
NORTHERN IRELAND ASSEMBLY

COMMITTEE BUSINESS

Statutory Committee Membership

Monday 21 January 2008

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Speaker: During the sitting on Monday 14 January 2008, Mr Spratt raised a point of order, suggesting that there was something wrong with the microphones in the Chamber and that they should be checked. Mr Spratt is not in the Chamber, but I thank him for that point of order. Another Member had approached the Table earlier that day, also suggesting that there had been a problem with the sound.

Checks have now been conducted, and I am advised that the interference about which Members have complained is being caused by mobile phones being in active mode. If Members persist in leaving their mobile phones on — even in silent mode — while they are in the Chamber, those problems will continue.

Without looking at any specific Members, I understand why some are very attached to their mobile phones. However, I urge Members to manage without them when they are in the Chamber. The Whips have consistently raised this issue. We should try to reach a point where Members leave their mobile phones outside the Chamber, but, if that cannot be achieved, the Business Committee needs to consider the issue further to try to resolve it.

Mr Speaker: The next item of business is the motion on Statutory Committee membership, which has been brought forward by the Business Committee. As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Mr P J Bradley: I beg to move

That Mr Pat Doherty replace Mr Gerry McHugh as a member of the Committee for Agriculture and Rural Development; that Mr Gerry McHugh replace Mr Francie Molloy as a member of the Committee for Enterprise, Trade and Investment; and that Mr Alastair Ross replace Mr Alex Maskey as a member of the Committee for the Environment.

Some Members may be wondering why I am proposing this motion. For those who are not familiar with the workings of the Business Committee, I should explain that if a Member from a particular party is named in such a motion, it is preferred that that party does not lend its name to the motion. That is why the motion stands in my name.

I am not involved in the internal politics of Sinn Féin — that is for sure. However, I wish to pay tribute to Gerry McHugh, who has been an active member of the Agriculture Committee since 1998. I have sat alongside him, and he was a well-informed member who kept a good attendance record.

Question put and agreed to.

Resolved:

That Mr Pat Doherty replace Mr Gerry McHugh as a member of the Committee for Agriculture and Rural Development; that Mr Gerry McHugh replace Mr Francie Molloy as a member of the Committee for Enterprise, Trade and Investment; and that Mr Alastair Ross replace Mr Alex Maskey as a member of the Committee for the Environment.

Standing Committee Membership

Mr Speaker: The next item of business concerns the membership of a Standing Committee. The motion has been proposed by the Business Committee — it is a business motion, and, therefore, there will be no debate.

Resolved:

That Mr Ian McCrea replace Mr Mickey Brady as a member of the Public Accounts Committee. — [Mr P J Bradley.]

Mr A Maginness: On a point of order, Mr Speaker. I refer to today's first business motion. Is it in order for a long-standing member of a Committee to be forced off that Committee because of his leaving a party, rather than to consent to his removal? Is it in order for a Member to be pushed off a Committee in a rather brutal fashion?

Mr Speaker: The Business Committee was unanimously agreed on how to deal with that matter. Standing Orders state that all Members must be offered membership of one Statutory Committee.

Mr A Maginness: I do not wish to prolong proceedings, but a Member has an opportunity and a right to be a member of a Statutory Committee. If that person expresses the view that he or she is quite happy to stay on that Committee, can he or she not do so? Why must such a Member be forced off a Statutory Committee? Surely it should be a matter of consent to removal.

Mr Speaker: That is not a point of order for the House. I am satisfied that the Business Committee has dealt with the issue.

Smoke Alarms in Homes

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

The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson): I beg to move

That this Assembly recognises the positive work of voluntary and statutory organisations in installing smoke alarms in homes; expresses concern that many dwellings in both the private- and social-housing sectors still do not have adequate working smoke alarms; and calls on the Department of Health, Social Services and Public Safety, the Department for Social Development and the Department of Finance and Personnel, to undertake a coordinated programme to ensure the provision of working smoke detectors in every home.

As Chairperson of the Committee for Health, Social Services and Public Safety, I am pleased to propose the motion on this important public-safety issue. Concerns about this issue were raised by the Committee after the horrific deaths of seven members of the McElhill and McGovern family in a recent house fire in Omagh.

