison system should be run in future?

Mr Ford: I welcome the Chair's opening remarks about the areas that he expected the Committee to support. Let me talk about what he described as automatic bail. Speeding up justice has been one of my key priorities for the past 18 months, and it is clear that a certain amount of progress has been made. I get regular reports of improved working relationships between the Police Service and the Public Prosecution Service (PPS), and active case management is being carried out by members of the judiciary. However, we have not yet seen the step change in dealing with the delay, whereby cases in Northern Ireland may take two years or more to come to court that, in GB, would perhaps take a few months. Therefore, we need to be cautious before we suggest that nothing of that sort should be considered. The recommendation from the team of a three-year phasing for the possible introduction of that would, in its terms, send

out the message that something will have to be put in place to ensure that change happens; otherwise, it is too easy to say that change will not happen.

There are serious issues about dangerous offenders not being released from custody, but Mr Givan should not have any fear that, on the basis of the report, we are about to remove immediately some of the most dangerous prisoners from custody. However, it is an issue that, alongside other reports, will need to be taken into account. Similar issues were raised in the youth justice review. He talked about protecting society from prolific offenders. The sad reality is that society at the moment does not seem to be protected from prolific offenders merely by sending them to prison if they are prolific offenders once they return. We need to see what would work to make a difference to prolific offenders.

The Member should also take account of the fact that this is a very different review from the youth justice review with regard to consultation. The youth justice review sought responses from the public on different ways of looking at how we work to best meet the needs of young people in danger of running into difficulty and ensure that society is properly protected. The present review is much more an operational issue. In that context, it fits well with the work being done by Prison Service management under the SEE programme. Frankly, to suggest that we should have a period of extended consultation would, I believe, be damaging given the need to get these fundamental reforms under way, as has been highlighted by Dame Anne and her team.

Mr Speaker: Just before I call Raymond McCartney, I say to the whole House that, as Members rise to ask the Minister a question about his statement, I can understand that, given the nature of the statement, Members might be tempted to deliver further statements as they deliberate on their question. Quite a number of Members want to ask a question, but I warn Members to be more focused on the question that they want to ask the Minister.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle, Gabhaim buíochas leis an Aire as a ráiteas inniu agus le foireann na bpríosúin as a gcuid oibre.

I thank the Minister for his statement. I also thank the prison review team led by Dame Anne Owers for its work and, indeed, the publication

of the report this morning. I think we all know that this has been a comprehensive piece of work. If it can be distilled into a sentence or two, then it is about change — not only change but how that change can be realised. I say to the Minister that change will come about only if the process of change is monitored and examined on a consistent and constant basis.

The Minister said:

“we seek to implement the recommendations contained in the report.”

I hope that the Minister will agree with me that recommendations 22 and 23 around oversight and implementation are crucial. What steps will the Minister take to ensure that that process is put in place as soon as possible?

Mr Ford: I thank Mr McCartney for his welcome, although he managed to catch me out ever so slightly by saving the specific reference until the end. Clearly, oversight of the change is fundamental. The specific issue, for example, of a ministerial group, which would include membership from Criminal Justice Inspection Northern Ireland (CJINI), will, perhaps, need to be discussed with Dr Maguire as to how he sees the appropriate role for CJINI within that. However, I accept the principle of what Mr McCartney is saying whilst I cannot give an absolute guarantee of the precise wording of recommendations 22 and 23.

Mr B McCrea: Mr Speaker, I shall do my best, given the comprehensive nature of the report. The Minister repeatedly said in his statement that he thinks the responsibility rests with the Executive and other Members of the Assembly. I suspect that many members of the public will be shocked by some of the issues put forward here. That is not to say they are not right. However, will the Minister tell me what support he expects to get from his Executive colleagues and how he seeks to reassure the public that the recommendations in the report are for the benefit of us all?

Mr Ford: The important thing is that people should not cherry-pick or read small sections of the report but look at the overall issue of the report. It is a measured package which identifies the need for fundamental reforms and sets out some of those proposals. In that sense, I hope that Members of the House and the Executive will read the report and take it on that basis before they comment on it, rather

than, as perhaps has sometimes been known to happen in the Great Hall of this Building, rushing immediately in front of a microphone to give off about a small section of it. In that sense, we can ensure that we get public support because, I think, the public are well aware of the difficulties that the Prison Service faces and the need for some of those fundamental reforms.

He referred to Executive support and responsibility. When I go to Maghaberry next month to formally open the Donard day-care facility for vulnerable prisoners, I will do so in conjunction with the Minister of Health, Social Services and Public Safety. I will also look at the new learning and skills centre in conjunction with the Minister for Employment and Learning. At the very least, that is an indication of three Departments working together and of two Departments that have fundamental responsibilities for supporting the work of the Prison Service fully co-operating at ministerial level.

12.30 pm

Mr A Maginness: I thank the Minister for his statement, and I congratulate Dame Anne Owers and her team for producing a very good report that will bring about fundamental reform of the prison system. I also welcome the Minister's very positive approach to the report and assure him that this side of the House will support his implementation of it.

I want to ask specifically about the so-called exit package for serving prison officers. Will the Minister reassure the House that that package will be linked specifically with a radical improvement in working practices in the Prison Service? Without that, the exit package will be worthless.

Mr Ford: I thank Mr Maginness for his very positive words, and I have no doubt that Dame Anne and her team will appreciate the fact that some people have read the report and fully support it. The specific issue of the exit package is linked in the report to the refreshment of prison staffing, and it talks about the need for retraining for those who remain in post and for new prison staff who come into post. Mr Maginness correctly highlights the joined-up nature of that, although, in sheer chronology, the opportunity to develop the exit strategy at an early stage will be necessary in order to free up the resources that will then allow the ongoing work with new and existing members of staff.

Mr McCarthy: I thank the Minister, welcome the report, and thank its authors and the Department. With an energetic Minister of Justice at the helm, I have no doubt that the contents of the report will be vigorously enacted as soon as possible.

Mr Speaker: I hope that there is going to be a question here.

Mr McCarthy: Recently, the Minister has received a number of reports, including from Criminal Justice Inspection, the youth justice review team and, today, the prison review team, all of which recommend that the practice of detaining under-18s at Hydebank should end. Can the Minister outline what progress is being made on that recommendation and can he categorically clarify that there is no recommendation in the report for the automatic release of prisoners who have been held on remand for 12 months?

Mr Ford: I will leave out my energy and enthusiasm; after the weekend, I am not sure how much there is. I can certainly clarify that although the report highlights the issue about moving towards addressing the question of a statutory time limit, it does not make any formal direction in that sense, and I have indicated that we are keeping that issue under review.

My colleague highlights a very serious issue that is raised frequently: the detention at Hydebank Wood of those who are not yet 18. My understanding when I checked the figures last week was that there were only eight under-18s in Hydebank Wood in the course of the past year. As a result of initiatives by the Youth Justice Agency, the staff of Woodlands and others, and the Prison Service, 12 under-18s who were committed by courts to Hydebank Wood have been referred back to the courts on the basis of the assessment that they would be better transferred to the juvenile justice centre at Woodlands. That is an indication that positive work is being done, although I have no doubt that the long-term issues of resolving how we deal with the most difficult young people if we are using only Woodlands will mean that there will be a bit of problem in the years to come. However, the fact that we have seen such a reduction in numbers is an indication of the good work being done by the Youth Justice Agency with the Prison Service.

Mr Weir: Judging by the last question, it is just as well that brown-nosing is not a criminal

offence or else Mr McCarthy might be looking for an early release. We all accept that there needs to be swifter actions around remand issues. For instance, the reforms of PIs and PEs need to be looked at, and we may even need to go further on that. Does the Minister accept that implementing the statutory time limits in recommendation 2 would mean automatic release? I am not clear on the response that he gave earlier. Will he take this opportunity to say that he will not accept that recommendation in its totality and that there will not be statutory time limits, or is he simply saying that those will be phased in over time?

Mr Ford: As I said, that recommendation must be taken extremely seriously, bearing in mind that it also features in other reports. It is not something that will happen tomorrow nor is there any guarantee that it will not happen ever.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I, too, welcome the Minister's statement and the report. I was glad to hear him particularly welcome the fact that a whole package of measures is needed rather than some incremental changes. Given the resistance to change in some quarters, will the Minister assure the House today that the independent monitoring of outcomes will be given priority when he is taking the report's recommendations forward?

Mr Ford: I give Ms McCann that assurance. It was a matter of considerable concern to see the differential outcome in statistics, and we do not know the full reason behind it. Dame Anne highlighted in a communication today that it is unclear why the statistics would suggest differential outcomes between Catholics and Protestants. She told me that the evidence does not provide conclusive proof of discrimination, but it certainly points to persistent differences, which will be taken as a priority by the director general of the Prison Service and by me to ensure that we get to the bottom of it.

Mr Campbell: I, too, welcome the Minister's statement. He will no doubt be aware of the long-running campaign to ensure that Magilligan prison is reconstructed. Some colleagues and I met with him several months ago, and he is aware that a predecessor of his — direct rule Minister Paul Goggins — gave specific assurances, as did the Northern Ireland Affairs Committee of the Westminster House of Commons. Given that recommendations 4

and 6 suggest that it would be better to build a new prison near a centre of population — I assumed that we had one called Maghaberry, which is near Belfast — can he assure us that the Magilligan rebuild will begin as soon as possible, regardless of the interim and final reports, and that whatever has to be done to provide a new prison there, in whatever system is needed, will be done as a matter of urgency?

Mr Ford: I am unable to give any assurance when the estates review is still under way. The report correctly highlights the fact that there are issues around Magilligan, which has some good accommodation and some poor. The report also highlights issues relating to geography. Those matters are being taken on board by the estates review, and I expect to report to the House when that review comes to fruition.

Mr McDevitt: Does the Minister share my grave concern that 74% of prisoners at basic privilege level in Hydebank Wood Young Offenders Centre are Catholic, 66% of prisoners in Maghaberry prison at basic privilege level are Catholic and eight out of 10 prisoners in Magilligan prison at basic privilege level are Catholic?

Mr Ford: Mr Speaker, I thought I made it clear, in response to Ms McCann's question if nothing else, that I share those concerns. The problem is that we have not identified the reasons why, and more work needs to be done to ascertain the exact reasons behind that situation and how we will deal with it. If I did not make clear in my statement that this is being taken as a very significant priority by the director general and by me, I repeat it now.

Ms Lo: I thank the Minister for his statement and very much welcome the many recommendations in the report. The Minister mentioned a new custodial facility for women at Hydebank, which is in my constituency, and I agree that a new facility is needed. Does he agree that the strategy for women prisoners must involve more than just buildings? We need to take the right approach to the care and rehabilitation of women prisoners.

Mr Ford: Yes, I agree entirely with the words of the report, repeated by my colleague, that say that the strategy for women has to be about much more than buildings. Since I became Minister, I have spoken on a number of occasions in the Chamber about visiting the Inspire Women's Project, which is run by the Probation Board with support from a number of NGOs and which

liaises with the Prison Service. The project deals with those who are in danger of going to prison and those who are being rehabilitated after serving prison sentences. It is absolutely clear that, similar to others across the water, that project is having positive effects on the women that it deals with. It is also very clear that we need to address urgently how we find an appropriate facility — probably a relatively low-security custodial facility — for a very small number of people and alternative community provision for those women who do not require it. One of the tragedies of our system is that, at the moment, over 50% of women admitted to Hydebank Wood go there for a few days for things such as fine default. I cannot see how that can be maintained into the long term as a rational way either of meeting the needs of that group of people or of protecting society.

Mr Spratt: I thank the Minister for his statement in which he referred to Patten. He will be aware that pivotal to the downsizing of the Police Service was the important element that the staff associations were brought along fully in the negotiation of an exit package. Will he assure the House that the Prison Officers' Association (POA) will be fully involved in any scheme or negotiations on either downsizing or an exit package?

Mr Ford: I assure the House that not only will the POA be fully included but there have been ongoing regular discussions with POA representatives about the exit scheme and other aspects of ongoing work. The association will continue to be fully involved in those discussions.

Mr Eastwood: Page 49 of the report states:

"This is a whole package, not a series of incremental changes."

Given that, does the Minister agree that recommendations 22 to 28 should be implemented in full?

Mr Ford: If Mr McCartney catches me out by throwing in two recommendations at the last minute, I am certainly not responding to eight, or however many it was. I made it clear that I accept the thrust of the report. That does not mean to say that the Prison Service can give an absolute guarantee of every individual issue. I will give one example. There is criticism that supervised activity orders are going ahead only as a pilot in one area and somewhat late. There

are operational and organisational reasons why that is the case, but I accept fully the necessity to develop supervised activity orders as fast as can be. However, I cannot accept the precise wording of that recommendation. Mr Eastwood and others can be assured that the Department of Justice accepts the report as a principle for the way forward without necessarily accepting the precise timescales or wordings of every aspect of it.

Mr Allister: The Minister began his statement by paying lip service to the need to give careful consideration to all the recommendations. He then immediately jumped in to damn the existing Prison Service, getting particularly exercised by the fact that there are more Catholics than Protestants facing adjudications in the prisons but ignoring the reality that, for whatever reason, there are more Catholic than Protestant prisoners. Is the Minister's response not indicative of the fact that he has already made up his mind about all those matters and about a report that is somewhat divorced from reality by virtue of the sparse reference, and the total absence of reference in his statement, to the compelling reality that our prisons still contain a significant coterie of dangerous terrorist prisoners?

12.45 pm

Mr Ford: I find it difficult to see how anybody could describe my statement this morning as jumping in "to damn the existing Prison Service". I have recognised the positive sides of what has been done by the Prison Service and what needs to be done to bring it up to date. I think that Mr Allister and others need to be sure that we do not manage the Prison Service, which currently has something in the region of 1,600 prisoners, on the basis of the needs for managing approximately 60.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement this morning and the review team for its comprehensive report. I am disappointed that we did not get the report until 9:30 am today. The review team expressed its frustration at the lack of change since the interim report back in February. Can the Minister assure the House that the final report will not end up causing similar frustration?

Mr Ford: I am sorry that Mr Lynch is upset about receiving the report at 9:30 am today. I am aware of similar things in the past when

a Minister's statement appeared a bare hour before the Minister stood up, and a report did not appear until the statement in question was over. Consistent with the fact that the report was received in the Department of Justice on Wednesday, and after a lot of work was done by my officials over the weekend, I sought to ensure that we got it out as fast as possible this morning.

Mr Lynch talks about progress. I acknowledge that there is a degree of disappointment in the report as to what has happened. On the other hand, we have seen a number of significant things happen since the publication of the interim report. We have had the launch of the SEE programme, and work has been done on centralised detailing, which, as I said, has resulted in far fewer lockdowns than last summer, for example. Furthermore, the business case for the staff exit scheme is being discussed in great detail with the Department of Finance and Personnel (DFP); there has been ongoing work with the Prison Officers' Association on agreeing new roles for front line staff, alongside new grading, and so on; and there is an ongoing review, which I outlined earlier, on the prisons estate strategy. Of course, the Prison Service also has significant involvement in the proposals for the integrated college at Desertcreat. Work is also being done on strengthening corporate governance within prison headquarters and with regard to the relationships between the three prisons and the director general. Therefore, although there has been less to show than, perhaps, we might have hoped, we should not suggest that that means that nothing has been happening since February.

Mr S Anderson: I thank the Minister for his statement. I am sure that he will agree that whatever happens in the Northern Ireland Prison Service in the future, we must have a prison system that commands the confidence of the public and ensures public safety. I am concerned that the prison officers who are facing redundancies will get a fair deal. Can the Minister elaborate on his plans for what he has described as the exit scheme? Can he assure me that prison officers will be treated with the respect and dignity that they deserve? Can he also assure me that they will be given a financial package in recognition of the job that they did for 30 years of the Troubles, when they and their families suffered greatly, and not the package that is under consideration, which, to them, serves only to add insult to injury?

Mr Ford: With respect, I do not think that either Mr Anderson or the members of the Prison Officers' Association know the detail of the package, which is being discussed by DOJ and DFP. While the discussion on that business case is going forward, I am not in a position to elaborate on it. I can assure him and others that we are seeking to treat prison officers with dignity, recognising the conditions in which many of the long-serving staff worked but also recognising the need for the fundamental reforms that the team has talked about.

Mrs Dobson: I thank the Minister for his statement. With reference to:

"statutory time limits from arrest to disposal",

what issues is the Minister considering? When does he intend to come back to us? What does he mean by "in due course"?

Mr Ford: It is becoming a little bit sad that although Members have every right to ask any question that they want on a statement on the fundamental reform of the Prison Service, they seem to be asking more about time limits than they are about prisons. We had something the same when we were discussing youth justice a while ago. I sometimes wonder whether, collectively, the Assembly can get its head around the big issues, or whether it is easier to concentrate on trifles. The answer to the question about time limits is that they are under consideration because of issues in the youth justice review and some ongoing work by the criminal justice delivery group. They will remain under review, and announcements will be made when they can be made.

Lord Morrow: The Minister's earlier statement reads more like a criminals' charter than anything else. The report has the whiff of Patten about it, and it strikes me that it has more to do with the comforts of prisoners than looking after victims. If the Minister is to take the report forward in its current form, does he accept that it is incumbent on him to ensure that the public have confidence in it? Does he also accept that victims, in particular, should not be undermined as a result of the changes that he proposes to make in the future?

Mr Ford: I do not think that I read anything in the report about the comforts of prisoners. However, I did read a lot about the effective rehabilitation and reform of prisoners. We really need to get our heads around what works in

making this society safer. To suggest that a detailed report, which was prepared by five people with significant expertise in the justice system, human rights and dealing with prisoners in practical ways, could somehow be dismissed as giving comfort to prisoners shows a rather sad lacking of the necessities in this society.

Executive Committee Business

Local Government (Rates Support Grant) Regulations (Northern Ireland) 2011

Mr Attwood (The Minister of the Environment):
I beg to move

That the draft Local Government (Rates Support Grant) Regulations (Northern Ireland) 2011 be approved.

These regulations are made under section 27 of the Local Government Finance Act (Northern Ireland) 2011, which stipulates that they must be laid in draft form and approved by a resolution of the Assembly. As required by section 44 of that Act, the draft regulations were issued for consultation from December 2010 to February 2011.

In essence, the changes are strictly technical in nature. They will have no material impact on the amount of grant aid that goes to the relevant councils that qualify under the regulations. There are some name changes as a consequence of the regulations. However, the old regime endures, and it will govern what moneys are or are not paid, subject to the criteria, to those councils that qualify for a rates support grant.

From 1 April 2012, the rates support grant will replace the resources element of the general grant that is paid to councils. At present, there are two elements under the general grant: a rates support grant and a derating grant. Under the new regulations, those elements will be separated, and there will a derating payment and a resources payment. That is the essence of what is before the Assembly today.

The regulations bring forward the statutory formula that is used to calculate the distribution of the resources element of the general grant and apply it to the rates support grant. The formula, however, remains unaltered. The formula measures each council's wealth base against its needs. A council's wealth is based on the value of all rateable and derated properties in its district. A council's needs are determined by adjusting the population estimate for the district to take account of three factors that are based on the NI multiple deprivation measure: socio-economic disadvantage; the impact of an influx of population into a district; and sparsity. The grant is paid only to those councils whose needs exceed their wealth.

The overall funding that is available for the grant is then shared out in proportion to the need, as determined by the formula. Under the provisions, in the current year, seven councils will receive zero grant, and as a consequence and based on the criteria that I just referred to, 19 councils will receive varied levels of grant.

The provision in the Local Government Finance Act (NI) 2011 for the rates support grant differs in two key respects from the previous provision in the Local Government (Miscellaneous Provisions) (NI) Order 2002 for the resources element of the general grant. The first difference is that the amount of rates support grant payable to councils will be protected from cuts during the financial year. I hope that that will be very much welcomed, given the adverse circumstances that our communities and some councils face going forward. Although there will be no impact on the regulations, that was the main concern that was raised during consultation on the draft regulations. I hope that those who raised issues on that matter are reassured.

The second difference affects the regulations, as the Department now has the power to issue a determination specifying the information that is needed from councils to calculate the grant. That removes the need for a pro forma to be prescribed in regulations, meaning that technical changes in accounting practices that do not affect the formula can be taken forward by administrative means rather than through regulations that are subject to draft affirmative procedure. In other words, that is a matter of process that enables the intention of rates support to be facilitated somewhat more easily.

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

Those two changes improve on the previous arrangements by streamlining the information-gathering process and by providing councils that receive the rates support grant with a protected, consistent source of funding during the year.

I ask the Assembly to approve the draft regulations.

Ms Lo (The Chairperson of the Committee for the Environment): The Committee considered initial proposals for these regulations at its meeting on 22 September 2011, when members were content for the Department to proceed with the policy. The Committee subsequently had sight of the draft rule on 29

September and agreed to recommend that it be affirmed by the Assembly.

As we heard, the rule sets out the formula that the Department is to use to calculate the amount of rates support grant payable to councils. From April 2012, the rates support grant will replace the resources element of the general grant but the formula for its calculation will remain the same. The regulations are in accordance with overarching primary legislation, that is, the Local Government Finance Act (Northern Ireland) 2011, which the previous Committee spent some time scrutinising towards the end of the previous mandate.

I remind the House of two particular issues that were raised in connection with the rates support grant. First, although members were content with the formula as it stood under existing council arrangements, the Committee stressed that it must be reviewed when the council structures are reformed. Members were content that until such a rearrangement takes place, the central statistics and research branch will carry out an annual equality monitoring exercise on the resources element of the grant.

Secondly, the previous Committee was deeply concerned about future resourcing of council grants. The resources element of the general grant, which will become the new rates support grant, provides additional resources to councils whose wealth falls below the Northern Ireland average. Members recognised that any cuts to that grant would reduce resources in those areas even further and might lead to a disproportionate increase in rates.

The Committee was also concerned about in-year cuts to that grant, as occurred in June 2010. That cut impacted heavily on councils with lower wealth levels and presented significant budgeting issues for the councils affected, as their rates had already been struck and their income fixed for the rest of the year.

1.00 pm

The Committee accepted that although future cuts to council grants could not be ruled out, it was important that the Department could no longer make cuts to the grant within a budget year. Therefore, it recommended amending the Local Government Finance Bill to prevent that happening again. I am pleased to say that that amendment was supported by the Assembly and in-year cuts to the rates support grant will

no longer be allowed. On that basis, on behalf of the Environment Committee, I welcome these regulations and support the motion.

Mr Molloy: A LeasCheann Comhairle, go raibh maith agat. I, like the Chair, support the motion. We need to add a number of caveats on issues around the review. We are looking into creating new councils and structures that I hope will mean that new councils and rates will be in place in the near future. It is important that that review is built into the procedures, so that we have the opportunity to come back to this.

Another issue relates to councils knowing in advance what the rates support will be. Too many councils have been unable to get such advance information or have been given false information in the form of a figure that does not materialise. It is important that councils know what their rates support grant will be well in advance of setting their own rates. That should continue throughout the year, instead of, as the Chair said, cuts being announced in the middle of the year, after councils have set their rates.

There is also the issue of the collection of the rates. In my previous council, Dungannon, I found that its staff and officials ended up collecting the rates for Land and Property Services (LPS). So, it is important that LPS does its job and ensures that councils get the maximum rates that they are entitled to. We must have clear demarcation between what council officials and clerks have to do and what LPS does to try to get those rates in to ensure that councils receive the maximum amount available through rates and through the rates support grants from central government.

With those issues in mind, it is important that we set in place a new structure to support councils in doing their work. However, they need assurances that what they are guaranteed at the beginning of the year is maintained through the year and that there is support for, and not a decline in, their rates income.

Mr Kinahan: I welcome the opportunity to speak on this issue, particularly as it is one of only a few important matters to have come up since May. I digress for a second, but we need to keep in mind that rates are very important and, maybe like corporation tax, they are one of the tools in the system that we need to review at all times.

This statutory rule has been made under section 27 of the Local Government Finance

Act (Northern Ireland) 2011, which, as we all know, is a piece of legislation that relates to the provision of grants to district councils, as well as making wider provision for the financial affairs of district councils across Northern Ireland. Although, in theory, this statutory rule only replaces the resources element of the general grant currently paid to councils with the rates support grant, it is still important that it is afforded the relevant time and attention in the House through debate.

When the Local Government Finance Bill was passing through the Assembly at the start of this year, my party argued that the rates support grant element of it was vital for councils. That would be particularly the case for the less wealthy districts across the Province. The grant will play an important role in their financial health and allow them to provide the basic statutory services that all councils must deliver. The fact that the rates support grant will be paid only to councils with a wealth per head of population below the Northern Ireland average means that it has the potential to assist the Executive, through the auspices of local councils, to meet some of their responsibilities to deliver for severely disadvantaged communities. It is unfortunate that there is a widespread lack of equalisation in rates across the 26 councils. So, I welcome the fact that, through the grant, the Department is able to use government funds in order to provide some form of equality in the delivery of government services.

During the legislative stages earlier this year, I had significant concerns that the Department was seeking to increase its powers under the cover of the rates support grant. The fact that it was seeking the power to make in-year cuts to the rates support grant was, and seemed to be at the time, absolutely ludicrous. I, therefore, welcome the fact that the Minister said today that there will not be in-year cuts and that there will be streamlining. I also welcome the fact — I think that Mr Molloy said this — that councils would know the exact figures at the beginning of the year. All this had the potential to lead to chaos in council management, because schemes that might already have determined budgets were facing the risk of significant in-year cuts. So, I reaffirm that I am very grateful for what has been put in place.

I was glad that the Environment Committee was able to table an amendment to thwart the proposal and to see the amendment successfully

made, despite stiff opposition from the DUP and the then Minister. The debate showed that sometimes it really is better for Members of the House to stick to their beliefs and gut feelings rather than to blindly follow the opinions of officials in a ministry that they might have notional control of.

Given that the regulations are intended to come into operation next Tuesday, there is no time to waste. The Ulster Unionist Party is, therefore, pleased to offer its support for the affirmative resolution of the new statutory rule.

Mr Attwood: I thank all the Members who contributed. Mr Kinahan made a number of telling points in a discussion that might otherwise have been perceived as somewhat routine. He said that these matters need to be afforded relevant time and attention, be it in Committee, in the Department or, indeed, here on the Floor of the Assembly, not least because, as he and other Members indicated, the grant is a critical element in the expenditure of 19 of the 26 councils and reflects local circumstances, such as the deprivation therein and, on occasions, particularly in respect of rural councils, issues in sparsely populated areas.

The total amount of grant aid to be paid this year to those 19 councils is over £18 million on the resource element side alone. A little under £800,000 will go to Larne Borough Council, £1.3 million will go to Down District Council, £1.5 million will go to Armagh City and District Council, and £1.7 million will go to Strabane District Council. Various amounts in between will go to the other 10 or 11 councils. So, the rates support grant is a critical feature of council expenditure for the reasons outlined.

Given Mr Kinahan's observation on what might have been the case in the Department heretofore, I reassure him that I am not notionally in control of my Department. I think that the standard for every Minister is — I keep saying this — whether the Minister is in Government and whether the Minister is in power. Do Ministers know the difference? I will leave that question hanging in the air. You might imply that I have some views on all that.

I confirm what the Chair of the Committee said about the fact that the formula will remain the same. Although the terminology, architecture and process will be somewhat different, the formula will remain the same. It will be on that basis that grant aid will be paid. I again confirm

that the amount paid in the course of the year will be guaranteed for that year. I hear the argument that creating certainty for councils going forward will be an important feature.

If I may move aside from that for a second, I think that, in light of the economic circumstances, there is a growing possibility of another emergency Budget from the London Government. In that context, there would be consequences for all devolved Administrations. The current general financial formula for the Budget and government could, therefore, be subject to further pressures. That should be a further imperative for us to stretch ourselves in determining how we manage our own money and in identifying new sources of money. That is still not being addressed with the necessary vigour.

I confirm to Mr Molloy that the grant will be protected this year. I take his point that certainty is needed at the beginning of every year so that councils know their position. In light of the late hour at which the Assembly passed the Budget in the current year — for reasons that will not detain us today — I hope that, in future years, regardless of who is Minister of the Environment, it will be very important to him or her to create certainty at the earliest opportunity to enable councils to make financial plans informed by however much the grant might be.

I think that Mr Molloy mentioned the need to ensure that any review of policy that is required as a consequence of RPA will be subject to rural proofing and equality screening, given that one criterion for grant aid is the sparsity of population. Clearly, that is a reference, *inter alia*, to the rural nature of our society. There are 26,000 farmers here, and, consequently, bungalows in many fields. That might not be the case in England — if Tom King is listening. In the context of the review of local government, there will, clearly, have to be a review of the formula to ensure that the model used is most consistent with the outcome of RPA.

I hear the point about whether councils will become the collection agency, rather than DFP. I will certainly raise that matter with my ministerial colleague Mr Wilson. It is not the intention to offload central government's responsibilities to local councils. If there were any indication that that was happening and that powers would end up being devolved, with new responsibilities and more besides through the back door, that would be further reason

why councils might be somewhat reticent in embracing governance functions in the context of RPA. I will raise the matter with my colleague Mr Wilson and pass on his reply, which, I am sure, will be reassuring to the Member.

I thank the Chairperson and other members of the Committee for their support for the motion. As Mr Kinahan indicated, in real time and in the real-life experience of people in the North, the decision being taken is significant, because it is a decision on the process and better management of how councils that represent areas of need can get more than £18 million. In that context, it is a good day's work.

Question put and agreed to.

Resolved:

That the draft Local Government (Rates Support Grant) Regulations (Northern Ireland) 2011 be approved.

Committee Business

Congress of Local and Regional Authorities of the Council of Europe: Assembly Nominee

Mr Deputy Speaker: It has been agreed that the motion will be treated as a business motion. There will, therefore, be no debate.

Resolved:

That this Assembly appoints Mr Stewart Dickson as its nominee to the regional Chamber of the Congress of Local and Regional Authorities of the Council of Europe. — [Ms J McCann.]

1.15 pm

Committee Membership

Mr Deputy Speaker: As with similar motions, this motion on Committee membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Paul Frew replace Mr David McIlveen as a member of the Committee for Enterprise, Trade and Investment; and that Mr Adrian McQuillan replace Mr Paul Frew as a member of the Public Accounts Committee. — [Lord Morrow.]

Private Members' Business

Forensic Science Services

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

Mr Craig: I beg to move

That this Assembly notes with concern the pressure and backlog in Forensic Science Northern Ireland; further notes the cuts to the Forensic Science Service on the UK mainland and the impact that this is having on Northern Ireland; and calls on the Minister of Justice to provide the necessary resources to ensure that cases requiring forensics are processed efficiently.

I will give a brief outline of the history of the motion. On 14 December 2010, the Home Office announced that it will close the Forensic Science Service (FSS) and wind it up by March 2012. The Forensic Science Service has been fully owned by government since December 2005, and it has analysed and interpreted crime scene evidence for the criminal justice system since 1999. The reason for its closure was that the government-owned company was operating at a loss of around £2 million a month. The then Parliamentary Under-Secretary of State for the Home Department, James Brokenshire, told the House of Commons on 14 December 2010 that FSS continued to operate under uncompetitive terms and conditions, as well as expanding its workforce between 1999 and 2003 when funds were short. That was undertaken without bringing down the cost base towards a level where FSS would be able to compete with commercial rivals.

Over that time, we have seen the number of FSS rivals increase, and many have been established by former FSS members of staff. Those private firms have taken a market share from the former state-run monopoly.

To date, the survival of FSS has been dependent on government loans, which FSS has been unable to repay, resulting in a substantial loss

to the public purse. The closure of FSS will ultimately place additional pressure on private sector companies to fill the void left.

Forensic science is used for the purpose of the law. It encompasses a range of disciplines, and although forensic science typically analyses DNA, hair fibres, footwear, firearms, drugs and human bodies, there are novel disciplines. It also does unique things, such as analysing hard drives for material evidence. When a crime or incident occurs, evidence is recovered from the crime scene, suspects, witnesses and victims. Some or all of the evidence may be submitted for forensic testing and analysis. It is a forensic scientist's job to test and interpret the results, prepare a witness statement and then pass it to the police, who decide what further action, if any, to take. If the case ends up in court, the statement can be used by the defence as well as by the prosecution.

The real difficulty with the House of Commons report into closing down the Forensic Science Service in England is that it accounts for almost 60% of all forensic work undertaken in the United Kingdom. That leaves a 40% market share for the private sector, and we may ask ourselves how that affects us in Northern Ireland. The answer is reasonably simple. Forensic Science Northern Ireland (FSNI) is unique to Northern Ireland. We have a service that performs all forensic duties for our police force. Unfortunately, no service can do 100% of the work, because there are peaks and troughs in the workload. All our excess work is subcontracted to the UK private sector so that it can keep the Northern Ireland workload level.

The decision taken by central government has caused a huge imbalance in how the private sector is working in the UK, and that is unfortunate for us. With many UK police forces scrambling to sign up private contractors to carry out forensic work for them, forensic services and the private sector are under huge pressure. A number of UK police forces are joining together in groups and signing up private contractors to do specific work for them, which excludes other police forces from also getting private work done by those same contractors.

What we are witnessing in the UK is the private sector's ability to deliver for the Police Service of Northern Ireland shrinking. That is a massive issue for the PSNI, because the workload is still there, but service delivery in the UK has

shrunk and continues to shrink. That has led to what has already been referred to in court many times, where some forensic evidence is taking seven to eight months to be delivered to the courts. That is having an adverse impact on the operation of our criminal justice system. That is regrettable, because the Assembly has been criticised many times about the whole criminal justice system. It has been said that cases are taking too long and that the system is inefficient and not delivering justice in a reasonable time. In this case, however, something that central government in Westminster has done has had an adverse effect on service delivery here. Therefore, I appeal to the Minister to look into the situation to see whether there is any other means by which the Assembly can help out with the delivery of forensic services in Northern Ireland. Would that mean expanding our existing government-based system to cater for the imbalance that has been created in the entire UK? As I said, many people are complaining. In fact, the judiciary is complaining about the amount of time being taken to deliver forensic services in Northern Ireland.

Our Government cannot sit back and be inactive. We need to look at the situation and react urgently to it. The factors that led to that situation may be well outside our control, but the situation did happen and is happening. Unfortunately, the situation is not getting better for the Police Service of Northern Ireland. However, thankfully, our Police Service is not in the rest of the United Kingdom, because police services there are in an even worse situation.

I ask the Minister to look at how forensic services in Northern Ireland are delivered and at whether there is any way that the capacity of those services can be increased, even in the short term, while the private sector in the British Isles adjusts to 60% of the market share to fund the forensic services sector being withdrawn.

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

“; and further calls on the Minister to explore the possible development of an all-island framework for forensic science, to ensure that all resources are used to the maximum benefit of the victims of crime and the criminal justice systems both in Northern Ireland and the Republic of Ireland.”

We are bringing the amendment to the motion tabled in the names of Mr Craig and others names to reflect, first, a reality that has existed

for a couple of years and that, as far as I can see, was first noted by the Northern Ireland Affairs Committee in its report of March 2010, when it commended the collaboration between Forensic Science Northern Ireland and its counterpart in the South. The report went on to commend FSNI, too, for its work in assisting forensic science practitioners across the world but noted that workplace pressures on the service are such that the day-to-day provision of forensic science in Northern Ireland is nearly all-consuming.

Mr Craig has well outlined the challenges facing the service here and in Great Britain. Indeed, across the water, a much bigger and exceptionally controversial debate is going on about the future provision of forensic science services to the police services and criminal justice agencies in England and Wales. However, we have the opportunity here to defend what we have, make it considerably better and take full advantage of the economies of scale and the sharing and pooling of expertise on this island to ensure that our criminal justice system in Northern Ireland and, indeed, the criminal justice systems across these islands have a world-class forensic science service at their disposition.

We believe that our amendment does just that. It adds to the motion and does not try to undermine or take away from it. It provides a proper context within which a future development of forensic science should take place. Indeed, when the Northern Ireland Affairs Committee conducted its inquiry into Forensic Science Northern Ireland, it noted:

“FSNI provides, impartially and to standards of scientific rigour uninfluenced by any consideration of the success or otherwise of any prosecution, the evidence which might establish a suspect’s innocence or guilt. Public trust in its fairness and impartiality can only be maintained by its remaining separate from the other justice agencies while working with them in the interests of justice.”

I sense from Mr Craig’s comments, and I hope that I will hear from other colleagues in the House, a strong determination across all our Benches to continue to have an impartial and independent forensic science service. The question then is not about whether we have such a service but about how that service can be made to work best for the interests of all our people.

It was welcome to note the statement by the Minister of Justice, who is with us this afternoon,

and Minister Shatter, the Minister for Justice in the Republic of Ireland on 8 June 2011. It followed a joint meeting between the two Ministers at which they signed a memorandum of understanding to support co-operation between the forensic science agencies on the island of Ireland.

I note our own Minister's words on that day:

"This memorandum ensures that the forensic science laboratories in both jurisdictions can rely on each other's facilities in the event of sudden loss or damage to either laboratory and further strengthens the working relationships that are already in place between the two services."

It is also encouraging to note that, in the 'North/South Cooperation on Criminal Justice Matters: Work Programme 2011-2012' — we sure are good at writing up the titles of work programmes in the House — objective 2 is:

"To explore further opportunities for cooperation in the area of forensic science between Northern Ireland and Ireland particularly in light of the proposed closure of the Forensic Science Service (England) and the resultant impact."

1.30 pm

In their forward work programme, the two Ministers have given themselves a target of April 2012 to bring forward the framework for co-operation. I appeal to the Minister for that timetable to be accelerated, not because of any particular political interest, but because it is very much in the selfish interests of the forensic science service here in Northern Ireland to have a clear line of sight on its future relationship with other resources on this island and elsewhere, so that it can maximise and best plan its service delivery for us at a regional level.

That service delivery has, of course, been dogged with delays and some problems. They were most obviously noted in the Criminal Justice Inspection report on Forensic Science Northern Ireland in July 2009. Of course, that report predated the devolution of justice powers to the House and so made a series of recommendations to the then Northern Ireland Office. It was somewhat depressing at the time to note that 22 of the 35 recommendations made some years earlier remained outstanding. That highlights a point that Mr Craig articulated very well, which is that the problems in forensic science here have been building up for some time and that we are dealing with considerable

legacy issues as well as the need now to confront the prospect of radical change in Great Britain.

It is also worth noting, in defence and support of the amendment that we tabled, that recommendation 2 of Criminal Justice Inspection's July 2009 report reads:

"FSNI should seek to develop, in conjunction with other laboratories (e.g. Republic of Ireland and Scotland) a plan to facilitate increased collaboration including the exchange of staff on secondment".

It might be helpful if the Minister, in his response to the debate, could outline what progress he is aware of specifically on the point of increased co-operation, exchange of staff and secondments. It is long past the time when we should be talking about opportunities to maximise the services across our regions. It is long beyond the time when we should be identifying obvious areas for co-operation. We are apparently moving at the pace of a slow snail in translating those opportunities into reality. It is for that reason that we tabled the amendment, and I call on colleagues on all sides of the House to support the amendment and the motion.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. I support the amendment. A proper functioning forensic science service is essential in any criminal justice system. It builds community confidence, speeds up the process of justice and is an important part of the investigation and prosecution of criminal offences.

In England and Wales, as the Member opposite has already outlined, there is an ongoing process of winding down the FSS because it was in a dire financial position and could not compete with other providers. In the North of Ireland, FSNI has been criticised on a number of occasions by the Criminal Justice Inspection on several management issues and its strategic vision. It found that the agency faced critical challenges that raised concerns about its continued viability. The delivery of forensic sciences in the North of Ireland is basically a monopoly, with the PSNI as FSNI's biggest customer. The fact that the agency is based in a PSNI-owned building questions its independence.

It is difficult for any forensic science agency to survive in such a small area. FSNI already works closely with its counterpart in Dublin on

crime issues that affect the island of Ireland. The criminal justice system on the island of Ireland would be enhanced by further integration and the use of existing resources, skills and innovation. I support the motion and the amendment.

Mr B McCrea: At least we are getting through the speeches rightly. It has been a while since I have heard Mr McDevitt, who has now left me, not take his full 10 minutes.

Mr Givan: You put it right.

Mr B McCrea: Yes. Perhaps I can take a few of the extra minutes left over.

The public's impression of what forensic sciences can do comes from the TV. People think that it is all quick and easy and that a few test tubes will tell who did it. I know that the Chairperson of the Justice Committee will smile with me when I say that it shocked me to discover that, when we were planning to visit the forensic science laboratory, we all had to give DNA samples so that we could be eliminated from inquiries, from what I could see. That made some of us think about whether we ought to go. Nevertheless, that shows the sensitivity of the results.

In fact, the biggest problem for forensics is that it has become exceedingly expensive to deal with any meaningful results. A number of things came back. Mr Craig mentioned the crisis that faces us because of the changes. I agree with him that it will take many years for the private sector to pick up the slack. There is an issue, and it is right and timely that he should bring it to our attention.

My information about the problems facing forensic sciences comes from two particularly high-profile incidents, the first of which is the Omagh bombing. The investigation of that incident relied heavily on forensics. I shall not go into the details of the case, but it was amazing how modest the samples were and how important it was to ensure that there was no cross-contamination along with the amount of work and effort that it took to ensure that that did not happen. Even then, there were difficulties.

When I looked at the costs that were associated with the investigation of the murder of the two soldiers at Massereene barracks, I discovered that the police were making applications for additional financial resources because that investigation, on its own, would have taken up

almost 80% of the PSNI budget for that year if it had not received additional support. A lot of the services that were used had to be provided from different areas of the British Isles. It was right and proper that that was done, but people should be aware of it. It came to my attention recently that two people were required to travel for three days to deliver one set of samples to a laboratory in England. The cost of that must have been significant. There is an issue here about how we ensure that the very real benefits of forensic science are gained at an appropriate cost. In that regard, the Minister will want to look at forensic science as part of the overall investigation into the criminal justice system.

The amendment seems rather spurious. I do not mean to cause huge offence, but it smacks of something that is designed to give someone an extra five minutes in which to talk. We already have a memorandum of understanding, and we work these things on a cross-border and, equally, an all-Ireland basis. The proposer of the amendment said that it added to the original motion. I do not think that it does, so I am somewhat reluctant to support it.

In the final analysis —

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

Mr B McCrea: The original motion is absolutely fine, and we are happy to support it. However, we need to hear more from the SDLP as to why we should support the amendment.

Mr Lunn: I welcome the motion as an opportunity for the Minister to clarify the situation and address the obvious concerns of Members and the general public. The delays in the work of Forensic Science Northern Ireland are a matter of concern. The report of the prisons review team that was published today highlights the impact that those delays can have on the Prison Service, how they impact on victims, witnesses and defendants and how they affect wider public confidence in the justice system, as well as the cost to the public purse.

I know from the Minister's response to the report earlier today and other statements that he has made that tackling those delays is high on his agenda. I look forward to hearing from him further about that in the course of this afternoon's debate. I would like him to put the issue in context as to what the actual backlog is in respect of the service-level agreement

between the PSNI and FSNI. I heard recently that up to about 4,000 exhibits were collected for just one investigation into a bomb blast. Such figures perhaps help us to understand the extent of the problem.

As the amendment suggests, the provision of forensic science services is not simply a local matter any more. I am aware of very good co-operation, which other Members have mentioned, between our Minister and his fellow Ministers in Dublin and Edinburgh. There are clear benefits to service provision from the high level of co-operation that they pursue. Ministers should give proper consideration to not only the immediate and short-term needs of their jurisdiction but the long-term benefits to their own and neighbouring jurisdictions of a partnership approach. It is unfortunate, therefore, that ministerial counterparts in London appear to have taken an entirely unilateral approach to the provision of services. The Westminster Government have declared that there will be no continuing state interest in a forensic provider by March 2012. I imagine that the interest to which they refer is financial. I wonder whether they are taking a sufficient interest in the operational impact of that decision.

In the short term, I am aware that concerns have been expressed in England and Wales about the capacity of the private sector to cope with the level of demand that is currently being met by the Forensic Science Service there. If it does not have the capacity to deal with its workload, there will certainly not be any offers of help to deal with the additional work that we or our colleagues in Scotland may need to outsource. It is kind of ironic that, when members of our judiciary are calling for the pressures on our service to be addressed by sharing work with the service in England, the Government there are reducing the capacity of that system to take on additional work.

Another concern is a longer-term one. It is in everyone's interests that forensic service providers continue to invest in research and development. Our criminal justice systems need to keep up to speed with if not lead on the development of new and improved techniques. Is that likely to be the case across the water if there is an entirely privatised service? I would have thought that their interest in research and development would certainly be limited. I have heard some talk about universities perhaps becoming involved and the Government funding

research and development in a different way, but that does not look too good.