I appreciate fully that the circumstances of those tragic deaths are still under investigation and are the subject of an independent review that was announced by the Minister last week. I welcome that review.

Whatever the particular circumstances of that tragic case, it is a sad fact that, according to figures from the Northern Ireland Fire and Rescue Service, there were 833 accidental house fires in Northern Ireland last year, in which eight people lost their lives and more than 250 were injured.

The motion is about smoke alarms, and, without question, smoke alarms save lives. In a house fire, the real killer is often not the fire itself but smoke. It is well known that fires happen when people least expect them, often during the night. It is a shocking fact that if people are asleep when a fire starts and there is no smoke alarm to wake them, they are unlikely to survive. Smoke suffocates quickly, and people can die before the flames reach them. A smoke alarm gives vital minutes of warning that help people to get out safely. Surveys suggest that Northern Ireland has the highest number of smoke alarms in homes of any part of the United Kingdom. That is very good news and is due in no small measure to the ongoing work of our statutory and voluntary organisations. I pay tribute to the work that they do.

Three main factors have contributed to the high level of smoke alarms. First, the Fire and Rescue Service, in conjunction with a range of voluntary organisations, undertook a campaign a few years ago

entitled *Elderly at Risk*, during which approximately 65,000 free smoke alarms were fitted in the homes of elderly and vulnerable people. That made a significant impact. I cannot praise too highly the valuable work of the Northern Ireland Fire and Rescue Service, which continues to undertake comprehensive fire-prevention work, including the provision of fire-safety advice. Members will be familiar with the hard-hitting advertisements that appear on our screens and remind us regularly of the terrible consequences of not having a working smoke alarm.

The second factor that has contributed to the high level of smoke alarms is changes in recent years to the building regulations, which mean that all new dwellings must now have a smoke alarm that is connected to the electricity supply. That removes the concern about batteries not working, being removed or not being replaced when they run out. The same requirement to fit a hard-wired smoke alarm applies where major renovations are carried out to existing buildings.

The third contributing factor is the Northern Ireland Housing Executive's programme, which has been in place for quite a number of years, of fitting smoke alarms to its properties. As a result, the level of death and injury in fires in private dwellings is lower in Northern Ireland than in the rest of the United Kingdom. However, there is no room for complacency, and a number of factors has caused the Committee to be concerned about the issue and to bring forward this motion for debate.

In relation to the number of homes with a smoke alarm, a Northern Ireland omnibus survey, carried out in 2004, found that 96% of respondents stated that they had an alarm. Of those, 72% reported that they checked their smoke alarms at least weekly or monthly. As a result, the Fire and Rescue Service estimated at that time that 19% of homes may not have a reliable, working smoke alarm. It is clear that a headline figure of 96% of homes having a smoke alarm can mask the true picture. A more recent study, based on interviews carried out in 1,000 homes, found that 94% reported having a smoke alarm.

The level of ownership of smoke alarms may be quite high, but the crucial factor is whether those have been maintained and whether they have a working battery. The Fire and Rescue Service has found many cases of the alarm being fitted but not maintained, or the batteries removed. The focus of the Fire and Rescue Service's media campaigns has, quite rightly, been on reminding people to check their smoke alarms regularly and warning of the consequences of removing batteries for other use.

12.15 pm

However, general statistics about the number of homes with smoke alarms can give a misleading impression

and, perhaps, lead to a false sense of security. In addition to the number of smoke alarms that have not been maintained, there are still many homes that do not have alarms. That is particularly worrying, and the Committee is calling for a co-ordinated programme to tackle the issue. For example, figures from the Northern Ireland Housing Executive show that just fewer than three-quarters of all social housing stock have smoke alarms fitted, which leaves nearly 23,000 homes in the social-housing sector with no smoke alarms. The situation must be addressed urgently, and I am sure that we will hear further views on that point from Members during the debate.

I will turn briefly to an analysis that was carried out by the Northern Ireland Fire and Rescue Service on house fires in Northern Ireland over the past four years, which shows that there has been a gradual reduction in the overall number of fires during that period. The number has fallen from just over 1,000 in 2005 to 830 last year. When the type of dwelling is examined, over the same period, one finds that nearly 40% of all house fires were in terraced houses. That was followed by 16%, which were in flats, and 14%, which occurred in semi-detached houses. As well as over 1,000 casualties, there were 33 accidental deaths in fires during the past four years. When the smoke alarm status of the 33 dwellings in which those deaths took place is examined, one finds that 14 of them had no smoke alarms, and in eight other cases, the alarms were not working.