1.45 pm

Our Minister's commitment to the provision and development of forensic services here is clear from the budget decisions that he has made already, including the £12 million of capital investment in the current budgetary period. The motion calls for the necessary resources to be provided, and I will listen to what the Minister has to say about that.

The amendment calls for an all-Ireland framework to ensure that resources are used for maximum benefit. It is hard to disagree with such a call, depending on what is meant by "framework". As I have made clear today and when talking about other services, effective North/South partnerships are critical, but we should not limit ourselves to those. Where appropriate, partnerships should also be explored and developed on an east-west basis — Scotland is east of here — with neighbouring jurisdictions.

I await the Minister's response on the amendment. It may be that he feels that the amendment does not go far enough to reflect even the current arrangements. Mr McDevitt asked for clarification —

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

Mr Lunn: Other Members have referred to the co-operation that already has been signed up to with the Republic, and there are the beginnings of a tripartite arrangement between Scotland, the Republic and Northern Ireland. We support the motion and the amendment.

Mr D McIlveen: I welcome the opportunity to speak on the issue. For two simple reasons, we do not support the amendment. First, as Mr McCrea mentioned, there is already a memorandum of understanding. Secondly, it is very insular to look at the issue of forensics, security and policing in one jurisdiction. It is well known now that, in security and policing —

Mr McDevitt: The Member says that it would be insular to look at the issue in one jurisdiction. The point of the amendment is to look at it not in one jurisdiction but, in fact, in two jurisdictions. Surely the amendment addresses the very point that he has raised. It is not an insular amendment but an expansive one.

Mr Deputy Speaker: The Member has an extra minute.

Mr D McIlveen: I thank the Member for his intervention. I think that he knows exactly what I meant by that statement. There is already a memorandum of understanding for security and policing, and there are already relationships throughout Europe and the world through Interpol and so on. I understand why the Member has tabled the amendment, but looking at the issue from a North/South perspective is insular, and it is difficult for us to support that.

That said, the move by the Government to push forensics into a competitive market could be deemed to be negligent and perhaps even dangerous. It is not too big a leap to presume that allowing non-accredited labs from the private sector and the police, rather than an independent, government-funded organisation, to have a key role in forensic delivery is verging on the unjust. For unfortunate reasons, forensics in Northern Ireland have been propelled into the limelight. They have been world-leading and have a list of accreditations to back that up. Our forensic scientists need to continue to get the support that they deserve, because they provide a world-class service.

I recognise that there are budgetary constraints, and there are issues in Forensic Science Northern Ireland that need to be addressed. For example, it takes, on average, three years to recruit a toxicologist to the organisation. Surely that needs to be addressed. There is also a backlog in the work of FSNI, which, previously, would have been absorbed partly by the forensic services in Great Britain. Given that cuts are to be made on the mainland that will have a knock-on effect here, the pressures are a double whammy to Northern Ireland, and we have to take that on board. FSNI has been in its temporary accommodation for 17 years. If that is anyone's definition of temporary, let me say that mine is very different.

We have to raise our concerns about the move, and I put three direct questions to you, Minister, because there are real dangers for Northern Ireland if we do not try to address the balance in some way. First, by flooding the market with private forensic providers, we risk establishing the principle that whoever provides the cheapest service wins the right to deal with incredibly sensitive and important materials. I have no problem with a competitive market; it is fine in

almost any other walk of life. However, I do not believe that we want that for our justice system. That is not the right way forward. Is the Minister opposed to any privatisation of forensic services in Northern Ireland? Secondly, I believe that the PSNI undertakes some forensic services in-house. However, that practice was criticised in the recent Criminal Justice Inspection report, and a lack of resources for the FSNI risks placing additional pressure on the PSNI to undertake more work on that basis, which, in turn, risks putting the police on the wrong side of Criminal Justice Inspection. Thirdly, an influx of private competitors, coupled with a diverse budgetary environment, increases the pressure on the Department of Justice to opt for cheaper means of forensic science investigation. Are the Government committed to ensuring that cost is not a factor in the administration of justice in Northern Ireland?

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion and amendment. Most Members said that there was a clear need for an impartial, independent forensic science service in any criminal justice system. We should be looking at that and at which system would be the best.

My colleague Mr Lynch referred to the legacy issues with Forensic Science NI. The Criminal Justice Inspection report looked at the time taken to recruit staff, the security clearance process required, the lack of flexibility in moving staff from one place to another and the expertise needed. There was also criticism of the time that it takes to get the results of tests on illegal substances. Such issues show that we can make the forensic science service better.

I turn now to the amendment. It came as no surprise to hear what the Members on the Benches opposite said about the all-island, joined-up view of any Department here. As I have said on the Floor previously, they should not be afraid or concerned about having an all-island approach to any Ministry or Department. We see the duplication of services in education, health and in the Department of Justice, so no one should be afraid of such an approach. The sharing of resources and expertise right across the island will bring us a better forensic science service. It is important that we open our minds to that and stop feeling threatened.

Mr Craig: Does the Member accept that, even at present, there is a memorandum of

understanding between and joint working on forensic services by the Republic of Ireland and Northern Ireland? My difficulty with the motion is that it is restrictive in some senses. There should be an all-islands approach to forensics. We cannot leave out Scotland, Wales or, for that matter, England, with which, I believe, links might already exist.

Mr Deputy Speaker: The Member has an extra minute.

Ms J McCann: I thank the Member for his intervention. Yes, there is a memorandum of understanding, and he is right about collaborative thinking with Scotland or wherever, but we have to remember that we live on a small island. When you live on an island, it is sometimes much better to look closer to home than to look elsewhere. That said, I do not think that the amendment disagrees with the motion. It just looks at an all-island approach.

We have access to justice, which is important. Whether forensic science is working for the prosecution or for the defence, it is quickening up the justice system. It is a better system, and it means that people who are on trial spend less time on remand. It also means that victims of crime have less time to wait. Sometimes that wait can be worse for the victim, particularly in certain crimes. An independent forensic science service should be the best that we can make it, and I think that the amendment enhances the motion.

Mr Hussey: Anyone who knows anything about a modern-day police service will understand that many crimes are solved only because of the forensic evidence that the perpetrators leave behind. We have come a long way since the days of fingerprint evidence, and we now have resources that can pinpoint an individual almost to his or her front door. As an elected Assembly, we know that anyone who is the victim of a crime wants the person responsible to be put behind bars, and we also know that those who are prepared to carry out actions such as the unwarranted attack on the elderly lady in Newry at the weekend will do all in their power to escape and avoid being brought to justice.

Forensic Science Northern Ireland is an agency of the Department of Justice that employs around 220 staff, and its responsibilities include the provision of scientific advice and support to enhance the delivery of justice. It plays an essential role in ensuring that serious crimes

are cleared up as quickly and efficiently as possible. Forensic science also plays a key role in providing evidence throughout criminal proceedings. Clearly, there is a direct link with the work of the Police Service of Northern Ireland, with 90% of the work of the agency being directly linked to police investigations. The work that it deals with covers all aspects of crime in Northern Ireland, including violent crime, offences against the person and drugs-related crime. The threat that still exists from dissident republicans should not be underestimated, and the expertise that is being established by Forensic Science Northern Ireland is essential in bringing those terrorists to justice.

Two separate databases exist in Northern Ireland for the storage of DNA and fingerprints. The database maintained by the PSNI contains details of up to 240,000 people, and Forensic Science Northern Ireland maintains a separate database from suspects, crime scenes and victims. The database currently holds around 91,000 subject profiles and around 18,000 crime scene profiles. DNA obtained by the police in Northern Ireland is also stored on the UK's national DNA database in Birmingham.

There is undoubtedly pressure on Forensic Science Northern Ireland, and, under the Department of Justice efficiency plans, it is the only agency that is not expected to make any efficiency savings until 2014-15. Even in that year, the efficiency savings are only £0.1 million. That clearly illustrates how far its budget is stretched. The backlog that is mentioned in the motion is also an issue. Forensic Science Northern Ireland has a backlog reduction strategy and targets in place to attempt to deal with that.

There is evidence in the House of Commons Northern Ireland Affairs Committee report from February 2010 on Forensic Science Northern Ireland, and the important issues highlighted include the unsuitable staff recruitment process, which has already been mentioned on several occasions; inadequate and unsuitable premises — “temporary” means 17 years; the lack of knowledge in the judiciary of what forensic science can and cannot do; and separation from other criminal justice agencies to ensure impartiality and public trust.

The motion is somewhat misleading because of the fact that the Forensic Science Service in Great Britain is being wound down and will cease to operate by March 2012. Given that the

Forensic Science Service is making operating losses of some £2 million a month, it is obviously unsustainable in its current form. It is envisaged that the UK forensic science industry will operate as a genuine market with private sector companies competing to provide services at the lowest cost. Therefore, the situation is not as basic as noting the cuts in the UK mainland as most suggest.

We agree that the Justice Minister should provide the necessary resources to ensure that cases requiring forensics are processed efficiently.

I believe that we can support the motion while clarifying that what is happening on the mainland is not simply cuts but, in effect, a process of privatisation of forensic services. Throwing money at the forensic service will not solve all its problems, as shown by the Northern Ireland Affairs Committee's report. Again, I refer back to the recruitment processes.

2.00 pm

Several Members have commented on the memorandum of understanding, which is to support co-operation between the forensic science agencies on the island of Ireland. It was signed by our Justice Minister, David Ford, and Alan Shatter. The SDLP amendment could, therefore, be opposed. Cross-border crime is a real issue that must be tackled in partnership with the Republic of Ireland, and, therefore, this memorandum of understanding is welcome and a good example of cross-border partnership in a matter of mutual interest. The North/South co-operation on criminal justice matters work programme 2011-12 —

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

Mr Hussey: It seems that the SDLP tries to amend everything to include an all-Ireland approach. We are happy to accept the motion as proposed.

Mr Ford (The Minister of Justice): I welcome the opportunity to debate the issue of forensic science resourcing. From the contributions being made today, it is clearly a matter of significant importance to the criminal justice system in general. I hope that today's debate can go some way to providing a degree of assurance, both to this Assembly and to the broader public, who rightly want to know that they have a forensic science service that is providing a top quality service to the justice system in general.

However, we should not underestimate the problems that exist, the challenges that face FSNI and, indeed, the challenges facing other forensic science services in the UK and elsewhere. The forensic science agency achieves a huge amount each year. It stores and tracks 100,000 new items annually, derived from 6,000 cases. Its main customer, as Members have said, is the PSNI, which provides 93% of exhibits submitted, and 80% of that caseload comes from violent and serious offences. These serious cases, including those related to dissident terrorism, are dealt with as a priority. Although I accept that improvements can and should be made, I am reassured by the fact that the PPS has identified only two cases that are overdue for court hearings. I will return to that issue.

We have recently seen significant growth in demand for forensic services. The unwelcome emergence of dissident terrorist activity, current high levels of serious crime and a substantial increase in the seizure of drugs have combined to place FSNI's services under strain. As you would expect, the prioritisation of work on explosives, firearms and cases involving serious and violent crime sometimes means that other cases experience some delay. For example, the investigation into the brutal murder of Constable Ronan Kerr, as has been mentioned, generated around 4,000 forensic exhibits.

The increased workload being experienced by FSNI, coupled with the absolute requirement that the standards of investigation and analyses be maintained at the highest levels, means that work has not progressed as quickly as any of us would like on some occasions.

In response to these new demands and in order to help to clear some of the backlog in forensic science, particularly in relation to priority cases, I will make some additional resources available to the Police Service for forensic services within this financial year. This will be a one-off exercise designed to clear the backlog associated with drugs cases. However, I have to point out that the rigorous accreditation and training requirements for forensic services mean that capacity issues cannot be resolved overnight. We must accept that there is a necessary lead-in time.

There has been a very high workload in recent years. There was a surge in demand at the turn of the financial year, which has exacerbated the current backlog. The forensic science lab is feeling the keenest pressure in work on drugs

cases as a result of a high level of submissions. In response to that, FSNI instigated a strategic improvement programme some months ago to increase resources in drugs and toxicology, and to review all its processes and products as well as customer needs.

More generally, the Department recognised the need to support FSNI to help it to meet the demands of a modern and challenging justice system. We are working closely with FSNI, the PSNI and the PPS to address these crucial issues and to deliver improvements.

A number of lines are being followed, and they include the recruitment of additional expert scientists, particularly in the field of toxicology, some re-engineering of services and the potential for the use of video links. I am keen that we explore all avenues to improve forensic performance. That includes the use of presumptive testing for drugs, which has been proven to work in other jurisdictions. Therefore, I am keen for any exploration that has the potential for application in Northern Ireland to be taken forward quickly. Much of the work will be linked to the multi-agency programme that I am overseeing on speeding up the criminal justice system and about which I have provided regular progress reports to the Justice Committee.

As I hope Members on all sides can see, we are taking clear action to address the challenges facing forensic services in Northern Ireland. That action includes not only making additional resources available, but looking at ways to deliver services faster and more efficiently in the longer term.

I now turn to issues regarding the Forensic Science Service in England and Wales. As it has been a little unclear, I should point out that when we talk about FSS, we are talking specifically about England and Wales. Several Members, including the proposer, referred to the UK national Government. The reality is that, in this context, we are talking about the Government for England and Wales. The position in Scotland is extremely different.

Last year's announcement by the Home Office that the Forensic Science Service is to be wound down may have some bearing on Northern Ireland due to possible reductions in capacity for the brokering of services across the market, both in the public and private sectors. However, despite that change in England and Wales, forensic provision in Northern Ireland,

in common with Scotland and the Republic and, indeed, as far as I know, the rest of Europe, is delivered by a specialist public sector organisation. Although I am committed to improving the efficiency and effectiveness of forensic science provision following an in-depth review by my Department of the option for such provision here, I am convinced that subjecting forensic science to market forces is not the best way to provide the service that we need in Northern Ireland.

FSNI's status as an accountable government agency, operationally independent from the police, is also an important element in ensuring scientific objectivity and supporting public confidence in policing and justice. Having mentioned Scotland, I should make it clear that there have been some cutbacks in the public service provided in Scotland, which, I understand, has included some loss of staff. However, the Scottish service remains within the public sector. In that context, as Members have highlighted, on 8 June 2011, I signed a memorandum of understanding with Alan Shatter, the Republic's Minister for Justice and Equality, to support co-operation between forensic science agencies on the island of Ireland.

FSNI has also recently signed a memorandum of understanding with its counterpart organisation in Scotland to develop strategic partnerships for mutual co-operation. I am due to discuss the issue further when I meet the Scottish Cabinet Secretary for Justice, Kenny MacAskill, in November. It is also a standing agenda item in intergovernmental meetings with our colleagues in Dublin. In addition, the heads of the forensic science services in Northern Ireland, the Republic and Scotland have agreed a tripartite memorandum of understanding to collaborate on a range of issues, including research and procurement. Those are examples of the excellent co-operation at operational level between criminal justice organisations on both sides of the border and across the North Channel. Those memoranda ensure that the forensic science laboratories in each jurisdiction can rely on one another's facilities in the event of sudden loss or damage and further strengthens the working relationships already in place between those services.

I am committed to working closely with my Irish counterpart on areas of mutual interest to help to build safer communities across Ireland. Operationally, criminal justice agencies on both

sides of the border are working closely, and I want to continue to maximise that co-operation. I hope that that answers the points that were made by Mr McDevitt when he proposed the amendment.

My fellow Justice Ministers in Scotland and Ireland and I have recognised the importance of our forensic science providers working together to ensure effectiveness and value for money. I hope that Members will welcome that important development. Indeed, it was highlighted by my colleague Trevor Lunn. In future, such collaboration will include the benchmarking of costs, mutual support with the possible sharing of expertise, and joint contingency planning.

Members will be aware of the concerns expressed recently by some members of the judiciary about the delivery of forensic services. Indeed, some Members have highlighted those concerns. Therefore, I will say a few words about that. I understand those concerns, and I agree that we need to work together across the justice system to tackle delay and to speed up justice. I recently discussed that in some detail with the Lord Chief Justice, and I was able to get a better understanding of the judiciary's position on that crucial issue. I was also able to give him some assurance as to the actions that we were taking within DOJ.

In truth, the judiciary's position is similar to mine. We all acknowledge that FSNI delivers quality work under challenging conditions, but, equally, we recognise that improvements can and should be made. I want to put the scale of delay in perspective. As I said earlier, there are only two cases being dealt with by FSNI that the PPS has identified as being behind schedule in court hearings. However, with regard to the wider figures, and in response to the point made by Trevor Lunn in particular, there is a backlog of 11.9% of cases, including over 32% of drugs cases, due to the upsurge in demand in recent months.

As I said earlier, my officials are working closely with the forensic science agency and the police to address the situation. Allied to that, FSNI's strategic improvement programme would drive performance improvements in a number of key areas. Indeed, some of those improvements are under way. They include the removal of three cross-skilled staff members from other areas and into alcohol, drugs and toxicology work. Furthermore, a recruitment exercise is

under way for two new toxicology reporting officers, and FSNI has approached the Scottish laboratory for secondees and transferees. FSNI will carry out a best practice benchmark review of its key processes against the Scottish labs.

More generally, speeding up justice, as I have said frequently in the Chamber, is one of my key priorities. As the Youth Justice Review team has pointed out, it is one of the most significant challenges facing the justice system. Although I am pleased that we are making some progress in that area, I am disappointed that we have not yet made the step change that we all agree is needed. Ultimately, I am clear that fundamental reform is required to deliver the necessary improvements.

This is a complex issue, and there is no single cause of delay. Although addressing the issues within forensic science is part of the solution, we should be under no illusion that that will solve the problem overall. A comprehensive and coherent package of reforms is required, and, as I said, I am directly overseeing a multi-agency programme to achieve that. A number of measures are under consideration. A particular focus at the moment is a public consultation on measures to encourage earlier guilty pleas, which I hope to publish shortly. In addition, we are reviewing how cases are initiated, developing a consultation on the reform of committal proceedings and examining the increasing use of video links. Further proposals will come forward as the programme develops. As part of that, we will also be taking full account of the recommendations of the Youth Justice Review team, the Access to Justice Review and the forthcoming CJINI review of services for victims and witnesses. Therefore, the work to address the issues with FSNI should be seen in the context of an ambitious multi-agency programme of work to speed up justice more generally.

I have allocated over £2.1 million to FSNI for the current financial year, and that includes £300,000 to fund pressures in relation to explosives capabilities. I have committed to providing a further £1 million across the remainder of the Budget 2010 period for that purpose. I am also making a significant investment of £12 million in the development of new laboratory facilities to house DNA and evidence-recovery functions.

When dealing with a complex, technical and highly specialised field such as forensic science,

money is not the only resource. We need to build capacity in our equipment and skills, and, with the best will in the world, that takes significant time. That is why we are making best use of the specialist scientific staff available through cross-skilling, seeking to second from other laboratories and direct recruitment. That will allow FSNi to build its capacity to continue to meet the complex needs of the justice system.

As Members will be acutely aware, these are very difficult economic times, but forensic science is a priority service, and I am committed to ensuring that the service is resourced sufficiently to continue to deliver an effective service.

I appreciate the contributions to the debate from all sides of the House. I express my appreciation to those who introduced the debate, those who proposed the amendment and those who contributed. If we look at practice in England and Wales and recognise the problems that are being experienced there, which are alluded to in the motion by the reference to the UK mainland, and recognise the ongoing co-operation in Scotland and with Ireland, it is entirely appropriate that the motion and the amendment should be agreed in recognition of work that is ongoing and that the Department will seek to expedite. As the House will appreciate, decisions on precise practices and resourcing have to be based on an assessment of what is appropriate, proportionate and effective to support the cohesive working we need across the justice system.

2.15 pm

Mr A Maginness: I thank the Members who have contributed to the debate thus far. In particular, I thank the Minister of Justice who has brought balance to the debate by discussing how the needs of forensic science in Northern Ireland meet the needs of the justice system. His contribution was important in dealing with the issue of forensic science on this island and co-operation elsewhere.

One important point is that what the Westminster Government are doing is dangerous. The privatisation of forensic science could mean — I am not saying this with certainty — a deterioration in standards, and, as Mr Craig said, an emphasis being placed on cost rather than quality. That is a danger and must be recognised by all. Forensic science is a public service and it should remain within the public service; it is not something that should be privatised. My own

view is that there are certain things that can be privatised, but forensic science is one of those things that should be protected. It is a vital public service in the administration of justice.

Our forensic science laboratory does a good job and it has continued to do so in difficult circumstances, particularly given the condition of its current premises. That issue must ultimately be addressed; I know that there are plans to do so and those should be expedited. With an increasing emphasis on DNA and DNA-related methodologies, there is a need for premises to be clean and for the risk of contamination to be severely restricted.

I thank those who contributed to the debate, including my colleague Mr McDevitt, Mr Lynch, Mr Lunn and Ms Jennifer McCann, who all agreed with the amendment that we tabled. We tabled the amendment in good faith. Given the pressures that forensic science will come under as a result of its privatisation in England and Wales, we believe that there will be a greater need for additional capacity, and that could be provided for south of the border. Therefore, the memorandum of understanding, which is important and which is recognised by the SDLP, is an important step in that direction. There could, though, be a wider development that would be advantageous to both sides of the border, and in particular to Northern Ireland, given the circumstances that are imposed on us by the Westminster Government. That makes good sense in dealing with the additional pressures that we will face in Northern Ireland.

I pay tribute to Mr Craig and his colleagues for tabling the motion. The motion is important, and it highlights the vital service that the forensic science laboratory in Northern Ireland provides to us and to the justice system. I thank Mr McCrea for his interesting contribution, and I regret that he cannot support the amendment. I also thank Mr Ross Hussey.

I must emphasise that the development of services on an all-island basis makes sense. The tripartite co-operation and memorandum of understanding that were referred to by the Minister are also important, and they will be helpful in the administration of forensic science in Northern Ireland. I hope that Members will see fit to unanimously support the amendment.

Mr Givan: I support the motion and oppose the amendment. However, there is little that I can disagree with in what has been said across

the Chamber on the work that FSNI does. It is important to put on record that we value that work and, as the professionals have highlighted, to recognise that FSNI is a centre that provides excellence in the work that it delivers and that it is held up by others as an exemplar.

However, given the explanation that the Justice Minister and other contributors outlined, this is an issue that, across the islands, has to be addressed on a collaborative basis. In our view, the amendment restricts that potential, albeit that the Justice Minister tried to provide some spin that it is in the overall spirit of what is proposed for all the islands. If you look specifically at the amendment, you will see that it does not properly recognise all the work that is done across the different jurisdictions that make up the United Kingdom or that which is done by our neighbours in the Republic of Ireland. That is why we oppose the amendment tabled by some of the Members on the opposite Benches.

[Interruption.]

I hear Members shout “Predictable”. I did not want to politicise this discussion. However, it is predictable that, at every possible opportunity, some Members on the opposite Benches want to all-Ireland these motions when it is completely unnecessary to do so. They did not need to do so, and they could have made their points about collaboration without tabling an amendment that has more to do with the leadership bid of the Member who is gesturing now.

[Interruption.]

Mr Deputy Speaker: Members should make all their remarks through the Chair.

Mr Givan: It has more to do with that Member's leadership bid than with the serious issue that is addressed in the motion. I will give way.

Mr McDevitt: I thank Mr Givan for giving way. I take his point. However, the Northern Ireland Affairs Select Committee produced a report that said that we should develop this work on an all-island basis, the Criminal Justice Inspection produced a report saying that we should do it on an all-island basis, and this House has endorsed an all-island approach through the framework agreement that the Minister signed on its behalf. Where is the politicisation in acknowledging what we are already doing?

Mr Givan: The Member knows full well that the Northern Ireland Affairs Select Committee did a piece of work that recognised the collaboration that was taking place across the United Kingdom and with the Republic of Ireland. His party's amendment narrows that and makes it solely to do with the Republic of Ireland. I am not saying that we should not have collaboration; quite the opposite. If it catches criminals and prevents or detects crime, the more collaboration that takes place, the better. If that includes the Republic of Ireland, I am happy for such collaboration to happen. However, the amendment does not recognise that collaboration is also on a UK-wide basis. That is why my party opposes the amendment.

I want to move on to some of the other comments. The Northern Ireland Affairs Select Committee looked at this issue and made recommendations. It has been pointed out that some members of the judiciary have been critical of the pace at which Forensic Science Northern Ireland has taken forward some of its work. The report made recommendations as to how the judiciary and FSNI could work together to get a better understanding of how things operate. I think that those should be taken forward. Like the Minister, I met the Lord Chief Justice and had discussions with him about FSNI. I, too, share his frustration that, on less serious crimes, there are protracted delays in getting evidence brought before the courts. Obviously, victims and the individuals who committed crimes have an interest in dealing with that as quickly as possible.

I hope that the investment that will be made in FSNI will help to deal with that. Given those criticisms, the Justice Committee felt that it would be worthwhile going to look at the operation to get a better understanding of how things work. My colleague from Lagan Valley highlighted that we will be required to give a DNA sample. However, to alleviate concerns — I know that some members are exercised by how long that sample will be retained — we have been assured that it will be disposed of immediately and that it will not be kept even for a five-year period. I hope that that alleviates other Members' concerns. It will be interesting to see which Members go along on that visit, even with that assurance that the DNA sample will be destroyed.

Members also highlighted that FSNI's priority cases have to be those that relate to serious

crime. The Minister highlighted that the death of Constable Kerr has generated more than 4,000 exhibits, and it is right that that case is prioritised by FSNI. However, the obvious consequence is that cases not deemed to be in the priority category are not heard as quickly as possible, as we would all like. Hopefully, work is being taken forward to deal with that.

I thank everyone who took part in the debate and those Members who tabled the amendment, but we will oppose it in a Division of the House.

Mr Deputy Speaker: Question Time is due to commence at 2.30 pm, and a number of Members have indicated that they will oppose the amendment. That process will require some time, so I propose to put the Question on the amendment after Question Time. I ask Members to take their ease for a few minutes until 2.30 pm, when Question Time will commence.

The debate stood suspended.

On resuming (Mr Speaker in the Chair) —

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Dealing with the Past

1. **Mr A Maginness** asked the First Minister and deputy First Minister what action they intend to take, in co-operation with the Secretary of State and the Irish Government, following the recent passing of an Assembly motion calling for all-party talks on dealing with the past. (AQO 604/11-15)

Mr O'Dowd (The Acting deputy First Minister):

Go raibh maith agat, a Cheann Comhairle. As the Member will know, the Department has responsibility for victims and survivors and, on that basis, published a strategy for victims and survivors in November 2009. In that strategy, we outlined our commitment to taking forward a range of victims and survivors issues. We identified what action was required in the following three key areas: a comprehensive assessment of the needs of victims and survivors to inform the development of the new service; dealing with the past; and building for the future. Our immediate priority is the design and establishment of a new service for victims and survivors, which we aim to have in place by 2012.

Dealing with the past has been considered independently and in pilot form through the Commission for Victims and Survivors. The recent debate in the Chamber on dealing with the past illustrated the range of views. We are a post-conflict society, and dealing with the past is a sensitive issue. We will all need to seriously reflect on how we might find a way forward that is sensitive to the many victims and survivors in our society.

For my part, I believe that dialogue on the issue is beneficial. I believe that there is value in making the process objective, inclusive and independent, and that includes working with the Irish Government on the issue. I am conscious that there are other views, and I do not want to be presumptuous or prescriptive in saying today how that discussion takes place, what it

will be about and who will take part. However, it remains the Department's intention to ensure that the voices of victims and survivors are heard, their needs met and their loss acknowledged.

Mr A Maginness: I thank the Acting deputy First Minister for his answer. I ask him to reflect on what was contained in the Eames/Bradley report on dealing with the past. Will he and the First Minister address the issue on the basis of that report, so that the office takes a truly comprehensive approach to dealing with the past and no longer ducks the issue but gets stuck in and starts to develop mechanisms that are necessary to deal with the wounds in this society?

Mr O'Dowd: I thank the Member for his supplementary question. It is certainly not the case that our office is ducking the issue. Dealing with the past is a very important issue that deeply affects individuals and society. We want to ensure that we have the right mechanisms in place for the future.

The Member referred to the Eames/Bradley report. That report was first delivered to the British Government in January 2009. However, I understand that, to date, they have not indicated a way forward in respect of it. I note the comments that the British Secretary of State made about the report at a Conservative Party fringe meeting recently.

I assure the Member that I believe that the way forward needs to be inclusive. I said in my answer that I do not want to be prescriptive in saying today who should or should not be involved in those discussions. However, we want to ensure that the way forward meets the needs of all victims and survivors in society.

Mr McLaughlin: What is the Office of the First Minister and deputy First Minister's (OFMDFM) view about the fact that the Police Ombudsman has announced that he will now leave in January?

Mr O'Dowd: I, for one, welcome the fact that the ombudsman has brought forward the date of his leaving from June to January. I believe that confidence in the Police Ombudsman's office has been rocked and that the office requires a dramatic overhaul to ensure that public confidence is enshrined in a very important part of delivering change to policing in this society and ensuring that the public, regardless of the section of the community or society that they are from, have confidence in the way forward.

So, I welcome the fact that the ombudsman is due to leave in January instead of June. It will now be up to OFMDFM, in conjunction with the Justice Minister, to bring forward proposals for his replacement.

Mr Storey: The Acting deputy First Minister referred to public confidence. Will he advise the House on how public confidence in the process can be enhanced on the return of the deputy First Minister, given the fact that when he was giving evidence to the Bloody Sunday inquiry, he claimed that he had taken an oath of secrecy to an illegal organisation, namely the IRA? What are the chances of getting any truth about the past out of the deputy First Minister?

Mr O'Dowd: I am not going to deal with selective commentary or pieces of evidence that may or may not have been given to a tribunal in the past. It is quite clear that everyone will have to play their part in shaping our future. Part of that has to be how we deal with the past. I have no doubt that the deputy First Minister will play his role to ensure that society can move forward to start to deliver a new future for this generation without forgetting the past.

Mr Nesbitt: Does the Minister agree that the current set of mechanisms is incomplete, imperfect and imbalanced, serving to rewrite history by dealing with a specific selection of incidents rather than providing a comprehensive framework?

Mr O'Dowd: The Member will be aware that we are seeking a comprehensive framework to deal with the past. Individual parties have put forward proposals. We have the Eames/Bradley report. Individual Governments have put forward their proposals. We require agreement on the way forward. I believe that that is the best way forward. Certainly, as I said to the previous questioner, a comprehensive mechanism to deal with the past will assist us in moving into our future.

Mr Lyttle: Does the Acting deputy First Minister agree with the numerous consultation responses that state that a comprehensive mechanism for dealing with the past will be essential to the successful delivery of the cohesion, sharing and integration strategy?

Mr O'Dowd: I believe that, later on, I will be dealing with another Member's question on the integration strategy. Dealing with the past has proven, unsurprisingly, to be quite a difficult

issue given the sensitivities of survivors and family members who have lost loved ones in the conflict. As politicians, we have to ensure that we are responsible in how we deal with the matter. I am confident that if we approach it in that manner, we will be able to bring forward a comprehensive system that deals with all the past — all our collective pasts — and ensures that we can build towards a new future for society.

Investment Strategy

2. **Mr I McCrea** asked the First Minister and deputy First Minister to summarise what has been achieved under the investment strategy.

(AQO 605/11-15)

Mr O'Dowd: Our investment strategy has been a critical element in ensuring that the Executive achieve their Programme for Government strategic priorities. Under the strategy, we delivered a record level of new investment of some £5 billion in the three years up to 2010-11. The strategy has helped to improve greatly our capability to deliver major programmes of investment effectively and efficiently. It has allowed Departments to plan ahead with more certainty, which is especially important in taking forward major schemes, such as roads, that are, typically, many years in procurement. It has also helped us to avoid the silo planning of direct rule times by consolidating the capital investment plans for all Departments. In addition, we are now better able to communicate our future needs to the construction industry and local suppliers by helping the industry to plan ahead with more certainty. We are honouring our commitment to support local businesses through these difficult times.

Most importantly, new investment is being delivered in every constituency. We are making huge strides in developing our social, economic and environmental infrastructure, touching every community with investment in schools, health, roads, public transport, the arts, education colleges, social housing and regeneration, and the environment.

Finally, we have made details of our progress to date on our investment commitments available through the Strategic Investment Board's website. In that, we are far ahead of other regions.

Mr I McCrea: The Acting deputy First Minister has gone through a number of issues in the investment strategy and the benefits that it has

brought to the people of Northern Ireland. There is no doubt that my constituency will reap the benefits of the new Desertcreat college. Can the Acting deputy First Minister outline when the new investment strategy will be brought forward, or do we have to wait for the return of the deputy First Minister?

Mr O'Dowd: First of all, the Member is quite correct to point out the Desertcreat proposal, in which £139 million is being invested. Listening to sections of the media and reading certain publications, particularly over the weekend, you would nearly believe that the Government are not working at all and that no investment is taking place. The Executive are investing substantial amounts of public money in public structures and in public investment. We are dealing with a very difficult and restricted Budget, but we are setting out a way forward quite clearly and are investing in our public services. The Member will be glad to know that he will not have to wait for the return of the deputy First Minister. Work on the Programme for Government is ongoing, and I believe that that work can be completed sooner rather than later.

In relation to the new investment strategy, it makes sense that that strategy and the Programme for Government are developed jointly, as they marry. Those funds can then be used to deliver on the Programme for Government.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Aire.

Given the cuts to the capital budgets in the block grant, where are discussions with the British Government in relation to the £18 billion that they said was available for capital investment?

Mr O'Dowd: The Member is right to point out that the British Government have, to date, reneged on their commitment of £18 billion as part of the capital investment programme. The Executive have registered disagreement with the British Government over their failure to honour the commitment given by the then Chancellor Gordon Brown. The dispute has been taken forward in accordance with the dispute resolution procedures agreed between the British Government and the devolved Administrations, and a number of meetings have taken place between our officials and those in the Treasury and the Cabinet Office.

Mr Allister: Does the Minister agree that to judge the effectiveness of any investment

strategy, we need to know how many jobs were created and how many of those jobs have survived? Why is Invest NI unable to provide that information? Does the Minister know how many of the 25,000 jobs that were claimed to have been promoted over the past five years were actually created, and how many still exist?

Mr O'Dowd: The Member will be aware, and as I said in my original answer, in the three years leading up to 2011, the Executive invested £5 billion into this society in building new infrastructure, new public services, etc. A significant proportion of that money went into the construction industry, and had a ripple effect across society. Therefore, thousands of jobs have been provided. I will ask my officials to forward whatever detailed information we have to the Member. Even though we have polar opposite views on many things, the Member will agree that an investment of £5 billion will have created employment, not only in terms of that investment, but in terms of economic investment going into the future to ensure that this society can move forward. We have to ensure now that the British Government live up to their obligation to this society and return the £18 billion that they removed from our block grant.

Mr Speaker: I remind Members that they should ask only one question, not multiple questions. Members who try to ask multiple questions will be ruled out of order.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. An dtig leis an Aire insint dúinn cá mhéad a chaithfear ar an straitéis infheistíochta le linn an Tionóil seo?

How much money will be spent on the investment strategy during the current Assembly mandate?

Mr O'Dowd: I apologise to the Member that I do not have the exact figures in front of me, but I will provide them to him. There is still substantial investment in the Executive budget moving forward. The Executive are also looking at innovative ways to raise capital through disposal of assets, so that we can ensure that we can invest that back into the system. However, I will provide the Member with the detailed figures that he requires.

Common Agricultural Policy

3. **Mr Frew** asked the First Minister and deputy First Minister what action they can take to assist the Department of Agriculture and Rural

Development and the Committee for Agriculture and Rural Development, when making representations on the common agricultural policy reform proposals at Westminster and in Europe.

(AQO 606/11-15)

Mr O'Dowd: The reform of the common agricultural policy (CAP) will have major implications for the future of the agriculture industry here. Although policy responsibility rests with the Minister of Agriculture and Rural Development, the Office of the First Minister and deputy First Minister stands ready to assist in any way possible in making representations in Westminster or Brussels.

In the normal run of business, the Department of Agriculture and Rural Development (DARD) makes representations on the common agricultural policy bilaterally through its contacts with Department for Environment, Food and Rural Affairs (DEFRA) officials and Whitehall Ministers, influencing British Government policy positions and negotiating lines in the EU Council of Ministers. It is possible for the First Minister and me to raise the issue at the Joint Ministerial Committee (JMC) Europe. That forum is chaired by the Foreign Secretary or the British Government's Europe Minister and brings together Ministers from the British Government and the devolved Administrations to consider European Union matters that impinge on devolved responsibilities.

The Member will be glad to know that, as recently as 13 October, junior Minister Bell made representations on CAP to the JMC (Europe) on behalf of DARD. At their first set of engagements in Brussels in January 2008, the then First Minister, Dr Paisley, and the deputy First Minister, Martin McGuinness, made a point of meeting the Agriculture Minister to underline the importance of CAP to our region. The First Minister also met the Agriculture and Rural Development Commissioner in Brussels along with the then Minister of Agriculture and Rural Development, Michelle Gildernew, where the aftermath of the dioxins incident was discussed. European funding was secured at the time to assist the rendering of our culled animals.

2.45 pm

Our Brussels office is available to assist the various Assembly Committees. It has facilitated the Committee for Agriculture and Rural Development by setting up meetings and providing meeting rooms. The office is assisting,

where possible, the same Committee to set up Brussels engagements in November.

Mr Frew: I thank the Minister for his answer, from which it is clear that the Government are very important in — indeed, solely responsible for — the negotiations in Europe around CAP reform.

Given DEFRA's stance on CAP reform, which is not necessarily the same as that of this House and DARD, does the Acting deputy First Minister agree that it is vital that our Minister spearhead any negotiations and contact with our Government in Westminster and not leave it simply to civil servants, capable although they may be.

Mr O'Dowd: The Member is absolutely correct. Minister O'Neill has just returned from discussions in Luxembourg on that very matter and is leading the defence of our agriculture industry in Europe.

I agree with the Member that our civil servants are very capable, but it is the political responsibility of a Minister to lead on such matters. I have no doubt that Minister O'Neill is doing a good job for agriculture in Brussels. She is meeting DEFRA in the coming days to outline our local position and the importance of the agriculture industry to our economy. Agriculture is one of the few sectors in which business is increasing rather than decreasing in the economic climate. Therefore, it is vital that we defend our agriculture industry. Minister O'Neill and OFMDFM will continue to do that.

Mrs Dobson: I thank the Acting deputy First Minister for his answer. Does he agree that it was disappointing to see the Minister of Agriculture and Rural Development use this important issue to pursue an all-Ireland agenda?

Mr O'Dowd: I am not exactly sure what the Member refers to. Coming from a rural, agricultural background herself, she will be acutely aware that agriculture does not recognise the border. To develop our agriculture and food industries, working on an all-Ireland basis is of mutual benefit to both sides of the border.

Minister O'Neill is, therefore, quite correct to deal with her Dublin counterpart on the matter. However, she is also dealing with DEFRA, and with Brussels directly. Her focus is on the defence of our agriculture industry and rural communities. She returned from Luxembourg only in recent days. I understand that she is

meeting DEFRA in the coming days, so I do not think that she can be accused of ignoring her responsibilities.

Mrs McKeivitt: The Acting deputy First Minister has detailed some of the lobbying in which the Department has engaged in advance of the forthcoming European discussions on CAP reform. Can he outline what further representations will be made?

Mr O'Dowd: Representations will continue to be made until the decisions process is closed. It is quite responsible of the Minister, whether she be dealing directly with Brussels, Westminster or Dublin, to highlight the importance of the agriculture industry to this society. Therefore, I have no doubt that the Minister will continue her engagements with all relevant parties, and, if required, OFMDFM is standing ready to provide further assistance.

Commissioner for Children and Young People

4. **Mr McNarry** asked the First Minister and deputy First Minister what proportion of the funding for the Northern Ireland Commissioner for Children and Young People is allocated to staffing and accommodation. (AQO 607/11-15)

Mr O'Dowd: Based on the most recent set of audited accounts, which are for 2010-11, the proportion of funding for the Commissioner for Children and Young People that was allocated to staffing and accommodation was 82.44%. Of that, 62.5% was expenditure on the salaries of staff engaged in service delivery.

The commissioner's office monitors how statutory organisations fulfil their remit for children and young people. Staff employed in the commissioner's office are not direct providers of services, but they do provide front line services, such as legal support and signposting training and research, that are used by children and their parents.

Mr McNarry: I thank the Acting deputy First Minister for that. I noted from an earlier answer that he already admits that the deputy First Minister will return. So thank you very much for the manner in which you have handled questions in your time here and, indeed, for the manner in which you answered that question. Is it acceptable that so much is spent on staffing and accommodation, rather than on actual projects for children?

Mr O'Dowd: Regardless of what happens on Thursday, there will be a deputy First Minister here in the future.

There have been cost reductions across all arm's-length bodies associated with OFMDFM. They face 3% reductions in their overheads. OFMDFM wants to ensure that all its arm's-length bodies and commissioners' offices run effectively and efficiently in providing services to their communities. Therefore, the monitoring of their spend will continue. Where areas of savings are identified, they will be progressed, because we want to ensure that our limited resources are used effectively and efficiently.

Mr Eastwood: What savings are likely to be made through the Children's Commissioner's move to Equality House?

Mr O'Dowd: Although the Children's Commissioner is due to move this year, the savings will not be identified until 2012-13. A full contract has not yet been drawn up between Equality House and the Children's Commissioner, so those savings have not yet been fully identified. However, figures for the use of backroom services, the change of accommodation, etc, will be available in the next audited accounts.

Mr Molloy: What potential is there for any further cost reductions in the office of the Northern Ireland Commissioner for Children and Young People?

Mr O'Dowd: I thank the Member for that question. Savings have already been identified through several commissions' sharing accommodation and relocating to Equality House. There may be potential for further savings, including through sharing common services such as reception, finance, and human and IT resources. As I said, in Budget 2010, all arm's-length bodies sponsored by OFMDFM were required to find savings of 3% in administration costs. That will deliver savings of £0.49 million, £0.99 million, £1.48 million and £1.97 million over the CSR period.

Social Investment Fund: Consultation

5. **Mr Swann** asked the First Minister and deputy First Minister what steps they are taking to ensure that people living in deprived areas with a weak community infrastructure have an opportunity to engage fully in the consultation on the social investment fund, given that they are likely to benefit from the fund. (AQO 608/11-15)

Mr O'Dowd: The First Minister and I launched a public consultation on our proposals for the social investment fund on 27 September. The public consultation will run for 12 weeks, until 23 December 2011, at which time a number of associated events will be held. The full schedule of public events will be advertised in local and regional newspapers. For those who cannot attend the events, the consultation document is available to download from the Department's website, and a questionnaire can be completed online. Hard copies of the document can also be sent out on request by contacting the Department.

We realise that the key will be to encourage all communities to become involved in the consultation process. Therefore, to further promote engagement, we will advertise the consultation widely across the network of health centres, jobs and benefits offices and libraries. That will encourage individuals likely to be impacted directly by the fund to engage with the consultation process. We will also send copies of the consultation document to local councils to share with the elected representatives of disadvantaged areas.

The consultation process will be a valuable time for people to come forward to tell us and the Executive how they believe that the fund can best be used. Our commitment was that it would be an £80 million fund, and we are determined to maintain that. To that end, we have ensured that any moneys not spent in this year will be re-profiled across years 2, 3 and 4 of the CSR period.

Mr Swann: I am sure that the Acting deputy First Minister will accept that there are concerns that the non-representation of groups on bodies has contributed to weak community infrastructure. Neighbourhood renewal partnerships, for example, have not received funding in the past. What actions will his office introduce to prevent that from happening in the future?

Mr O'Dowd: The objective of the fund is to reach communities that are hard pressed. I encourage all elected representatives here to empower the communities that they represent to respond to the consultation process, because that is the stage that we are at. The First Minister and I publicly launched that process and invited a number of groups from the Belfast area. It was organised very quickly, because we wanted to get it into the public domain.

It is up to local representatives as much as OFMDFM to ensure that communities that are disaffected and see a disjoint between themselves and government or, for whatever reason, have been left behind in the past, respond to the consultation, first and foremost. Following the consultation — I am in no way pre-empting its results — it will be up to us to ensure that funding goes to communities that are most hard pressed and to ensure that we start making and delivering changes to people's lives.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. Given that the social investment fund was designed to address poverty and deprivation, will the Office of the First Minister and deputy First Minister ensure that that policy aligns with existing OFMDFM measures to address those issues?