Ensuring that every home in Northern Ireland has a working smoke alarm is first and foremost down to individuals to take responsibility for their own safety. At departmental level, it is an issue that requires action by a number of Departments. Although the Department of Health, Social Services and Public Safety (DHSSPS) has primary responsibility for public safety, the Department for Social Development (DSD) has a role in relation to social housing in the public- or private-rental sectors and the Department of Finance and Personnel has a role in relation to building regulations. The Committee is, therefore, calling for concerted action from all three Departments to tackle the issue.

In conclusion, I will leave Members with a positive and encouraging statistic from the Northern Ireland Fire and Rescue Service. In 333 homes in which fires occurred last year, the occupants were alerted by a smoke alarm. That shows that smoke alarms can, and do, save lives, and I urge Members to support the motion.

Ms S Ramsey: Go raibh maith agat. As a member of the Committee for Health, Social Services and Public Safety, I am happy to add my name and give my support and that of Sinn Féin to the motion. As the Chairperson has just said, I hope that we receive the support of the House today because the motion is proactive.

I commend the Minister of Health, Social Services and Public Safety, and although part of the motion calls on him to do specific things, it is recognised that other Departments must play their parts, too. I look forward to hearing from the Minister the time frame in which the programme will be achieved.

I also take this opportunity to commend the Fire and Rescue Service for its ongoing work and those groups in the community and voluntary sector that have been working over past years to ensure that homes that are occupied by the most vulnerable in our society are fitted with smoke detectors. Without that work, the figures highlighted by the Chairperson would be greater.

The Committee for Health, Social Services and Public Safety received a briefing paper on smoke alarms from Dr Janice Thompson, and I thank her for her report. She gave the Committee statistics and compared what is happening here with the work that is taking place in some local authority areas in England. The report informed us that a survey carried out by the Fire and Rescue Service shows that 96% of respondents said that they had smoke alarms in their homes. Of those, 72% said that they check their smoke alarms either weekly or monthly. The Fire and Rescue Service, based on those responses, estimated that 19% of homes may not have a reliable, working smoke alarm.

With that figure in mind, and in light of recent deaths, I support the motion.

The Chairperson of the Committee for Health, Social Services and Public Safety gave statistics, and, for some years, it has been Housing Executive policy to install smoke alarms in all its flats, maisonettes and bungalows. That is to be commended; however, the figures show that smoke alarms are not fitted in just over 23,000 properties. If that figure applies only to the public sector, how many private-sector homes are without reliable smoke detectors? That must be changed.

There were 830 house fires in 2007, resulting in the loss of eight lives. Many others were injured. I have no doubt that more would have died, had residents not been given early warning by smoke detectors.

I stress again that fitting a smoke detector is all well and good; however, it must be checked regularly. It is good that today is Monday: I close with the Fire and Rescue Service campaign slogan "Thumbs Up On Monday". Go raibh maith agat.

Rev Dr Robert Coulter: I thank the Chairperson of the Committee for Health, Social Services and Public Safety for bringing the motion to the Assembly. Should it achieve nothing else, it will heighten public awareness of the smoke-alarm issue.

I congratulate the two Members who spoke previously on their presentation of the statistics. An increase of 98% in ownership of smoke alarms is welcome;

however, only 72% of those are checked regularly. Therefore, the question is not the problem of finance to supply smoke alarms, but the finance necessary to educate people to check their alarms regularly.

It seems that the real problem with inefficient smoke alarms is that, in many cases, the batteries have run down, and the householders have not renewed them. Would it not, therefore, be better if all smoke alarms were hard wired?

A further statistic that has, rightly, been quoted is the number of privately owned homes with either no smoke alarm, or whose alarm is inefficient. Should this Assembly not recommend that all private homes be statutorily bound to have smoke alarms fitted and hard wired? Furthermore, should it not be the case that smoke alarms are fitted all public-sector houses?

The statistics for deaths in house fires are alarming. Although we may congratulate ourselves that the number of deaths has gone down, even one fatality from a fire in a house with no working smoke alarm is one too many.

Rather than bore Members by going over the statistics again, suffice it to say that, in the draft Budget, the Fire and Rescue Service is almost at a standstill. If we are to ask that service to go a bit further, we must look again at supporting resources for its educational programme for householders with smoke alarms.

I support the motion, both personally and as a member of the Committee for Health, Social Services and Public Safety, and, again, I thank the Chairperson for bringing it to the Floor of the Assembly.

Mr McCarthy: On behalf of the United Community group of the Assembly, I support this important motion. Ninety-six per cent of our population have smoke alarms, and congratulations are due to those services who worked to achieve that figure. Compared to where we were not that long ago, that statistic is excellent.

One fire in a property is one too many, as is one fatality as a result of a fire. We must avoid those outcomes at all costs. It is to be hoped that by debating the matter in the Assembly, everyone will be encouraged to ensure that working smoke alarms are fitted in their properties. As representatives of our communities, the onus is on us to tell people as often as possible that they must ensure that their smoke alarms work. Even if we say as much to those who come into our offices, we will contribute to a further reduction of fire-related fatalities and fires in the home.

Rev Dr Robert Coulter said that if we want to ensure the adoption of a co-ordinated approach to the provision of working smoke alarms, we must make sure that the Northern Ireland Fire and Rescue Service

has sufficient funding to encourage everyone in the community to fit their homes with smoke-detection devices.

It has been a pleasure for me to speak to the motion, which I support fully.

The Chairperson of the Committee for Social Development (Mr Campbell): The Committee for Social Development welcomes the motion tabled by the Committee for Health, Social Services and Public Safety, asking the Assembly to recognise the positive work of the voluntary and statutory organisations in installing smoke alarms in homes. The motion also calls on relevant Departments to implement a co-ordinated programme to ensure the provision of working smoke detectors in every home in Northern Ireland.

Smoke alarms save lives: there is no doubt about that. Fire strikes when it is least expected, and it can spread rapidly, damaging property, personal possessions and, of course, lives, for ever. The real killer, however, is smoke. Smoke suffocates people quickly, and lives are often lost before flames can even take hold.

Smoke alarms act as early warning systems and give some extra escape time, which can be precious. Many lives have been saved by smoke alarms that have wakened families before they were overcome by the smoke that was created by a fire. Sadly, some people have not been so fortunate. Smoke alarms save lives, but that is true only if the devices are working.

Apart from houses in multiple occupation (HMO), there is no requirement for smoke detectors to be fitted in private-rented dwellings. In this day and age, especially given our knowledge about the important role that smoke detectors play in saving lives, it is almost incomprehensible that there is no requirement to fit them in such dwellings. It would be interesting and, I must say, heartbreaking, to find out how many lives could have been saved had there been such a requirement.

The current fitness standard for homes as provided in The Housing (Northern Ireland) Order 1992 does not refer to smoke detection. However, the Committee understands that that will be considered in the context of an imminent review of the private-rented sector strategy. The Committee members and, I am sure, other Members will expect the installation of smoke alarms in private-rented dwellings to become a requirement in the near future. Under the 'Housing Association Guide' and relevant building regulations, mains-powered smoke detectors must be installed in all new social housing or housing that is being altered significantly. An estimated 95% of housing association properties have had mains-powered smoke alarms installed. It is disturbing that no target to reach an installation rate of

100% has been set; the 'Housing Association Guide' simply states that associations:

"should take the first opportunity to have mains-powered smoke alarms fitted".

That is simply not good enough. A target of no less than 100% ought to be set.

Since the 1990s, the Housing Executive's policy has been to install mains-powered smoke alarms in all its flats, maisonettes and bungalows. If the electrics of a house are being upgraded, mains-powered smoke alarms are installed as standard.

Mr Speaker, considerable progress has been made, but let me dig a little deeper and provide you with some figures that the Chairperson of the Health Committee has already mentioned. She said that approximately 65,000 Housing Executive dwellings have had mains-powered smoke alarms fitted. That is significant progress, and it must be welcomed.