Mr O'Dowd: OFMDFM is taking the lead in ensuring that social protection fund allocations go to those in need, so there is joined-up thinking. The First Minister and I have already indicated what some of the funding will be used for, and I expect a public announcement on that in the near future. Alongside the social investment fund and the social protection fund, OFMDFM is taking forward a child poverty reduction pilot study and co-ordinating across all Departments to bring forward a child poverty action plan. The social investment fund is a central part of OFMDFM policy. It is not an add-on or an attachment; it is part of a suite of policies designed to tackle poverty and exclusion.

Mr McCarthy: The Minister said that he invited a lot of people to the launch. As I understand it, he did not invite members of the Committee for the Office of the First Minister and deputy First Minister. I wonder why. Will the Minister tell the Assembly why and how appointments will be made to the social investment zone area steering groups?

Mr O'Dowd: I assure the Member that the First Minister and I did not set out to exclude members of the Committee. I am of the view that the majority of Members of the Assembly would not be excluded from any room in the Building and could just walk in, because, at the end of the day, they own the Building, so you cannot exclude Members from any room.

As for ensuring that the social investment fund is used to tackle poverty and exclusion, the key point is that there is a public consultation process. It is up to the Member and other

Members to ensure that communities respond to that consultation so that their voices are heard. That is where we are today. There is no point in coming into the Chamber and pointing fingers, or whatever may be going on. The key role now for elected representatives is to get out there in the community, make people aware of the project and ensure that they respond to it in detail.

Programme for Cohesion, Sharing and Integration

6. **Ms Gildernew** asked the First Minister and deputy First Minister to outline progress on the programme for cohesion, sharing and integration. (AQO 609/11-15)

Mr O'Dowd: Work has recently been completed to analyse the many responses that were received during the consultation period on the draft programme for cohesion, sharing and integration (CSI). Copies of the individual consultation responses, an independent analysis report and a response to the consultation were submitted to the Committee for the Office of the First Minister and deputy First Minister on 27 September.

That documentation has also been shared with members of a cross-party working group. Party leaders agreed to the establishment of that group in June, and representatives from each of the five main parties were nominated. The group's membership comprises junior Ministers Anderson and Bell, Conall McDevitt of the SDLP, John McCallister of the Ulster Unionist Party and Chris Lyttle of the Alliance Party. The group held its first meeting on 27 September and has since met weekly. At its most recent meeting, members received a presentation by the independent consultant who carried out the analysis of the consultation. The working group will use that information as it considers the detail of the consultation responses, and will set out the way forward in due course.

Ms Gildernew: Go raibh míle maith agat. There has been quite a bit of departmental support for good relations. Will the Minister outline, for example, the shared education programme that has been developed in Fermanagh and which is no longer going to be funded? Could that be funded under the CSI strategy?

3.00 pm

Mr O'Dowd: I am aware, through my education role, of the programme in Fermanagh to which the Member refers. I am also aware that The Atlantic Philanthropies are involved in that programme. It would be wrong of me to state what, if any, programmes are to be funded in future. We have to ensure that the CSI strategy is completed. The five-member working group comprises all parties, which makes it more difficult to know who leaked the document to the papers; that was unhelpful. It is important that the group completes its work and we move on to the next stage.

Employment and Learning

St Mary's University College, Belfast

1. **Mr P Maskey** asked the Minister for Employment and Learning to outline his Department's response to the report produced by the Strategic Investment Board on behalf of St Mary's University College, Belfast, on the sustainability of the college. (AQO 618/11-15)

Dr Farry (The Minister for Employment and Learning): It is my understanding that the Strategic Investment Board engaged with St Mary's and facilitated the work carried out by the PA Consulting Group, which resulted in the report published in December 2010. At that stage, my Department acknowledged the report, as it was not appropriate for it to comment, given that the report had not been formally adopted by the college's governing body. The report made several assumptions about required future student numbers and brought forward proposals to reduce costs, diversify and increase income to ensure the sustainability of the college. The college is working in a challenging environment, and I welcome the comprehensive nature of the analysis, which informed the production of the institutional plan agreed by the college's governing body in June 2011. I believe that the institutional plan will be published by the college at some point. My officials and I are engaging with the college on its sustainability, building on my recent meetings with members of the governing body and senior management of the college.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle agus a Aire. St Mary's is a great educational linchpin in west Belfast. Will the

Minister state whether he is committed to supporting the sustainability of St Mary's University College as an autonomous further education institution? Furthermore, will he consider increasing the college's allocation of students of liberal arts?

Dr Farry: I am very conscious of the importance of St Mary's in the context of the West Belfast constituency. As the Member will be aware, a number of issues pertain to the future of teacher training in Northern Ireland, and I am giving active consideration to them all. Many of those issues have been raised in the House, and there are other aspects to consider. I will be meeting a number of stakeholder groups. Indeed, in the very near future, I will, again, meet Mr Maskey and his colleague Sue Ramsey, along with the principal of St Mary's. I look forward to that engagement.

Mr S Anderson: Does the Minister regard the report on St Mary's College as having any bearing on the proposed merger of Stranmillis College and Queen's University?

Dr Farry: The House will appreciate that there is an outstanding issue in relation to the merger of Stranmillis and Queen's University, which was the subject of a consultation by my Department. I am considering the way forward on that alongside related policy issues to do with the wider framework of teacher training as it relates to my Department. I look forward to bringing some proposals on that to the House in the very near future.

Mr McDevitt: I wonder whether the Minister has reflected on the viability audit process that his colleague the Minister of Education is undertaking and whether he thinks that such a process would be very useful for higher education institutions in Northern Ireland.

Dr Farry: I assure Mr McDevitt that I reflect on many issues. There is much to reflect on in Northern Ireland. In considering viability, we have many higher education institutions, not just the two universities. The teacher training and further education colleges are also higher education institutions. My immediate focus and priority are on ensuring that the teacher training system in Northern Ireland is sustainable. All the other institutions are certainly viable and will play a fundamental role in future investment in the economy of Northern Ireland.

Mr Allister: Does the Minister accept that the devotion of St Mary's to its distinct Catholic ethos and its determination to stay outside any merger proposals in the higher education sector work adversely to the interests of Stranmillis, which finds itself the object of pressure for a merger from which St Mary's appears to be exempt?

Dr Farry: I thank Mr Allister for the question. It is important that we are all conscious of the differences in the approaches of Stranmillis and St Mary's, both of which are autonomous bodies. The board of governors of Stranmillis has unanimously requested the merger with Queen's University, while the current position of St Mary's is to remain a separate body. At the risk of repeating myself, I am conscious of the wider dimensions that relate to policy on teacher training. I am actively considering a range of issues, and I urge the House to be patient. I should be back in the very near future to set out the way forward.

Schools: Ballymoney Learning Community

2. **Mr Storey** asked the Minister for Employment and Learning if he has met with the Minister of Education in relation to the Ballymoney Learning Community proposal to create a shared sixth form. (AQO 619/11-15)

Dr Farry: I have not met the Minister of Education about the Ballymoney Learning Community proposal to create a shared sixth form, but I meet the Minister regularly to consider issues of mutual interest. At our latest meeting on 5 October, we discussed the role that both Departments have to play in the provision of a broad and balanced choice of courses for 14- to 19-year-olds that meets their needs, interests and career aspirations. For school pupils, that can be delivered through collaboration among schools, further education colleges and training providers under the entitlement framework. That provides the flexibility to offer pupils a focused curriculum, and it is about schools and colleges putting the needs of young people at the core of their thinking. Further education colleges can offer schools access to high-quality applied courses that are delivered in state-of-the-art facilities and led by industry experts, which are things that schools cannot normally provide.

Both Departments are committed to ensuring that all young people have the opportunity

through the education and training system to fulfil their potential. Linked with that is the need to develop a highly skilled, flexible and innovative workforce that will contribute to the twin goals of economic success and social inclusion. Both Departments recognise that better value for money and an enriched educational experience can be achieved through reduced duplication and the best use of existing resources in the school, further education and training systems. Consequently, the further education colleges are actively involved with area learning communities in the strategic planning of local education provision. Therefore, the Northern Regional College will be keen to work alongside and add value to whatever sixth-form school structure emerges in the Ballymoney area.

Mr Storey: I thank the Minister for his answer. Does he share my concern that the process in which we have been engaged for some time to formulate a common sixth form in the Ballymoney area can still lead to a duplication of provision in the Coleraine and Ballymoney campuses of the Northern Regional College? Given the concerns about the future of the Ballymoney campus vis-à-vis a new capital build, will he assure the House that students will be offered the best possible menu of courses at no disadvantage to any school in the area?

Dr Farry: I thank Mr Storey for his supplementary. I am extremely committed to avoiding duplication in public expenditure. It is important that we stress that the ultimate importance in all this is the experience for students and ensuring that they have full access to the range of choices without any barriers being put in their way. I am conscious of the concerns that have been raised about the future of the Ballymoney campus. I am not in the business of taking individual decisions about rationalisation outside the context of the outline business case, which is what I am seeking from the Northern Regional College. However, that will be some time away.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Does the Minister agree with me about the importance of ensuring that we have post-16 pathways for our young people who are currently not in education, employment or training (NEET)? What actions has he taken to ensure that young people have those possibilities?

Dr Farry: I thank Caitríona Ruane for her supplementary. It is important that we reflect

on the range of necessary interventions. We have already mentioned the entitlement framework, which relates more to the formal education system. My Department is working in conjunction with the Department of Education on the 14-to-19 framework. I hope that we will be in a position to announce those high-level principles in the very near future.

My Department also leads on behalf of the Executive on NEETs. As the Member will be aware, we had a comprehensive consultation on that in recent months. Indeed, the Committee for Employment and Learning conducted an investigation. We will bring forward formal proposals on that strategy to the Executive in the very near future, probably in early 2012.

DEL: Shared Future

3. **Ms Lo** asked the Minister for Employment and Learning what action he is taking to promote a shared future within his Department.

(AQO 620/11-15)

Dr Farry: I am strongly committed to the creation of a shared and integrated society in Northern Ireland. Every Minister has a duty to promote a shared future, both individually and through collective action by the Executive. I am in discussions with officials in my Department with a view to creating a form of shared future policy proofing. In addition to current forms of policy proofing, that mechanism will be applied to all future departmental policies to assess whether they contribute positively to a shared society or inadvertently reinforce divisions or provide services on a segregated basis. Policies that tend towards separation will be avoided, while those that are neutral or positively advance a shared future will be favoured. That policy tool will be broader than the current good relations aspect of equality proofing. I believe that those changes would represent a groundbreaking development in the policymaking process and would demonstrate a solid commitment to a shared future by my Department. Hopefully, it would be an example to others.

Ms Lo: I thank the Minister for his very positive response to my question, and I congratulate him on developing such a good policy on good relations. What issues or problems do his Department and unemployed people face in promoting a shared future?

Dr Farry: I thank Anna Lo for her question and, indeed, for her welcome for my announcement. Shared future issues and the consequences of division can affect all our Departments in a range of areas. In my Department, a number of areas spring to mind. We mentioned teacher training at the beginning of these questions to my Department. There are also issues with some distortions in the provision of support to people who are outside employment in that there is some duplication of services. In effect, some of our facilities may be geared towards one or other section of the community, not by design but because of how use has developed over time. We need to be mindful of that in how we develop future work programmes.

I am particularly interested in trying to address labour mobility in Northern Ireland. In a general sense, we have the problem of how far people are prepared to go to access work opportunities, and I believe that an aspect of that is linked to divisions on the ground. There is evidence that some people are unwilling to move out of certain areas into others for work. That is a lost opportunity to the economy as a whole, and it impacts on individual opportunities. We need to tackle that.

Mr Eastwood: What steps does the Minister think he can take to promote applications to the Magee campus of the University of Ulster from students from Protestant backgrounds?

Dr Farry: I thank Mr Eastwood for that question. It is important to take the opportunity to stress that all our universities are open to all sections of the community and that both the University of Ulster and Queen's are committed to tackling any chill factors, whether they are actual or perceived. I believe that all the universities have neutral environments. There may well be wider issues in society that we have to address to encourage a wider balance of applications. It is also important that we interrogate the data on the people who are coming forward for higher education. The notion that there is skewing in whether people go to one place or the other because of the tradition that they come from is, in many senses, misunderstood and significantly exaggerated.

Mr Molloy: Being mindful of the exhibition that the further education colleges gave in the Building today, can the Minister guarantee that the resources will be spread across the

community to ensure that the further education colleges can deliver west of the Bann?

Dr Farry: I thank Mr Molloy for that question, and I am happy to assure the House that I am wholly committed to ensuring that we spend our resources fairly and equitably. What I said applies to all members of the Executive and is very much part of the Pledge of Office and the ministerial code.

3.15 pm

Mr Molloy raised the issue of the showcase of further education. That gives me the opportunity to highlight and celebrate the real achievements of our further education system in how it supports business and takes forward a lot of quality innovation. With regard to world skills, we had people from Northern Ireland who went on and achieved world standards. Indeed, the world champion gold medallist in bricklaying comes from Northern Ireland, and we have other medallists. That is a testament to the strength and depth of our young people and to the investment of further education in such vocational training.

Mr Kinahan: There was a great deal in the Minister's initial answer that I look forward to hearing more about. Which approach to a shared future does the Minister favour: integration or sharing of resources?

Dr Farry: I thank Mr Kinahan for his question. I do not see sharing and integration as being polar opposites; they are very much part of a continuum of things that we can do. Any movement in the direction of sharing will be beneficial. In many respects, the much more integrated approach is more beneficial socially, economically and financially. We also have a lot to gain from other sharing models that may fall short of integration.

Essential Skills for Living

4. **Mr Gardiner** asked the Minister for Employment and Learning for his assessment of the effectiveness of the Essential Skills for Living strategy. (AQO 621/11-15)

Dr Farry: The Essential Skills for Living strategy, which was launched in 2002, has been effective in a number of ways in addressing the literacy, numeracy and ICT needs of adults in Northern Ireland. To date, over 71,600 individuals have achieved over 128,500 qualifications

in the essential skills of literacy, numeracy and ICT. That has provided learners with the skills they need to progress at home and at work. In addition, the strategy is successfully targeting harder-to-reach adults, with 31% of enrolments coming from the most deprived wards in Northern Ireland. Given the harder-to-reach cohort that the programme targets, it is particularly gratifying that the retention and achievement rates for Essential Skills are 90% and 69% respectively. That compares very favourably with the performance of other further education courses on offer.

Recent research by Oxford Economics concluded that progress on adult literacy and numeracy rates in Northern Ireland is advancing very well in comparison with our counterparts in England, Scotland and Wales. Significantly, the cost per qualification has reduced progressively from around £900 in 2004-05 to just over £350 in 2010-11.

I recognise the importance of addressing the essential skills needs of older learners, and it is encouraging to note that the number of those aged over 25 who enrol for essential skills provision continues to increase. My Department has worked closely with the Northern Ireland digital hub and broadcasters to support campaigns aimed at older learners. I also recently met the acting Commissioner for Older People to consider effective ways to reach older people who do not normally engage with any arm of government or learning provision. My Department will continue to monitor the participation of older learners in that important provision. Therefore, although more remains to be done, the Essential Skills for Living strategy has been a success story in Northern Ireland.

Mr Gardiner: I thank the Minister very much for his in-depth answer. What common ground exists between literacy and numeracy problems in schools and in the adult population, and what is being done to bring the respective action plans together?

Dr Farry: This is an area that cuts across two Departments, and I imagine that the Minister of Education would be much better placed than I to address the sentiments raised by Mr Gardiner. However, it is important to recognise that the actions and interventions that we have in primary and secondary education go a long way to shaping the environment that my Department will, in turn, address with those over 16 years old.

Investment in essential skills is also critically important to our economy. In this increasingly competitive age, it is important that we invest in skills across a broad spectrum. Where people are being left out of the labour market through an absence of essential skills, it is a loss to our economy as well as being a loss of opportunity for the individuals concerned.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra a thug sé, agus seo í mo cheist. How have training organisations in the region that promote skill-based learning been affected by the recession? What knock-on effect has that had on learners?

Dr Farry: It is important to stress that the commitment of my Department to funding of Essential Skills remains. It is a priority for me. I do not think that the demand context that we face will be overly affected by a recession or the lack of one. It has much deeper historical roots in our society, and it will be a priority for my Department in the current economic situation and, indeed, into the future as our economy begins to improve and grow.

Labour Relations Agency: Temporary Workers

5. **Mr Dallat** asked the Minister for Employment and Learning how many complaints were made to the Labour Relations Agency by temporary workers in the current year. (AQO 622/11-15)

Dr Farry: The Labour Relations Agency (LRA) operates a helpline service to answer queries from the public about employment rights and responsibilities, including those of temporary workers. It also offers conciliation in workplace disputes that could form or already have formed the basis for complaint to an industrial tribunal or to the Fair Employment Tribunal. Although the agency records and publishes statistical information on both services, the collated information is not disaggregated in such a way as to identify instances in which temporary workers have availed themselves of the respective services. The Agency Workers Regulations (Northern Ireland) 2011 are due to come into operation on 5 December and will provide additional protections for temporary agency workers. It is not anticipated that the LRA will receive any complaints in relation to this legislation until some time after it has come into operation.

Mr Dallat: I thank the Minister for his answer, but I am somewhat disappointed that the information asked for is not readily available. The Minister will agree that temporary workers have been treated shamefully, not just by the private sector but by the public sector. Can he outline the extent of sanctions that are now available to people who find themselves with no workers' rights at all?

Dr Farry: The problems identified by Mr Dallat perhaps give some of the context as to why we have recently put in place the agency workers regulations and why we have transposed that European directive to Northern Ireland. We did so to give agency workers that type of protection in the workplace, where, in effect, they are treated on a par with existing employees. However, in Northern Ireland, we have sought an appropriate balance between the rights of agency workers and the needs of business, and that is why we followed practice in the rest of the United Kingdom in having the initial 12-week derogation before the terms of that directive apply. However, this way forward is a major win, both for business and the agency workers, and will go a long way to addressing the concerns that Mr Dallat has outlined.

Mr Speaker: Once again, I say to Members that they need to continually rise in their place. Some Members have a great difficulty. As soon as the Minister sits down, Members should be on their feet. If we all do that, we will all get there.

Ms Boyle: Go raibh maith agat. What steps is the Minister's Department taking to ensure a better working environment and harmonisation between employees, employers and heads of colleges? Does he acknowledge that there are difficulties?

Dr Farry: I will rise and sit down a bit more slowly to give Members a bit more of a chance. I suspect that the Member is referring to a particular instance, but I will refer to the generality and say that we all need to be mindful of that, whether in the public sector or the private sector. No one gains from disputes or lack of harmony in the workplace, and, where employers and employees work in one direction, we all stand to benefit. I am more than happy for my Department to provide leadership in that regard. Indeed, the Labour Relations Agency stands ready to assist businesses with advice to provide improvements in the workplace and to ensure that we avoid a situation where disputes arise in the first

place, because disputes are more costly to the economy and to the businesses affected.

Mr Copeland: I, too, congratulate the Minister on the opaqueness of his answer thus far.

Does the Minister accept that, even though labour flexibility is without doubt an essential component of a modern, market-led manufacturing economy, it is still essential that the legislation protects all workers?

Dr Farry: Yes, very much so. I am fully committed to growing a dynamic economy, and I appreciate the importance of labour flexibility. I also support the equal treatment of workers. That is why we struck the particular balance that we did with the Agency Workers Regulations (Northern Ireland) 2011 in respecting the need for some flexibility in the labour market while extending to temporary workers the rights that permanent workers enjoy.

Northern Regional College: Magherafelt Campus

6. **Mr I McCrea** asked the Minister for Employment and Learning to outline his plans for the Northern Regional College, Magherafelt campus.

(AQO 623/11-15)

Dr Farry: The Northern Regional College has submitted a preliminary business case to my Department that makes strategic recommendations about accommodation needs across its campuses. The business case has taken a high-level view and will be followed by a more in-depth examination of those needs. The preliminary business case recommends that the Magherafelt campus should continue to be a delivery point for the Northern Regional College's further education programmes.

Mr I McCrea: I welcome the Minister's confirmation. At an event in the Long Gallery earlier, I took the opportunity to speak to some people from the Northern Regional College. There had been some concern that, with the closure of the Antrim campus, some of the others would be under threat. However, I am glad of the Minister's confirmation on that issue. Will the Minister agree to ensure that, whatever training is available, the people of mid-Ulster — certainly the Magherafelt side of the constituency — will be able to avail themselves of as many courses as possible to ensure that their training needs are fully met?

Dr Farry: I thank Mr McCrea for his supplementary question. The Northern Regional College is getting a very good outing today. It is important to stress that individual campuses of colleges across Northern Ireland will provide a general range of services as well as specialising in certain courses. I look forward to having a situation where there is a free exchange of people. Magherafelt campus should not be seen as servicing only the local community or, indeed, mid-Ulster; it should be seen as part of the wider network of the Northern Regional College. In the same way as the Magherafelt campus attracts people from other parts of the catchment area, people from Magherafelt may go to other campuses to avail themselves of opportunities there.

It is also important to stress that, although, thus far, all seems fine for Magherafelt, we still await the full outline business case from the Northern Regional College. I see that Mr McCrea is encouraged, and I do not want to discourage him in any way. However, that will come forward in due course, and one would hope that that will be reflected in its future recommendations.

Mrs Overend: I am glad that I am getting my question in before the time is up. I have met local secondary-level students at the Magherafelt campus who are working towards GCSE qualifications on vocational subjects such as bricklaying, joinery, hairdressing and beauty. Can the Minister outline what plans he has, if any, to further enhance, develop and fund links with the Department of Education and, specifically, local secondary schools in that area?

Dr Farry: I cannot comment on the specific nature of the learning communities emerging in mid-Ulster, but I can say that my Department has made a commitment to the entitlement framework whereby further education will work in conjunction with the secondary system. Again, I stress that we hope to broaden that out in the very near future to the beginnings of the 14-to-19 strategy for Northern Ireland, which will see joint working between the two Departments on a broader range of issues affecting that cohort of young people.

Mr Byrne: Is the Minister aware of the PwC report on employment practices at the North West Regional College, and does he have a view on the seriousness of the matters therein?

Dr Farry: As the Speaker is wont to say, I think that the question has grown legs. I am aware of the issues that Mr Byrne refers to. PwC, the

internal auditor of the North West Regional College, has commissioned a report, which is in draft form. We look forward to seeing the conclusions of that report in the near future and what the way forward will be. I am aware of the issues that have been raised by the Member and other Members from the wider north-west political family.

3.30 pm

Private Members' Business

Forensic Science Services

Debate resumed on amendment to motion:

That this Assembly notes with concern the pressure and backlog in Forensic Science Northern Ireland; further notes the cuts to the Forensic Science Service on the UK mainland and the impact that this is having on Northern Ireland; and calls on the Minister of Justice to provide the necessary resources to ensure that cases requiring forensics are processed efficiently. — [Mr Craig.]

Which amendment was: At end insert

'; and further calls on the Minister to explore the possible development of an all-island framework for forensic science, to ensure that all resources are used to the maximum benefit of the victims of crime and the criminal justice systems both in Northern Ireland and the Republic of Ireland.' — [Mr McDevitt.]

Question, That the amendment be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly notes with concern the pressure and backlog in Forensic Science Northern Ireland; further notes the cuts to the Forensic Science Service on the UK mainland and the impact that this is having on Northern Ireland; and calls on the Minister of Justice to provide the necessary resources to ensure that cases requiring forensics are processed efficiently.

Mr Speaker: I ask the House to take its ease for a few moments.

Ministerial Statement

Public Expenditure: 2011-12 October Monitoring

Mr Speaker: Order. The Minister of Finance and Personnel wishes to make a statement to the House.

Mr Wilson (The Minister of Finance and Personnel): Thank you, Mr Speaker. I apologise. I was waiting for a vote to be called, and that did not happen: hence my late arrival.

I thank you for the opportunity to update the Assembly on the outcome of the 2011-12 October monitoring round. Before going into the detail of the monitoring round transactions, I would like to set out the wider context for this round.

Members will be aware that I agreed a new Budget exchange system with the Chief Secretary over the summer. The scheme allows the Executive to carry forward end of year underspends up to a capped level of 0.6% of resource departmental expenditure limit (DEL) and 1.5% of capital DEL. In money terms, that equates to some £50 million on the resource side and £12 million on the capital side. It is a much more advantageous scheme for the Executive than that imposed on us last year, when we were not allowed any end of year carry-over of resources.

Since we now have access to the new end of year flexibility scheme, and with the move to three monitoring rounds a year, the October monitoring round assumes much greater significance. It is at this point that the Executive must begin to form a view on how they position themselves with regard to planning to carry resources into the next financial year. The final confirmation of that position will be adopted at the next and final monitoring round in January.

Given the likely budgetary pressures in the next financial year, the Executive have agreed that they will endeavour to carry forward into next year the maximum amounts allowable under the Budget exchange scheme. However, that will not be an easy task to achieve, since financial management is not an exact science.

There has also been a change in the way in which the financial information associated with monitoring rounds is presented. Her Majesty's Treasury's public expenditure control framework distinguishes between ring-fenced

and non-ring-fenced resource expenditure. The ring-fenced element relates to depreciation and impairments and is tightly controlled by HM Treasury. The Executive have no discretion to move resources out of that category. The Budget exchange scheme, which has been agreed with Her Majesty's Treasury, operates within that framework. Therefore, the key focus must now be on the non-ring-fenced element of resource expenditure, since that is the component directly managed by the Executive. For that reason, the tables attached to the written version of my statement focus on the non-ring-fenced resource element as well as the capital investment. The ring-fenced resource position is set out in a single, separate table.

The starting point for the October monitoring round was the outcome of the June monitoring round, which concluded with an overcommitment of £21.2 million in capital investment and, in resource expenditure, with an overcommitment of £45.8 million in respect of the non-ring-fenced element and an undercommitment of £1.9 million in respect of the ring-fenced components. As I have said, the Executive's focus in relation to resource expenditure is the non-ring-fenced element.

Departments surrendered £49.9 million in non-ring-fenced resource expenditure and £25 million in respect of capital investment. Details of those reduced requirements are included in the tables at the end of the written version of my statement.

There is a relatively high level of reduced requirements, which suggests that Departments are already realising savings. Attached to the written version of my statement, with the tables, is a comparison of the administration expenditure position between the start of the year and the October monitoring position. That shows that, overall, Northern Ireland Departments have reduced their administration expenditure by 2.5% this year. That suggests that Departments are already beginning to re-focus their expenditure to the delivery of key front line services.

In addition to the reduced requirements that I have just mentioned, the Executive received a Barnett consequential of £22.6 million non-ring-fenced resource from Her Majesty's Treasury. That was our share of the Government's decision to increase the government grant to fund a freeze in UK council tax.

For Members' information, £36.7 million of ring-fenced expenditure was also surrendered. Those are resources that are not available for allocation by the Executive. The ring-fenced position is set out separately in the tables that are attached to the written version of this statement.

I turn now to the internal reallocations and reclassifications. With a highly constrained resource position, it is essential that Departments seek to manage any emerging pressures in their existing allocations before bringing forward bids for additional expenditure. I welcome any such proactive actions by Ministers in managing emerging pressures.

Although the public expenditure control framework allows Departments the scope to undertake many such movements on a unilateral basis, proposed movements in excess of the de minimis threshold of £1 million are subject to the Executive's approval. In some instances, Departments have also sought to move allocations across spending areas to facilitate the transfer of responsibility for a particular function from one business area to another. When such movements exceed the de minimis threshold, they need Executive agreement.

In addition to proactive movement of resources, there are some departmental allocations that, for technical reasons, were incorrectly classified. The main reclassification was £50 million in respect of the Presbyterian Mutual Society hardship fund. That was initially classified as resource, but the Department of Enterprise, Trade and Investment (DETI) has now confirmed that its correct budgeting treatment should be capital investment. However, that £50 million reclassification will not represent a pressure on the capital investment side and a corresponding easement on the resource side because my officials intend to agree — indeed, we have already agreed — an adjustment to the Executive's control totals with Her Majesty's Treasury.

Furthermore, there are instances in which Departments reclassified amounts between the ring-fenced and non-ring-fenced resource expenditure categories. That is permissible only when the overall Treasury control totals have not been breached. In this monitoring round, £5.6 million was reclassified between the ring-fenced and non-ring-fenced categories. All those proactive movements and reclassifications have

been included in the tables that accompany the written version of this statement.

I now turn to the resources that are available. All the above issues impact on the effective overcommitment that the Executive will need to manage in the remaining months of this financial year. The net impact of all those issues is that the Executive had £34.3 million of non-ring-fenced resource expenditure and £1.7 million of capital investment available for allocation. It was in this financial context that the Executive considered departmental bids for resources. Departments submitted bids for additional resources of £90.1 million for non-ring-fenced resource expenditure and £51.6 million for capital investment. The individual bids by Department are shown in the tables that are attached to the written version of this statement.

The levels of allocations agreed by the Executive in this round are partly informed by the quality of the departmental bids and partly by a judgement on the final level of overcommitment to be carried forward into the January monitoring round. The Executive have agreed a number of significant allocations, and I would like to highlight some of those. First, the Executive agreed to allocate £25 million to the Department of Health, Social Services and Public Safety (DHSSPS), which consisted of £20 million of resource and £5 million of capital. The additional resource expenditure allocations were influenced by the emerging findings of the ongoing performance and efficiency delivery unit (PEDU) review. As Members will recall, a key issue during the Budget debate was the amount of resources that were committed to our health service. A key emerging finding of the PEDU review is that there is not a sufficient case to top-slice resources from other Departments to provide additional funding for the health service. However, the Health Minister is committed to realising significant savings in the years ahead. That will be challenging, and, in that context, the Executive recognised that there was a strong case for providing additional support to the health sector now.

Some £15 million of the resource allocation will help the Department of Health, Social Services and Public Safety (DHSSPS) to implement an invest-to-save scheme, which will free up resources in future years through a limited programme of voluntary redundancies. That scheme will be targeted carefully on non-essential posts, and it will alleviate pressure on the Northern

Ireland block in the coming years. The Executive also acknowledged the pressing need to provide £5 million of immediate budgetary cover to allow for the purchase of specialist drugs.

The Executive have also agreed a £13.1 million allocation to the Department for Regional Development (DRD), which will allow it to maintain the concessionary fares scheme for bus services. It will also provide significant resources towards maintaining and improving our road network, which will, of course, also provide a boost for our local construction sector.

3.45 pm

A total of £12 million of capital investment was allocated to the Department for Social Development (DSD), £10 million of which will go towards an affordable housing assistance scheme for some 170 first-time buyers. In recognition of the ongoing problems in relation to affordable housing and the difficulties that first-time buyers face in obtaining finance, the Executive also agreed that the additional injection of £10 million should continue in each of the remaining years of the Budget period. That will be on top of the £15 million already allocated to the co-ownership scheme. Let us not forget that there is also a mortgage element to those purchases. In order to maximise the positive impact of the initiative, I recently met local banks and building societies to discuss how they could play their part in the initiative and was pleased with the broad support expressed.

The local lending institutions have confirmed to me that they have the money to lend and the mortgage products available for those seeking to purchase a home under the scheme. That is particularly good news for the many hundreds of people who have been waiting and who have been involved in the lottery scheme in the Northern Ireland Co-ownership Housing Association for the past year. The increase in funding announced today is evidence of the Executive's commitment to help people to take their first steps on the property ladder and will stimulate much-needed activity in the local property market. It is also good news for the construction industry in Northern Ireland. I hope that this initiative will stimulate the sale of additional new houses, revitalise the local housing market and support employment in a sector that has been badly affected by the slowdown in the housing market.

The residual £2 million that has been allocated to the Department for Social Development will allow the Housing Executive to carry out further thermal improvements to its housing stock. The additional funding will allow improvements to be carried out on an additional 450 dwellings. That will not only create additional jobs but will improve energy efficiency and help us to attack and to achieve our targets on fuel poverty.

The Executive agreed to allocate £11.7 million to the Department of Education. That will provide £10 million of funding towards the maintenance of our schools and fund the extension of the integrated services for children and young people programme for the remainder of this financial year.

The outcome of those transactions is that the Executive conclude this monitoring round with an overcommitment of £11.5 million in respect of non-ring-fenced resource expenditure and £23.8 million in capital investment.

A number of the outstanding issues that are impacting on the Executive's position need to be progressed. As Members will be aware, the Executive have tasked the asset management unit of the Office of the First Minister and deputy First Minister (OFMDFM) with delivering £10 million in additional capital receipts this financial year. It is important that those receipts be realised because failure to do so will mean an additional pressure for the Executive to address in the last monitoring round of this year. Equally, progress needs to be made on allocating the funding held centrally in respect of the social protection fund, the social investment fund and the childcare strategy.

Moreover, the Executive agreed to allocate £1.4 million to the Assembly to cover a pressure resulting from the continuing failure to sell Ormiston House in this financial year. It is imperative that the Assembly progresses that sale in the next financial year and makes the funding available for allocation by the Executive. We need that funding to be channelled towards front line service delivery.

I am fully aware that trading conditions are still very difficult for businesses; unemployment remains stubbornly high, and families are finding it difficult to cope with recent high inflation. The Executive have allocated in excess of £70 million to Departments in this monitoring round. Those allocations will have a material, positive impact on our public services and many of them will create further jobs and enhance economic

activity, which will provide a much-needed boost for our economy. I have also announced further help for first-time buyers. That is supported by a commitment from banks and building societies to make lending available and to ensure that the positive effects of the scheme are maximised.

For those reasons, I commend the monitoring round to the Assembly.

Mr Murphy (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a thabhairt don Aire.

I thank the Minister for his statement and for the opportunity to discuss it with him earlier. Given the need to avoid handing back vital resources to the Treasury, how confident is the Minister that the reduced requirements identified by Departments are based on robust forecasts and that the underspend caps will not be exceeded? To what extent has his Department validated those forecasts? Also, what assurances are there that the money that has been reallocated in this monitoring round will be spent by the end of the year?

Mr Wilson: I will deal with the second part of his questions first. We have looked at the bids, and some of them have, in fact, been reduced. For example, we allocated £2 million for thermal improvements to Housing Executive houses, but the paper shows that the original bid was for £4 million. We have taken a cautious approach and said, "Look, we believe that £2 million can be spent. If, by February, it is shown that that money has been spent and that a further £2 million can be spent, then the money will be made available". We have not given the full amount of bids where we have thought that there is even the least risk that the money could not be spent.

As far as the first question is concerned: we still have an overcommitment. We have the ability to carry £62 million over to next year. Between that overcommitment and the ability to carry over, I am convinced that we will be able to absorb whatever resources are surrendered in February. Of course, even that late in the year, there will be schemes that are capable of spending money and on which the Executive may deem it worthwhile to spend.

Mr McQuillan: Does the Minister believe that the allocations in this monitoring round will assist the construction sector?

Mr Wilson: I have no doubt that they will. Look at some of the things that we are spending money on. First, there is school maintenance, which tends to be fairly labour-intensive and the kind of work that goes to small local firms. The money on roads improvements and maintenance will, again, help the civil engineering part of the construction industry. Also, the money allocated to the co-ownership scheme will enable another 170 people to purchase a house in this financial year. Next year, co-ownership will have an additional £10 million on top of its £15 million. I believe that that will help to stimulate the construction of new homes. Given that many new houses have a starting price of between £85,000 and £135,000, it is good news not only for the construction industry but for those who want to get on the property ladder.

Mrs Overend: It appears that £1.7 million is being committed to funding the extension of the integrated services for children and young people programme. What type of front line services can expect to benefit from that funding?

Mr Wilson: As is true of many of the bids made, it will be up to the Minister of Education to outline that detail. We get the broad indication of what the money is to be spent on, but the detailed arrangements, such as where it will go and the kind of schools that will benefit, are the Education Minister's responsibility.

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

I happen to agree with the Minister that progress needs to be made on allocating the remaining funding held centrally in respect of the social protection fund, the social investment fund and the childcare strategy. Indeed, many groups in the community, including childcare groups, are teetering on the brink because of the tardiness in allocating such funding. On top of his statement, what additional pressure can the Minister bring to bear to ensure that the allocation of those funds is expedited?

Mr Wilson: First, it should be recognised that those are new schemes, some of which had to go out to consultation. That consultation is ongoing, and OFMDFM has taken what I believe to be a responsible step by surrendering some money at this stage. The challenge that I set down in the statement is that the money being held at the centre for those purposes should be spent in the remainder of this year.

I think that the Member would agree that the last thing that we want is OFMDFM to simply say, "Rather than have the embarrassment of handing back the money, let us just allocate it willy-nilly, even if that is not done in a strategic way". As a result of our successful negotiations with Treasury, if the money is not spent, there will be an opportunity in the February monitoring round to give that back to the centre so that it can be carried over to next year. Since it is a policy commitment, we obviously want to see the money being spent as soon as possible. However, I do not think that any Member of the Assembly would want that money to be spent without there being proper arrangements in place. There is no point in that.

Ms Lo: Mr Bradley took the question out of my mouth. I want to ask the Minister about the childcare strategy in particular. This has been ongoing for the past six years. However, you are now telling community groups and women's groups to spend that amount of money within six months.

Mr Wilson: First, the Member has to understand what the purpose of today's statement is. It is about looking at the money that is being returned to the Department and reallocated to other Departments. Some of the money for the childcare strategy is still held by OFMDFM. So, it is really its responsibility to make sure that that money is spent responsibly. Just because there are only six months left in this financial year does not mean that it is not possible to allocate that money to groups in a meaningful way. However, I emphasise that if the money cannot be allocated because of administrative or technical difficulties, I would prefer it if it came back so that it was available next year to spend in a responsible way rather than it being spent in a way that does not actually meet the strategic objectives that have been set for it.

Mr Humphrey: I thank the Minister for his statement to the House. I welcome the statement. I want to take this opportunity to wish the Minister well in his deliberations later on today. I hope that success is delivered at Westminster.

How do the alterations to the Budget exchange system, suggested by the Minister today, improve the situation financially for the people of Northern Ireland and benefit Northern Ireland plc?

Mr Wilson: The main advantage is clear. At the end of the last financial year, any money that was declared as a reduced requirement in the

February monitoring round, because it could not be spent by Departments, was lost. As it turned out, we returned very little. I cannot remember the exact amount, but it was probably in the bracket of between £4 million and £5 million. Under the new arrangement, we can now carry forward £62 million from one year to the next, which means that there is less pressure simply to get rid of money declared as surplus in February, as tended to be the case when it could not be carried forward. That money, therefore, was not spent in a very strategic way and probably was not spent on the things that we wanted to spend it on. So, the main advantage of the arrangement is that it gives us that budget flexibility.

Of course, I would much prefer it if Departments would actually fulfil their spending plans in the year in which those have been set. However, if that cannot be done for some reason, I would far rather that the money was available to us to spend in a much more controlled and strategic way the following year.

Mr P Maskey: Go raibh maith agat, a Aire agus a chairde. The Minister said that he has met officials from banks and building societies in recent times, and he seems quite pleased about the fact that they have come forward to say that they have money to lend. However, I am concerned about the fact that they have told us all that before. I have met some developers and people who are trying to get into the property market, and they have told me that they are still having difficulties with the banks. Reports are coming into the Assembly about the fact that there have been difficulties. So, will the Minister join me in calling on the banks and lenders to come to the Assembly on a regular basis to let us know how the situation is progressing? If people are telling us one thing and the banks are telling us something different, let us find out who is telling the truth.

Mr Wilson: The Member makes a very important point. There really is little point in our putting money into the co-ownership scheme if the banks will not lend people the other half of the money or whatever percentage of the purchase price is required to get a mortgage.

For that reason, after questions on my statement have finished, representatives from the banks will be in the Building to make a commitment in briefings to the press on their willingness to participate in the co-ownership scheme, to make

money available through it and to work with the scheme to ensure that there is no duplication in the way in which applications are processed. We have discussed some issues with officials. For example, if the co-ownership scheme does some vetting, do banks need to delay the process by conducting exactly the same vetting and laying down the same conditions as apply for loans?

4.00 pm

Of course, we are talking about only one aspect of bank lending. All I can say is that in engagements that Nelson McCausland, the Minister for Social Development, and I have had with the banks between making the decision and announcing it today, we found most of them to be positive. However, the Member is correct: we have made it clear to the banks that not only do we want them to commit today and to advertise the products that they will make available to people who apply for co-ownership but we will monitor how that is delivered.

Mr Hilditch: I thank the Minister for his statement. There will now be only three monitoring rounds each year, and he mentioned the importance and significance of the October monitoring round. Will he share the details of that?

Mr Wilson: At present, money that is declared surplus to requirements can still be put into programmes that probably fit in with the Budget — Departments' main strategic programmes — and money can still be spent in the last six months of the year. That is why the October monitoring round is so important. In the February monitoring round, we look either for emergency spending that can be undertaken or for money that, although it was planned to spend it this year, will not be spent and will simply be carried forward into next year, which is why the October monitoring round is so important. It still allows reduced requirements from Departments to be allocated for strategic spending in this particular year.

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

The other reason why it is important this year is that it is an indication of just how well Departments are fulfilling their savings delivery plans. As I pointed out, I am very pleased that Departments have been concentrating on reducing administrative expenditure and that, in the first six months of the year, administrative expenditure across Departments has gone down

by 2.5%, which means that they are focusing savings on that area so that they can deliver on front line services.

Mrs Dobson: I thank the Minister for his statement. Does he recognise that the £10 million that has been allocated to the schools maintenance programme represents a very small proportion of the essential maintenance that is required?

Mr Wilson: I understand that there is a huge maintenance backlog that is somewhere in the region of £310 million. Nevertheless, we must work with our available resources. We had returned capital expenditure this year, a significant proportion of which has gone to the schools maintenance programme. Given that the Member's party supported decisions by the Westminster Government, I am sure that she knows well that, in times of austerity, we will not have all the money that we want to hand out. Nevertheless, we have sought to allocate it to what we believe to be priorities. It is important to maintain the schools estate. As I pointed out, that expenditure will be very welcome for many small construction firms throughout Northern Ireland.

Mr Byrne: I welcome the Minister's statement and, in particular, the extra £10 million for the co-ownership scheme. The Department for Regional Development gave up £18.6 million and has been given back £13.1 million in the reallocation. With regard to road maintenance and upgrades, will the Minister give any reason why only £4 million was reallocated to structural road maintenance?

Mr Wilson: First, a large part of the reason why DRD returned money — we should be pleased at this — is that administrative savings in NI Water were higher than expected for a more efficiently run water service. Therefore, the return of that money for the kind of allocations that were available is to be welcomed. I cannot remember the figure offhand, but I do not look at the money that the DRD returned as a negative because of where a lot of it came from.

As far as allocations are concerned, as I said in my statement, we looked at what the priorities should be and what overcommitment we were prepared to carry into the next monitoring round. On that basis, we made capital allocations. I think that the Member will accept that, since health, education, DRD and DSD had substantial and credible capital bids, we could not allocate

it all to one Department, nor, I think, would he expect us to allocate it all to one Department.

Mr Frew: I note the absence of any reference in the statement to the Department of Agriculture and Rural Development's bid listed in table D regarding hedging exchange rate transactions. The Minister referred to the quality of the departmental bids. Is he willing to comment on the quality of the Department's bid, given that he and the Executive appear not to have found it compelling enough to grant it?

Mr Wilson: There were twice as many applications and bids as there was money available, so they were not all being met anyway. However, that is not necessarily a comment on the quality of the bid. It was simply to do with what you allocate highest priority to, and it was decided that that was not a high-priority bid. However, I do not think that it says a great deal about the quality of the bid.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. The Minister said that he was not dissatisfied with the performance of NI Water, which led to the surrendering of money from DRD, but will he join me in outlining his disappointment at the poor performance of Invest NI, given its huge budget and the fact that its job is to create jobs? Given that he has been able to redistribute funding to the roads structural maintenance fund, the school maintenance budget and the creation of houses for first-time buyers, his disappointment may be somewhat less than if he had to bring some of the money back to Westminster with him.

Mr Wilson: First, I do not know whether the Member reads the newspapers or listens to the news, but he may have noticed that there is a downturn in the economy. I do not want to make the economics of that too simple, but downturns tend to mean that firms' investment plans sometimes get reduced because there is no confidence that there will be demand in the economy. Secondly, we have to remember that banks are not lending in the way that they were. Therefore, firms may well have applied to Invest NI for funding, but, if they are unable to obtain match funding through the banks, investment projects either get shelved or deferred for some time. Hence, Invest NI returned some money because what was in the pipeline has not come through. However, I think that that is preferable

to simply holding on to the money, hoping against hope that schemes will come through.