12.30 pm

However, given that the Housing Executive's total net tenanted stock stands at 87,500 properties, that means that almost 23,000 properties do not have such smoke alarms. How many people are at serious risk as a result? There may be over 50,000 people at risk in Housing Executive properties. These figures are absolutely shocking and extremely serious. The issue needs immediate and urgent attention.

Finally, I want to pay tribute to the statutory sector, particularly the Fire and Rescue Service, as well as all the voluntary agencies involved, for the sterling work that has been done over recent years to install smoke alarms in homes. As Mrs Robinson said, surveys suggest that Northern Ireland has the highest level of smoke alarms in homes of any part of the UK. I have no doubt that that can be attributed to the dedication and hard work of the Fire and Rescue Service and the voluntary agencies. There is much more hard work to be done.

In conclusion, the Committee for Social Development fully supports the motion and congratulates the Health Committee on its proposing of it.

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. I also commend the Member for bringing such an important motion to the Floor of the House. The matter of fire prevention and the necessity of smoke alarms in homes has been an issue for many years, yet we still hear of the terrible tragedies that occur as the result of house fires — loss of life, horrific injuries, and damage to the lives of entire families.

How many times have we heard the Fire and Rescue Service, the police and others on television appealing to people to install smoke alarms in their homes? However, in many instances, the appeals fall on deaf ears. How many people are living in homes with no

smoke alarms? According to statistics, the answer is thousands. The motion asks the Departments with shared responsibility for fire prevention resources and expertise to undertake a co-ordinated approach and develop a programme that will result in working smoke alarms being fitted in every home.

The motion also recognises the excellent work carried out by the voluntary and statutory sectors to educate people about fire prevention and to install smoke alarms in thousands of homes across the North of Ireland. There is no doubt that many people owe their lives to the fact that some people care enough to have highlighted the importance of having a smoke alarm in every dwelling and have taken the appropriate action to ensure that smoke alarms were installed.

I also commend the many community groups who work in partnership with the voluntary and statutory sectors. Often, the work that they do goes unrecognised, but we should remember the hours of work that such people carry out on a voluntary basis. They are the people who plod the streets, carrying out the surveys and providing the information to ensure that an effective programme is completed. The partnership between statutory agencies and the voluntary and community sector has proven invaluable in the battle to have smoke alarms installed. When one considers the cost of not accepting this motion in the sense of loss of life or injuries, full support is essential. If one considers the damage to property, then, again, we need to rally behind the motion.

The statistics paint a bleak picture. Over the past four years, an estimated 3,600 fires have taken place in various dwelling types, while in the past three years, the number of house fires has fallen by 175, from 1,005 in 2004 to 830 in 2007. In that period, we have seen a casualty list of 1,052 people. We must do all in our power to drive those figures down.

In my lifetime, I have seen the devastating and heartbreaking consequences of house fires and I have seen the impact that they leave on communities. I am sure that everyone in the House can tell similar stories. We have it in our power to ensure that at least one effective smoke alarm is installed in every home. In many countries, it is recommended that smoke alarms should be fitted in every room, while other countries ask that smoke alarms be strategically placed in several rooms.

In the June 2004 Northern Ireland omnibus survey, 96% of respondents stated that they had a smoke alarm in their home, and 72% stated that they checked their alarm on a weekly or monthly basis. In a leaflet published in 2006, the Fire and Rescue Service stated that 98% of people said that they had a smoke alarm in their house — that is a very high figure that needs some research. I would be interested in finding out how many people responded to each of those surveys, as

well as how widely and in which areas of Northern Ireland they were carried out.

That type of information is essential if an effective campaign is to be carried out. The figures provided by the Fire and Rescue Service do not correspond to other statistics that are available.

Take the private-rented sector: I have seen it reported that, although houses in multiple occupation are covered by the Housing (Management of Houses in Multiple Occupation) Regulations 1993, there is no requirement for smoke alarms to be fitted in private-rented dwellings. That has already been touched on. An increasing number of dwellings fall into that category. Also, many HMOs are older than the legislation that now guides them. How many of those are without smoke alarms?

I hope that, on the passing of this motion, Departments will start to tackle the serious problems that these figures show up in relation to the private-rented sector. This House supported a motion several months ago calling for mandatory registration in the private-rented sector. In light of crucial issues, such as the one that this motion highlights, it is all the more urgent that the motion passed all those months ago be implemented as soon as possible. Tenants in Housing Executive and housing association dwellings —

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

Mr F McCann: Thank you very much.

Mr Craig: As a member of the Social Development Committee, I agree that this motion is very relevant. No one should underestimate the danger of fire. We have heard some statistics already; in the UK each year, 60,000 fires occur in homes, killing almost 700 people and injuring over 7,000 more. Many of those deaths and injuries could be prevented if only those involved were alerted sooner. This is where smoke alarms can help. They do not stop fires, nor can they put fires out, but, if properly installed and looked after, they can give early warning of a fire and provide time to escape.

I welcome the good work that has been done by all the various stakeholders, such as housing associations, the Housing Executive and the Northern Ireland Fire and Rescue Service. However, there are still far too many homes in both the private- and public-housing sectors that do not have smoke alarms.

My colleague Mr Campbell has already mentioned the good work that has been done by the Housing Executive. However, it is alarming that 23,000 Housing Executive homes still do not have smoke alarms. Almost 74% of Housing Executive properties are covered, which is good, but a lot more work still needs to be done. The Housing Executive must take note of the need to put much more effort in there.

The housing associations are in a better position. When they started to build new homes, the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1993 were already in place, so they were forced to put hard-wired smoke alarms in every home. A study that was published only last week estimated that 95% of all housing association properties are covered by such alarms. Housing associations look after 28,000 homes in Northern Ireland. A lot of good work has been done, but a lot more is required.

The Chairman of the Social Development Committee also mentioned the private sector, which has what might be the biggest problem of all. There is no real requirement for a smoke alarm to be put in any private-rented house. That is a major issue. It is good to see that there is going to be a review of the regulations around the rental of private properties. Perhaps at that stage, the House will be able to change the fact that there are no requirements for smoke alarms.

There have been frequent advertising campaigns, some of which have taken place in recent years, and DSD has contributed to them.

In fact, funding from the Department for Social Development enabled the Northern Ireland Fire and Rescue Service to install smoke alarms in people's homes. That was almost 10 years ago, and many of those alarms are still in place today. The Fire and Rescue Service still runs a home fire-safety check scheme, where the public can request a safety check to be carried out. It can be booked either via the Internet or by calling the Fire and Rescue Service directly. Not only is a check carried out, the householder is given a free smoke alarm.

The Fire and Rescue Service actively seeks out and targets high-risk areas, and officers will carry out leaflet drops that detail the fire-safety scheme. Lessons have been learned from giving out smoke alarms in the past. The free smoke alarm has a 10-year life and — much more importantly — its battery will not fit any other device, so there is no risk of its being used for anything else.

A great deal of work has been carried out by many of the stakeholders, but much more needs to be done. I, therefore, commend the motion.

Mrs Hanna: I support the motion, as a member of the Health, Social Services and Public Safety Committee. Figures for fire deaths and injuries in Northern Ireland have fallen in recent years, but they are still too high. Many domestic fires could have been prevented, had working smoke alarms been fitted in those homes. Every life lost in a fire is a tragedy, and, in some cases, the tragedy could have been prevented. It is important that the Northern Ireland Fire and Rescue Service works in partnership with all Departments, statutory and

local, which have a part to play, especially council departments such as environmental health, and with voluntary organisations on a programme aimed at fire prevention in both private and social housing.

It is widely advertised by the Fire and Rescue Service that one is twice as likely to die in a fire at home if a smoke alarm has not been fitted. It is the simplest way of warning someone of a fire, giving precious time to escape. I am sure that we have all seen the “Thumbs Up On Monday” advertisement from the Fire and Rescue Service. It is a very good way of reminding people to test their alarms.

The Fire and Rescue Service has various multimedia campaigns that encourage people to take positive steps to protect themselves and their families; its constant aim being to reduce the number of deaths and injuries caused by house fires. Various messages include, for example, the need to check smoke alarm batteries; the need to ensure that candles are well extinguished; the need for householders to have an escape plan in case of fire; and the dangers of using a chip pan. That type of education must continue: people must be reminded of the dangers of fire, and warned that complacency and carelessness will increase the risk of fire in the home.