Of course, should opportunities come forward, there will be more funds to allocate in the February monitoring round. However, I want to point out that, even though the money was not spent by Invest NI, that does not mean that it has not helped the economy. I have stressed that. The money that was returned has now gone into building houses and improving roads and school buildings, and all of that creates jobs in the economy. Therefore, it is not a case of money for job creation having been given back and disappearing. It is simply creating jobs in a different way, and the Member should recognise that we have done that. Indeed, some of the things on which we have spent the money might — initially, anyway — have a greater multiplier effect on the economy than some of the longer-term capital investments made by firms coming here.

Mr Cree: I welcome the Minister's statement. Many of the decisions are excellent. He referred to a meeting with the banks and other financial institutions. As has already been said, we have had smoke and mirrors from the banks for the past two years. During his meeting, was he able to get any clear, transparent targets from the banks to which he can hold them and against which we can monitor their actual performance?

Mr Wilson: There is an immediate target: one for this year and one for the next three years of the Budget. We will be allocating money towards this year. I am trying to add the figures up in my head, but I think that a total of 520 houses will be sold under co-ownership this year as a result of the money already allocated and the new money to be allocated. The target will be for the banks and building societies to provide sufficient finance to allow all the transactions to go through. Next year, the same money will be available, and the target will be for next year's transactions to go through. We have a lottery at the moment. The Minister for Social Development may have to help me out on this, but I think that we are allowing 160 transactions through every quarter or whatever. That means that more than 300 people who want to buy under co-ownership cannot get a co-ownership house. Indeed, many drop out because they feel that the process is pointless. Therefore, we know that the demand is there. How will we monitor it? We have made the money available for the co-ownership element. The question is

whether the banks and the building societies can divvy up money to allow us to facilitate the demand that we know is there for this year and the next number of years. We will be looking at that measurement.

Mr Irwin: I thank the Minister for his statement. Has he agreed to allocate additional funding to the Department of Health, Social Services and Public Safety to assist it in the procurement of greater supplies of anti-TNF drugs to help it to move more swiftly through the waiting list of sufferers who need courses of those very important drugs?

Mr Wilson: May I say something about the DHSSPS? This time last year, we were in the throes of trying to develop and agree a Budget. Almost every time that I stood on my feet in the Chamber, a war of words broke out. It was said that, by the first week in April, the health service in Northern Ireland would be — to use that American term — “into chapter 11”. It would be bankrupt. What relevance an American term had to the financial state of our health service, I do not know. We are now through six months, and the permanent secretary has confirmed that the health service will be able to live within its budget. Moreover, we have made the additional allocations because PEDU has accepted that, if the money is made available to the health service, some of the efficiencies identified can cut down costs in the future.

Of course, the money for cancer drugs is very welcome. It is an indication of the fact that we are living up to the commitments that I made during the Budget process: first, that we would find more money should the health service need it; and, secondly, that we believed that sufficient efficiencies were to be found. It is amazing the difference that a proactive Minister can make compared with one who simply came to the Chamber and moaned but did not do too much managing.

Mr Beggs: The statement indicates that £8.9 million of savings occurred and were passed back to the Executive as a result of Northern Ireland Water's reduced running costs. Will the Minister indicate whether that was as a result of good housekeeping? Will he also advise whether expenditure rules meant that that money came back to the centre rather than being invested in improving pipework that might be prone to freezing?

4.15 pm

Mr Wilson: I would have thought that the Member, who was a member of the Committee for Finance and Personnel for I do not know how many years — he was at one stage, I think — would know that, when money is allocated for a certain purpose and is not required for that purpose, it is not simply a case of moving it and saying, “Oh well, we will not spend it on that; we will spend it on something different”. The money has to be returned to the centre, because it is not being spent for the purpose for which it was allocated originally. That is an important budgetary control that the Assembly would not want to give way on. Secondly, those are savings in the running costs of the water service. I would have thought that savings on running costs — of your house, your car, your business or Northern Ireland Water — are always a result of better management. Therefore, this is a result of better management.

On the question of why the allocation did not go back to the water service for new pipelines, I can only give money back and allocate it if people make a bid. A bid was not made, so Northern Ireland Water had obviously decided that its investment plans for this year and its capacity to deliver on those investment plans had already been met.

Mrs Cochrane: Thank you for your statement, Minister. You referred to the need to make progress on allocating the remaining funding in the childcare strategy. Will that include programmes such as Home-Start, which is crying out for funding to secure its services?

Mr Wilson: Home-Start does not come under OFMDFM. If I am correct, it comes under the Department of Health. It would be relevant to ask the Minister in charge for the figures and details of where and how that money will be spent.

Mr Deputy Speaker: That concludes questions to the Minister of Finance and Personnel.

Mr Allister: On a point of order, Mr Deputy Speaker. I understood that an hour was allocated. It was also my understanding that I had put my name down.

Mr Deputy Speaker: I am sorry, Mr Allister, your name does not appear to be on the list.

Mr Allister: It was certainly phoned through. Since there is time, can I ask a question? Will

you give me permission to ask a question, Mr Deputy Speaker, since we are within the time?

Mr Deputy Speaker: Yes, Mr Allister.

Mr Allister: I am very much obliged. I want to focus on the issue of unfunded pressures in the Budget. When the Budget was drawn up, inflation was 2% or 2.5%. It is now 5%. Is that unfunded pressure likely to gobble up a good bit of monitoring round reallocations in the future, if not in this monitoring round? Secondly, if I am permitted, I note that, in the health budget, the Minister has allocated £15 million of the resource money effectively to fund redundancies. How many redundancies do you anticipate in the health service?

Mr Wilson: I thank the Member for the question. I am glad that he got the opportunity to ask the question, because, as usual, it gives me an opportunity to make a couple of points.

The exact detail of how many redundancies there will be will be up to the Minister of Health. However, it has been pointed out — indeed, his bid made it quite clear — that it will be in areas of non-essential services. I am not sure of the exact scope. One of the reasons why the allocation has been made is that it should enable him to make savings year-on-year for the rest of the Budget period. We can welcome that, because it helps the Minister to address the very issue that the Member has raised, namely additional inflationary pressures.

The Member may well notice that some bids were made for inflationary pressures. For example, the Department of Education made a £3.7 million bid for utility costs. Those inflationary pressures, just as they will create issues for individual households or businesses, will create problems for public services. We have assumed that the GDP deflator will be the inflationary pressure over the next four years. That is an assumption that all Departments make. If it is greater than that, of course there will be pressures. However, I am pleased to see that, even with those pressures occurring, Departments have been able to identify huge administrative savings which amount to 2.5% of administrative spending so far. Of course, that in turn helps to reduce the pressures that inflation may cause.

Mr Deputy Speaker: That definitely concludes questions to the Minister of Finance and Personnel.

Private Members' Business

Car Tax Renewal

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. The Minister will have 15 minutes to respond to the motion. All other Members who are called to speak will have five minutes.

Mr Hamilton: I beg to move

That this Assembly notes with concern that people in Northern Ireland are unable to avail themselves of all the car tax renewal methods that are available to people in Great Britain; and calls on the Minister of the Environment to bring forward proposals to address this problem.

Mr Deputy Speaker, I thank you and the Business Committee for allocating the time to this debate. I thank the Minister of the Environment for his attendance to hear the views and issues raised by Members from around the House.

Like legions of others, I renew my car tax by going to the local post office a few days before it is due to run out — or rather, in case she is listening, I tend to get my wife to do it for me. That is probably what a significant number of people in Northern Ireland have done and continue to do. The issue was raised with me a while back by a friend who had renewed their car tax by using the phone number for the office in Coleraine. They then raised a particular issue about that experience with me, which elicited my investigations and interest in the subject.

Before I go any further, I appreciate that, following an October monitoring round statement in which it was announced that £70 million of additional funding had been allocated to public services in Northern Ireland, this is probably not the hottest of topics, although it is in the main event seat in the House this evening. It is something that we all have some experience of. It is one of those little quality-of-life issues that we come across in our job when people tell us of their experiences and their interaction with public services and how they think things could be improved and made easier for them. There is a duty on all of us as public representatives not only to fund our services as well as we can but to make their interface with the general public as easy and customer friendly as possible.

The system for car tax renewal is threefold. There are the Driver and Vehicle Agency Northern Ireland's (DVANI) eight offices across Northern Ireland, which seem to be reasonably well spread geographically. I am sure that there are some people in some pockets of the Province who would dispute that, but, as is typical of such things in Northern Ireland, we have eight, which, for a population of 1.7 million, is probably proportionately much more than you would have in Scotland, Wales or elsewhere in the United Kingdom. The opening hours of those offices means that people cannot always get access. The office in Belfast is notorious for accessibility: you have to park at the other end of the estate and walk in, and you cannot park outside it. I think that other branches of government have had issues with issuing tickets to those parked illegally around that office. Therefore, there are convenience issues, never mind the opening times of some of those facilities.

There are post offices where you can get your car tax renewed, but, as we all know, there are parts of the Province, particularly rural parts of Northern Ireland, where people will testify that you cannot renew your car tax in every post office. Indeed, there are only two post offices in County Down where you apply for car tax renewal using the V10 form along with the change of keeper form. It is not just that not every post office offers those services; it is that not every type of car tax renewal can be applied for in every post office. Given the rurality of Northern Ireland, it tends to be rural post offices that do not offer those services, and that causes its own problems.

As I said, there is a phone system for car tax renewal in Northern Ireland, but, as I understand it, there is only a handful of lines, which can handle only a maximum of 500 calls a day, and the number is not permitted to be advertised because of an agreement with the Driver and Vehicle Licensing Agency (DVLA), which governs those arrangements. I am sure that all Members will agree that we want to see all those services maintained and enhanced, and we want more services.

That takes me to the crux of my case. The general direction of travel of the delivery of public services tends to be towards the enthusiastic embracing of technological advances, particularly in IT. We can see that happening internally in the public sector in Northern Ireland. We have had some successful IT advances, such as those in

Account NI and HR Connect. Those have saved us money but have also improved service delivery. I noticed recently that the head of Enterprise Shared Services in Northern Ireland spoke at a conference in the Irish Republic to try to teach them some of the lessons that we have learned here. In that respect, we are at the forefront as pioneers.

We also have the three-digit telephone number which has been run out for some services and, hopefully, will be expanded in the future. We are embracing the use of telephony, which is also being used for benefits. For example, the employment support allowance is processed primarily over the telephone with clients. The NI Direct website has come on in leaps and bounds; it is an excellent website, through which customers can be directed to where they apply online for benefits and rate relief. In the Minister's sphere, customers can book an MOT appointment online with Driver and Vehicle Licensing Northern Ireland (DVLNI) as well as their theory test and driving test. However, you cannot renew your car tax online. Councils in Northern Ireland also offer various services online. For example, you can license your dog online. However, it is absurd that, although you can license your dog, you cannot tax your car.

Mr Weir: Unless it is a Rover.

Mr Hamilton: Very good, Mr Weir. I wondered why Mr Weir had come in. It is obvious that he has been waiting for some time to make that contribution.

In Great Britain, customers can renew their car tax online, which is a successful and popular service. Why is this anomaly in place in Northern Ireland? It stems from the fact that it is an excepted matter. DVLA in Swansea, under the Department for Transport, is responsible for those arrangements in Great Britain. We have an arrangement with DVLNI — based in Coleraine in your constituency, Mr Deputy Speaker — and with its satellite offices to deliver those services across Northern Ireland, so there are separate arrangements, which have included the separate development of IT down through the years.

There has been significant investment in the DVLA IT system, which has allowed the renewal of car tax to be done online so long as the person doing it has their car registration number, insurance details and a payment method. Obviously, that makes it exceptionally convenient for people

who maybe cannot make it to a certain post office on time or who do not have a post office or DVLA office in their area. It really is user-friendly and improves quality of life, which, for some people, may be chaotic, with their employment or personal situation. There is also an automated phone system in Great Britain through which people can renew their car tax. As technology advances and we make more of our services in Northern Ireland accessible to people online or by telephone, that anomaly will look more and more ridiculous.

The motion is in no way a criticism of the current Minister or his predecessors, not least because they are three party colleagues of mine. In fact, one of them is my boss in the Department of Finance and Personnel. I know that he raised this issue during his tenure, that he had meetings with his counterparts at UK Government level and that he received commitments to work towards the stated goal.

4.30 pm

I understand that work is ongoing, and it was highlighted by a response to a recent question for written answer from me to the Minister of the Environment. I am aware that some IT hardware has been moved from Northern Ireland to Swansea to facilitate all of that happening. It appears that we are moving very slowly towards the necessary migration of information from a system here to a system nationally. I want to see that happening in a way that maintains the service here; there cannot be any dilution of that service. Although moving to online transactions is very popular and convenient — I think that 40% of transactions in Great Britain happen online — we cannot have just online service provision. We cannot have provision just through telephony either; we have to have a full, broad range of services. We need to maintain the offices and post offices that provide those services. In fact, we need to expand the post offices that provide it. We also need to expand the telephone service and introduce online availability, not least because it is a much less costly system. I understand that around 20 pence is the administration cost to renew car tax online versus pounds for doing it via the telephone, never mind what it would be to do it face to face in an office.

In conclusion, I go back to the point that I made at the beginning: the Assembly should be about making people's lives better. Sometimes, that

is about making their lives easier. The proposal, on the face of it, is very simple, albeit that it is mired by some technological and financial difficulties. However, it is a small change that could have a very positive and meaningful impact on people's lives by addressing advances in technology and utilising those to help to make people's lives a wee bit easier.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I support the motion, and I thank the Member for bringing it to the Floor. I agree that it is a simple proposal. There will be broad agreement around the Chamber, so I will try not to repeat too much of what the Member said, or what others will, no doubt, say later.

There is growing and changing public expectation of what they should be able to do and what they can do. When Departments provide services, the public expect to be able to access them online and to pay for them through debit cards, credit cards, PayPal and other methods that are coming online all the time. If small businesses that employ two or three people can set up a website to deal with credit card and debit card requests, surely Departments should be able to do the same.

Over the past few years, I have paid my car tax by phone. I found it very handy, but the system is clearly not capable of dealing with the volume of phone calls that it receives. The public are not aware of the facility. The Member who proposed the motion submitted a question for written answer earlier this year, and it was revealed that only 254 of 731 calls were answered on 18 May. Many people who want to use that service are unable to do so. The statistics also show that over half of the vehicle licensing revenue comes via the Post Office.

Members referred to across the water, where things are moving on. On the rest of the island, people pay by Visa and debit cards online. It is a very simple, step-by-step process. We should not limit ourselves just to websites. Perhaps the Department could look at developing an iPhone app, through which you could book your MOT or your driving test and pay for your car tax. I would find that very useful, so perhaps the Minister could take that on board.

I fully support the motion. Hopefully —

Mr McMullan: Does the Member agree that the motion provides the opportunity to look at using rural post offices as another method of paying

for car tax? That would greatly enhance rural post offices and would also make life in isolated rural areas much easier for those people who currently have to travel miles to tax their car.

Mr McKay: The Member makes a valid point. We should not forget that a significant part of our community does not use online services and does not have the technological know-how to deal with such things, so that service should remain. Rather than leaving post offices with the services that they have, we should always be looking at how we can add to those services to make post offices an even richer resource than they already are in rural areas. I support the motion, and I look forward to the Minister's response.

Mr Kinahan: I welcome the chance to speak on the matter. Although it may seem minor, it irritates people when it is not resolved. As we know, vehicle licensing in Northern Ireland is one of a few powers that got caught up in the blur of devolution. Last night, when I was looking up car tax on Wikipedia, I was intrigued to see that car tax came out in the 1890s and again in another form in 1903. It has long been there, and in all that time, we should have learned about how to do it.

Although, in theory, it is an excepted matter, under the guidance of the Secretary of State for Transport in London, the service is provided by the DVANI. Given the semi-autonomous nature of vehicle licensing here, it is unsurprising that separate IT systems appeared, and, unfortunately, that has led to the disparities that we have heard about already. That we are discussing the matter today, despite the fact that it has long been an issue, demonstrates, as I said, how important it is that we try to resolve it as quickly as possible.

The Ulster Unionist Party believes strongly that there is a simple and straightforward resolution to this: full integration of the IT system in Northern Ireland with the one across the water. Surely, given all the technology that is available today, it should not be that difficult. I welcome the fact that, over recent years, some notional work has been done towards that, but with DVLA's decision to suspend the integration project in 2009, it appears that the momentum behind it has stalled, and I hope that this debate will give it the push that is needed. I am sure that the Department is awaiting the findings of the feasibility report that is under way.

Surely, the need for a fully integrated system is obvious. I would appreciate it if the Minister could detail what he feels are the main stumbling blocks to the total integration of the two systems. Not only are Northern Ireland drivers being severely disadvantaged by not being able to renew their tax discs online but the Minister admits himself that there is only a token provision of telephone services. In the 21st century, why on earth can DVLA not trust enough people to renew their tax over the phone? Can we have more people to answer the phones, or, as has been suggested already, an automated answering machine? Indeed, the telephone number itself is almost a state secret, with almost no public advertising of it. To digress slightly, most government documents contain no contact numbers. The practice should be that every document should have on it some details of how to communicate with the Department. Many people who renew their tax over the phone are able to do so only by keeping the number safe from the previous year.

Another aspect of car tax renewal that causes many people here undue stress and anxiety is the need to prove that they have valid MOT and insurance documents. That can usually only be done by having them to hand. Although the rationale behind the need to be in possession of those documents is easily understood, the way in which it is incorporated into the renewal of tax discs makes what could be a straightforward procedure convoluted and drawn out. Why, when, across the water, the DVLA has direct access to insurance companies' databases, are customers in Northern Ireland still forced to carry paper copies of their documents? That is another example of DVLA providing one level of service in Great Britain and another in Northern Ireland.

We often push for everything to be done through IT and the web and, sometimes, we forget that, in Northern Ireland, some people are not very good with IT and modern things. We need to have every different format available, including the telephone and the mail. We must not cut one off but use all the systems that are available. I chuckle as I hear of an iPhone app. I have no idea how to use an iPhone app, but perhaps I could be taught. I like the idea of my dog trying to get its licence online, and it might be better placed than I am to do so.

Let us lead and get this situation changed as quickly as we can. The problem is obvious, the solution is obvious, and I ask the Minister to

give a guarantee that he will find a resolution as soon as possible.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the Members who tabled the motion, which has brought into sharp focus what we need to do to contemporise our licensing system. In Britain, motor tax can be renewed online or by telephone via an automated system. About 60% of tax discs are renewed in that way. Here, however, we have a limited telephone system.

I will give you an example. It took quite a while to get through when I rang in. When I did get through, however, the girl was brilliant. She was very efficient and good at her job. She seemed to have access to other stuff, including insurance details and the likes of that, Mr Kinahan. Perhaps the Minister can clarify that. Either that or I got through the loop one way or another.

Mr Weir: I thank the Member for giving way. I assume that the Member received assurances from the Minister that he did not leave instructions that if Patsy McGlone were to phone up, the phone should be hung up at that point. *[Laughter.]*

Mr McGlone: Nice one, Peter, but I do not think that I mentioned leadership to her.

The only card that I had in my pocket was my Visa credit card, but the system does not allow for that method of payment, which I found very strange and probably antiquated when you look at it in the round. I had to ring in the next day and use my debit card.

The Post Office can work OK for us, but, apparently, it cannot deal with the whole range of taxation. Of course, it can provide car tax only if the customer provides the reminder form. The Post Office always tells us how many services it provides, but I am sure that if it is going to provide a service to attract more people over its threshold, it will do that at a cost. I am sure that there are costs associated with the DVLA if the Post Office is to take on additional responsibilities in that area. That may be a factor, because I am aware that there was an online services project in 2004.

Members are right: whether it is on Daithí's iPhone, somebody's internet or even just an integrated phone system, in this day and age, we expect proper services. It is taken as read that such services should be provided. I am sure that the Minister will provide more detail on the integrated system that was to be provided.

Initiatives were taken in 2004, but the project was suspended in 2009.

I am not presuming what the Minister will tell us about funding issues for integration of the likes of the Post Office or DVLA systems, but if funding is not fully provided by DVLA, perhaps the Minister will provide us with details about how the system could be integrated. I understand what Mr Kinahan was talking about, namely, that the entire system be integrated with the DVLA system. However, I have a concern that that could potentially jeopardise jobs here, where many people are ready, available and more than up to and experienced in the task of providing those services. They also know the areas that they are talking about, which sometimes can be an issue.

So, yes, this debate is useful and, yes, it is right that we as Members, who represent constituencies, should have up-to-date, proper and adequate services in 2011. I fully support the motion and look forward to the Minister's response to those issues.

4.45 pm

Ms Lo (The Chairperson of the Committee for the Environment): I am sorry for coming into the Chamber a bit late for the start of the debate. I was caught up by a phone call on a constituency matter.

I thank the Members who secured a debate on this issue, which is that Northern Ireland customers receive a raw deal when it comes to renewing their car tax. Some months ago, the Environment Committee was contacted by Oliver McMullan MLA about car tax renewal facilities in Carnlough's post office. He informed the Committee that, as is the case with a lot of post offices in Northern Ireland, that one is based in a rural constituency and is a main link to accessing services. Unfortunately, however, car tax renewal was not a service offered at that post office. The Committee decided to forward a copy of the letter to the Department for comment, but members were disappointed by the response, which stated that it was a matter for Post Office Counters Ltd.

Members agreed to write to the Department again to outline concerns that Northern Ireland customers did not enjoy the same facilities for car tax renewal as others in the UK, particularly in relation to telephone and online options. The Department's last reply to the Committee

in September stated that the Minister had raised and will continue to raise the issue with ministerial counterparts in the Department for Transport. Although we recognise the difficulties that the Minister faces on the issue, which remains an excepted matter, members only wanted Northern Ireland customers to have parity with those in GB.

We live in a digital world, where emerging technology ensures that we can do many things online, from booking a flight to buying a TV licence. As we all know, we can book our MOT via the DVA website, so why can we not renew our car tax online? We are told that there is an issue with linking databases between Northern Ireland and the main DVLA headquarters in Swansea, but surely that can be overcome easily enough with today's technology. We have also been told that the telephone renewal pilot scheme in Northern Ireland is totally inadequate to meet demand. It is quite evident, therefore, that the demand to renew via telephone exists, but the DVLA said that it will fund neither the capital investment nor the ongoing running costs required to make that service more widely available. That just beggars belief. If there were no demand, I could see why no further money should be spent. However, the pilot project that has run over the past eight or nine years and still runs today is clearly an option that is wanted by customers in Northern Ireland but is being denied to them.

At this point, I should acknowledge the work done by the staff in the DVA headquarters in Coleraine. When the previous Committee visited the office in June 2010, members were impressed by how efficiently the staff renewed car tax. An expanded telephone service should help to ensure that we can safeguard those jobs, which we all are keen to do in the current economic climate. At the Environment Committee on 13 October, members agreed to write directly to the Secretary of State for Transport, after this debate, to request that Northern Ireland customers be given parity with the rest of GB. We live in a busy world, and we should have the options of picking up the telephone, renewing online or popping to our nearest post office at a time convenient to us. We should not be the poor relations.

Going back to the issue that kick-started the Committee's interest in the subject, I also need to highlight the need for more post offices to offer car tax renewal. The majority of

Northern Ireland's population lives in rural areas where post office services are crucial to local communities.

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

Ms Lo: We are all aware of the problem of broadband access and poor download speeds in rural areas.

Lord Morrow: I, too, commend my colleagues for tabling the motion. It is timely and appropriate that we discuss such an issue. As I listened to and thought about the debate, I was struck by the number of things that we must always wait for: driving licences, gun permits, passports or MOT tests. There seems to be an endless queue.

The motion in no way implies or insinuates that we should close the DVLA office in Coleraine or withdraw its services. In fact, the opposite is true. The intention of the motion is that the Coleraine office should be enhanced and further services should be provided there.

It is interesting to note that in all regions of the United Kingdom, social security benefits and pensions are parity issues. I suspect that car tax is a parity issue also. Therefore this region of the United Kingdom should be no different from our counterparts across the water. We want to see the enhancement of the facility at Coleraine. We do not want to see any of the services that it provides being taken away.

There comes a time when we have to start thinking outside the box in how we do things and how we provide services. I suspect that we are all old enough — well, most of us —

Mr Hussey: No, we are not.

Lord Morrow: I was looking at you, Mr Hussey, before I changed my mind. *[Laughter.]*

We are old enough to recall a time when if you wanted to get a few pounds, you had to go to a bank. You do not have to do that anymore. You can go to any town or village cash point and extract cash. I know that, in the past, some extracted cash in a different way: they took the cash point with them. That is not what I am advocating or even hinting at. I suggest that you leave the cash point where you found it: take your cash, not the cash point. I am not advocating theft.

I am pleased that the motion has had universal support so far, as most people can see the merits in what we are trying to achieve. I have no doubt that the Minister, being a listening Minister who always wants to articulate Members' views and concerns, will want to take forward what is being said here today. When he sees the resounding support for the motion, he will go away determined.

I do not know whether his term in office will be long or short; I say that considerately. However, I am sure that he will want to put down a marker before he terminates his position — should he do so. I say directly to the Minister: here is one area where you can leave a mark on the Department should the day come that you might leave, in the future or in the not-too-distant future, whichever the case may be.

I commend the motion to the House. I trust that the Minister will respond positively and assure the House that he has noted the motion and will take decisive action. I look forward to the Minister's response.

Mr Deputy Speaker: I am sure that the House is relieved that the Member has clarified his position on cash points.

Ms P Bradley: I thank my colleagues Mr Hamilton and Mr Weir for tabling the motion. We have heard how online purchase or a wider availability of the service in post offices would be an invaluable resource to our rural communities, but the area that I represent also needs an updated service.

I went online at the weekend to find a list of post offices within two miles of me where I could renew my car tax. To my surprise, I found four, all of which were accessible to me by car, public transport or even by walking and all of which could renew my car tax with the form that I had. I commend Simon for renewing his car tax two weeks before it is due. Well done; I wish that I was a bit more like you. I have always to get someone else to get my car tax. I generally phone my mother in a blind panic asking her to go to the post office for me.

Lord Morrow: Two weeks after it is due.

Ms P Bradley: We will not go into that, Lord Morrow.

Like many other working parents, it is not unusual for me to be sitting at midnight, ordering my weekly shopping. I book all my holidays online, I organise all the trips that I intend taking

while I am on holiday online, I book my car hire online, I select what I would like to eat during the flight online, and I even download the books that I want to read and the music that I want to listen to on holiday online. Christmas is fast approaching, and 90% of the gifts that I will be giving will be purchased online. I estimate that the majority of my spending every month is via the internet. I have already spoken of the services available, and I have utilised the service of booking my children's theory tests online.

I do not shop online because it is cheaper, because quite often I am charged for using my debit or credit card. I do not shop online because of greater choice, because quite often I receive a little note that says that my purchase is incomplete. I utilise those services not only because it is convenient but, more importantly, because of the availability of my time. As I said earlier, I am like many other working parents, and I know that the Minister will relate to that. Thankfully, I do not have to do the school run any more but we leave the house early in the morning before post offices are open and we get back late at night when they are closed. Many times, we have no other choice than to use online services. Therefore, I look forward to the Minister's response. I fully support the motion.

Mr Hussey: I welcome the chance to speak on this issue. I fully agree with the comments of many of the Members who spoke before me. The noble Lord Morrow referred to age and ageism. Of course, he will remember the time when it was a national pastime not to tax your car. However, it is good to see that times have moved on, and the Guinness label is no longer required as evidence of tax. He will remember that better than I would, being a lot older than me.

I do not intend to repeat everything that has been said so far. We all know the issues: no online services and a poor telephone service, as well as not being able to pay with credit cards. Although I fully support the roll-out of the online service, as well as a full integration of IT systems, I feel strongly that we should also be looking at the services that are currently provided across the Province. I will come back to that in a moment.

IT services are certainly a positive way forward, if you can access broadband. In certain parts of west Tyrone, you cannot even access a telephone line. People may think that I have

gone off on a tangent. However, it is a fact that you cannot get broadband or even a telephone line in certain parts of west Tyrone. The secret telephone number that everybody seems to know, but that I do not know, is of no use to us in west Tyrone. I also find it interesting that only certain people seem to know the phone number. It must be written on the back of somebody's hand and passed along at secret meetings.

Lord Morrow: It is the grapevine.

Mr Hussey: Thank you for that, Lord Morrow. Perhaps, some day, I will find the aforementioned grapevine, and I will find the phone number.

I want to spend a few moments discussing one aspect of renewing car tax in Northern Ireland, which has been mentioned already. Some 50% of all vehicle excise duty collected in Northern Ireland goes through local post offices. In the 2009-2010 financial year, that accounted for approximately £83 million of the £164 million collected here. According to DVANI, 19 post offices in County Tyrone provide the service to tax your car. However, some of those services are more advanced than others. The majority of those 19 post offices are based in the constituency that I represent, and I know from personal and practical experience that many people use that service because it is reliable and tailored towards the user.

As a rural constituency, we have seen the loss of an awful lot of post offices. Reference has been made to that. That has a massive knock-on effect in a rural constituency. Do you decide to drive to the county town of Omagh to tax your car or what do you do? The online service is wonderful if it works. An iPhone is wonderful if it works, you understand it and you can get a connection to get it to work. In certain parts of Tyrone, you have to stand on the roof of your car, point your telephone towards heaven and hope that you get a signal.

Mr Weir: It would have to have a pretty sturdy roof.

Mr Hussey: Let me assure you that I have never stood on the roof of a car, nor do I have any intention of so doing.

Many people, specifically in County Tyrone, rely on post offices. That is a good service, and it should be made available in more areas.

5.00 pm

We have mentioned the fact that DVLNI has access to people's insurance records. That is positive. We have all seen the advertisement on the television, in which there is a warning that the authorities are aware of whether the cars of people in England, Scotland and Wales are insured. I know that I am going slightly off track, but that is something that we should use here. If your vehicle is not insured and is on the road, let us see it being removed. People who do not have motor insurance are a very dangerous aspect of driving in Northern Ireland.

I fully support the motion. On the day that I have to stand on the roof of the car, I will call on the honourable Lord to give me a hand to get onto it.

Mr D McIlveen: I congratulate the Members on bringing the motion to the House. However, I have one disagreement with my friend and colleague Mr Hamilton: he is too humble when he says that this is not an important issue.

Mr Hamilton: That is not a common accusation.

Mr D McIlveen: I thought that he would take heart from that. In all seriousness, there are one million vehicles registered in Northern Ireland, so I do not think that there are too many people in this country who are not affected by the inconvenience of the system that we have in place. In England and Wales, drivers have been able to pay their car tax by credit card, online, by phone or by post for several years. That system, by means of a relatively simple improvement in the workings of the IT system, makes people's lives much easier. I am confused as to why that option seems to be beyond the realms of reason in this part of the United Kingdom. It needs to be addressed urgently. I am fully aware that, ultimately, it is a reserved matter, but I find it difficult to believe that there is nothing we can do to establish the situation. I hope that we will hear good news from the Minister in that regard in the near future.

In reality, the DVA has two conflicting statements. The first is that the best way to provide car tax renewal by credit card is to integrate the IT system with that in the rest of the United Kingdom. As a result, the decision was taken not to fund a credit card payment system within the DVA. However, the integration project was suspended in 2009. We therefore have two paradoxical statements by the DVA. The Minister needs to look at that to see how it can be addressed.

It is also important to note that the law states that licence renewal reminders cannot be ignored. Of course, we fully accept and support that. However, if the law that stands in the rest of the United Kingdom is going to apply in Northern Ireland, surely we should be afforded the same convenience of payment as people in the rest of the United Kingdom. Surely it is logical that the system becomes integrated into the rest of the United Kingdom's system.

Further advantages to an integrated IT system are above and beyond the taxation issue. Recently, I was contacted by a constituent with regard to a similar issue. His complaint was that, in order to protect his cherished registration, he was forced to temporarily transfer the registration from one vehicle to another, at a cost of £80. In the rest of the United Kingdom, however, there is a process in place whereby the registration can be retained and assigned to a different vehicle in the future. That was to be extended in Northern Ireland, again by way of integrating the IT systems. However, it is simply another example of disadvantage that people in Northern Ireland have faced. A number of months ago, I wrote to the Minister on that issue. He agreed that there was no sound reason why the facility should not be available to motorists in Northern Ireland, and I look forward to an update on that this afternoon.

This is just a simple, user-friendly way of making the system better. As a number of my colleagues have said, that is what we are here to do: we are here to make the lives of the people whom we represent a little better. The motion is about the harmonising of the user-friendly system that exists in the rest of the United Kingdom. I urge the Minister to do what he can to bring the same measures forward in Northern Ireland.

Mr Attwood (The Minister of the Environment):

I thank all the Members who contributed to the debate. Taken in totality, their contributions capture the range of issues in the matter.

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

I want to confirm to Mr Weir, given his intervention, that I have instructed the DVA that, in the event of it receiving a phone call from a Mr McGlone, a Mr McDevitt or a Dr McDonnell, it is to accommodate them in every way possible. I will also issue the same instructions for my colleagues in West Belfast in the event that I

run in future elections there and there is an opportunity for transfers. Paul Maskey has gone *[Laughter.]* Mr Maskey the MP was here earlier. However, do not tempt me to do the same for you, Mr Weir.

I want to deal with some of the big points that were raised. Anna Lo and other Members referred to the fact that this is an issue of parity. If you interrogate the issue of parity, you will see that, for London, parity is too often a one-way street. We must live by the discipline of parity, but there are occasions on which we do not get the benefits of parity. That is an issue that the Assembly must get its head around over the next three or four years. In the very near future, we will be asked to live by the principle of parity when it comes to welfare reform, yet we do not have the benefit of parity when it comes to vehicle licensing services. London cannot have it both ways: either we have the benefits of parity in full or we do not. If we do not have the full benefits of parity then we, as a Government and an Assembly, need to interrogate that as an issue of principle. That is a broad political point.

I also reassure Lord Morrow that, whatever residue of time I have in this particular office, I will continue to put down real markers — to borrow his term — on this matter and on any other matter that I have identified in my short time as Minister of the Environment.

Back on 20 June, at which time I had been in the Executive for six weeks, I had a meeting in London with Mike Penning the Parliamentary Under-Secretary of State for Transport and I flagged up this issue. I was aware of all its dimensions, not just the denial of services to customers in the North of Ireland. Simon Hamilton was right to say that this is a quality-of-life issue, as was Paula —

Mr Weir: Bradley.

Mr Attwood: I was about to say Paula Bradshaw, but I would have got into trouble on a whole lot of levels. A fine representative she is too.

I flagged up that, beyond the fact that this was a quality-of-life issue as regards experience of government in the North of Ireland, there were many other reasons why we needed to have those services expanded to the North. I put down very firm markers that we wanted the fullest range of services provided to people in the North on vehicle licensing; that we wanted

jobs to be protected in Coleraine and in the post office network; and that we wanted an expansion of opportunities in Coleraine and elsewhere to deliver functions to the people in the North and in Britain, as we do with welfare management and benefits. I drew a line in the sand during my meeting with Mike Penning. I told him that, if there was any ambition by the London Government to centralise those services more and more in Swansea, with consequences that would arise more and more for all the devolved regions and not just for Northern Ireland, they would be called to account.

So it is not that I will put down markers in whatever period of time I have left; the markers have been put down very firmly by my going to see Mike Penning within six weeks of taking office. There is a trail of correspondence — I wrote letters on 27 July and 16 August, and a reply from Mike Penning is dated 4 October — which makes every argument raised in the House this afternoon and puts them firmly on the table before Mike Penning in London. I want to give that very strong reassurance.

We need to look at this honestly and realistically. There was a proposal for full integration which, as Members have indicated, was suspended in 2009. Between 2004 and 2009, when that proposal was live, the ambition was to have full integration. In the last couple of months, the London Government have reinitiated that process of potential integration. We need to be mindful that, as that process continues, London will have ambitions which, inter alia, will be to cut costs. Let us not mislead ourselves or people in the North: if the London Government go fully in the direction of integration, one of their ambitions, over and above the provision of services to the people of Britain and Northern Ireland, will no doubt be to rationalise services to reduce costs. In the previous integration project, which the London Government suspended in 2009, it was anticipated that over 100 jobs would be lost in Coleraine. That was the message from London. Given the economic circumstances and the uncertainties in the global economic market, given whatever might happen between now and Wednesday with the euro and given my view of the potential, as I indicated this morning, for a future emergency Budget from London, we need to be very clear-headed about that. In the reinitiation of the integration project that Mike Smith and his colleagues have now commenced, there is risk. That is why I went to see Mike Penning and

created a paper trail: to make it crystal clear to him that, if the ambition is to provide integration and at the same time reduce employment, he will have a battle on his hands, not just in respect of Northern Ireland but in respect of the devolved arrangements.

I am going to London tomorrow for a meeting of the devolved Administrations with the Environment Minister in relation to a number of matters. In the margins of that meeting, I will take the opportunity to speak to my ministerial colleagues in Edinburgh and Cardiff, so that they can report to their relevant ministerial colleagues in the devolved Administrations that the issue of integration, which creates opportunities that I want to embrace and see rolled out to facilitate the provision of services in the North, also creates risk.

That is why I appreciate this debate. It creates an opportunity to interrogate the various proposals and, at the same time, to put down markers — to borrow Lord Morrow's phrase — as to what I, a future Minister or this Government might do to ensure that, whatever London's ambitions may be, they do not impact adversely on the quality of service and the number of jobs in the North.

I reassure Members that, in my conversations with London and in writing, I have raised the issue of extending the opportunities for vehicle licensing through the post office network. I accept the point made by the Member for East Antrim in respect of rural provision. That is self-evident. It is a matter that I raised with Mike Penning and will continue to raise with Post Office Counters Limited, which has responsibility for the provision of services. Members know from their constituency experience how it and others manage the services, number, location and future of post offices. We know that it too is trying to drill down and impose restraints by closing post offices. However, as an interim measure, I asked for a review of the provision of vehicle licensing at post offices in NI, with a view to increasing the number of post offices at which tax discs can be renewed, and I continue to make that case.

5.15 pm

Given that the systems integration project has been reinitiated, I have instructed officials to provide a proposal that I can take to Mike Penning, so that, whatever the nature of what eventually emerges — it may be two or three years before it is fully implemented — we can

provide London with a proposal that scopes out how the North of Ireland — Coleraine and elsewhere — can provide a higher level of service to Britain. As I said earlier, that includes the potential for cherished number plates to become a dedicated function of DVA in the North.

There is also the potential for DVA in the North to provide direct tax renewal information to the population of Britain and not just to Northern Ireland. Those and other examples need to be part of the conversation that this Government and my Department have with London so that the financial constraints that those in London may see and the ambition of the London Government to centralise services in Swansea are mitigated here in the North and in the other devolved regions by providing Administrations there with opportunities for new jobs. That is why I say to Danny Kinahan that the mere ambition of full integration is only part of the political narrative. The wider narrative has to be that full integration carries risks as well as potential opportunities. Given the more than 300 jobs in Coleraine and the number of other jobs involved in providing such services in our post office network, we need to realise that full integration is not necessarily the best way of protecting jobs in the North of Ireland. It may be the best opportunity to provide the best service to people in the North, but it may not be and in my view is not necessarily the best means by which to protect those employed in such work.

Daithí McKay's suggestion of having an iPhone app was forward-thinking; I will raise it with the relevant authorities as a detail. However, Mr McKay also has to acknowledge that it is surely not beyond a Department to do what needs to be done to make provision in the North. At this time, we do not have the legal power to provide the full range of services to customers in Northern Ireland because it is a reserved matter. Even were we inclined to go there, the IT, logistical, management and accommodation needs that would arise would be so extensive that they would further cripple the DOE budget, never mind that of government. It is not simply a matter of saying, "This is how we wish it to be and government should provide it". At present, a constitutional issue arises in heading in that direction, and there are also logistical, managerial and financial consequences.

That having been said, I welcome the sentiment and the content of the debate. It highlights the fact that we in the North do not have the

services of those elsewhere in Britain; that full integration is highly desirable; and that we need to protect the jobs in our post office network, in Coleraine and elsewhere, in the event that integration sees further centralisation in Swansea. There are things that we can do, but we need to warn ourselves and London that if the Government there carry through the full implementation of their plans —

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

Mr Attwood: — there could be a serious risk to jobs in the North.

Mr Weir: The debate has been very constructive and good-humoured. A range of points were made, none of which was incompatible with any of the other points. It has fallen to me to sum up, so I first want to thank all the Members who contributed and welcome the universal support for the motion in the House.

As Anna Lo said, the issue is about people in Northern Ireland getting a bit of a raw deal. It is about parity. I take on board what the Minister said about the fact that parity is a two-way street and that it is not simply about our taking all the impositions and getting none of the benefits. Indeed, on the issue of parity, there is something fundamentally wrong with the fact that people here are unable to renew their car tax online or, indeed, by credit card. That puts us out of kilter with not only the rest of United Kingdom but — in deference to some of my nationalist colleagues across the way — the Republic of Ireland. Northern Ireland is the only part of these islands where people do not have that opportunity.

Simon Hamilton indicated in his opening remarks that it was about dealing with the problems of the current system, a lot of which are to do with convenience. David McIlveen highlighted the extent of the problem, when he said that about one million people in Northern Ireland are registered car owners. The high level of inconvenience for people needs to be borne in mind.

It is the case, as Simon Hamilton also indicated, that the issue is part of a wider process. We are moving to a position where we have much greater online opportunities. Daithí McKay pointed out that there is a growing public expectation of what can be achieved through the services provided by government. So, we have got to meet that expectation.

On the issue of online usage, Paula Bradley indicated that there are those who seem to do almost everything in their life online. I just wondered whether she actually bothered to go on the holiday at the end of it. A lot of people clearly place much more emphasis on using the internet and credit cards. When it comes to booking things online, I tend to fall into the same category as Mr Kinahan. I am closer to his position than that of his very talented dog, which seems to be able to make phone calls. Although I think that online usage is a very worthwhile area to explore, I have to say that Mr McKay's iPhone app was entirely beyond me. I class myself as a bit of a Luddite in respect of computers and finance. I do not even own a credit card, which may make me unique in the Assembly. The reality is that it is about providing a wide choice.

As a number of Members said, although we want to expand the services available by providing online and credit card facilities, we do not want to close down other avenues. It is important that we recognise that. A number of Members touched on the issue of post offices. I know that Daithí McKay, Paula Bradley and Mr Hussey raised that issue. We have got to realise that the post office network's services need to be expanded. Indeed, Mr Hamilton highlighted the fact that even the post offices that offer that service sometimes do not offer the full service. This could be a win-win situation for post offices. In recent years, there has been grave concern about the pressure that post offices are under because of increased competition. If we can push at what is, in many ways, an open door by trying to expand the services that are available, particularly in rural areas, we should do so. It is an important issue that is part of that wider context.

Mention was made of phone calls. I appreciate that there are resource implications involved in answering phone calls. However, it is not particularly satisfactory that — Simon Hamilton was given this detail in an answer to a written question — of the 731 phone calls made on one particular day only 254 were answered. That does not instil in people any level of confidence in government. That area needs to be examined.

Patsy McGlone contrasted the situation here with that in Great Britain, where the system does not allow payment by particular credit and Visa cards but allows payment by direct debit. Among other points raised, Lord Morrow mentioned

that he wanted the service at Coleraine to be enhanced. That is an important way to look at the issue. The Minister highlighted an element of risk in the attitude that London will take towards it. It is important that looking at trying to create the fullest range of services is grasped as an opportunity. The enhancement of services available at Coleraine and, therefore, people's choice could be a win-win situation. Clearly, it is a matter of providing a higher level of service through Coleraine and ensuring that, although we might see integration, it will not simply be a centralisation of services in Swansea. That is important. I welcome the Minister's remarks in that regard.

It is, sometimes, as Lord Morrow said, a matter of thinking outside the box and trying to ensure that the full range of opportunities is available here. Ultimately, it comes back to trying to provide a decent service for everyone in Northern Ireland and ensuring that they have the same service opportunities as anyone else in the United Kingdom or even on the island of Ireland. Everyone in Northern Ireland should be able to use online facilities and the full range of post office facilities or to renew their tax by credit card.

In summary, I will reiterate Simon Hamilton's remarks. The motion is about creating, in many ways, a small change but one that has meaningful impact. I believe that the House can and will unite on that.

Question put and agreed to.

Resolved:

That this Assembly notes with concern that people in Northern Ireland are unable to avail themselves of all the car tax renewal methods that are available to people in Great Britain; and calls on the Minister of the Environment to bring forward proposals to address this problem.

Adjourned at 5.27 pm.



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