Regulation and inspection is important, and nowhere more so than in private-rented accommodation, and in houses in multiple occupation. Landlords have a legal responsibility to provide fire escapes and, depending on the size of the property, smoke alarms and fire extinguishers may also be provided. Furthermore, they must ensure that gas and electricity supplies are safe. However, it can be a mistake to leave all these matters to landlords. Equipment must be regulated and regularly examined.

In the previous Assembly, the Minister of Finance and Personnel, when he was Minister for Regional Development, introduced a regulation that made hard-wired smoke alarms mandatory in new houses and in houses where the electric supply was being updated. That should be the case for all newly installed smoke alarms, because research tells us that hard-wired smoke alarms save more lives.

People must take responsibility for their own safety, and it is important to be prepared, whether one lives in shared accommodation or a family house, to be responsible for fire safety at home. Voluntary and statutory organisations carry out very positive work in installing smoke alarms, and that can be built upon.

Mr Easton: I, too, support the motion as a member of the Committee for Health, Social Services and Public Safety. From time to time, we are shocked and disturbed to hear of tragedies involving fire in the home.

The loss of innocent lives is always regrettable and depressing. It has a lasting impact on families and communities and gives dreadful pain long after the

reporting of the events has ceased to be in the news. Part of that impact comes from the realisation that death from fire or smoke inhalation is often the outcome of a momentary act of carelessness and might have been easily prevented. In that context, we must congratulate the voluntary and statutory agencies — particularly the Northern Ireland Fire and Rescue Service — for the enormous work that they have done in developing and implementing fire prevention programmes and strategies across Northern Ireland.

12.45 pm

In the North Down constituency, many people have approached me and asked me to thank the local fire and rescue personnel for their proactive work in visiting homes to make fire-risk assessments, install or reposition alarms, or give invaluable advice on advance action to minimise the risk of a house fire. We must also be thankful that, since 2000, building regulations have required that buildings be designed and built with automatic fire detection, not only to give warning of fires but to facilitate evacuation in an emergency.

Much has been achieved through television in making the public aware of the dangers and causes of fire, the need to have working alarms and how to train and plan for emergencies. Everyone is aware of the dangers posed by chip pans, candles, matches, smoking and — in particular — alcohol, which is a major factor in more than one third of fires in which there is a fatality.

Many schools do good work in providing pupils with health and safety programmes that develop their experience and awareness. The schools that incorporate work on such issues into the curriculum must be rewarded. As a result of the good work that is being done, approximately 96% of homes have smoke alarms. Much remains to be done to ensure that alarms are properly fitted, located and functioning. The statistics are a credit to those who have engaged in a joined-up effort and worked hard in co-operation with various Government agencies, but there is still much to be done. We cannot be complacent. One death by fire or smoke inhalation — often the real killer — is a death too many.

As we applaud and recognise the positive efforts of voluntary and statutory agencies, we must be concerned that some dwellings in the private- and social-housing sectors do not have properly fitted or functioning smoke alarms. The Assembly must ensure that appropriate equipment is provided for those whose physical or sensory disability necessitates special measures and consideration.

It is imperative that the various Departments continue to encourage and support the actions already being taken and co-operate in ensuring that a cost-effective and co-ordinated programme is in place to ensure the provision of working smoke detectors in every home in Northern Ireland.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): This important motion calls on my Department, as sponsor of the Northern Ireland Fire and Rescue Service, to join the Department for Social Development and the Department of Finance and Personnel (DFP) in a co-ordinated programme to ensure the provision of working smoke detectors in every home.

The Health Committee has rightly recognised the positive work of voluntary and statutory organisations in promoting the installation of smoke alarms in homes. I also appreciate the efforts of everyone involved in promoting fire safety. Everyone knows that the causes of fires — both accidental and deliberate — are many and varied, and they all have potentially devastating consequences. It is, therefore, important that we do everything necessary to prevent accidental fires in homes.

The Fire and Rescue Service has a statutory duty to provide information and encourage steps that might be taken to prevent fires and death or injury by fire. It carries out that duty in a range of ways, such as providing information on the prevention of chip-pan fires and the importance of smoke alarms, and visiting homes and schools to advise on fire safety and prevention.

Most people who die in fires succumb to smoke inhalation long before the fire reaches them. Smoke alarms are the simple answer to alerting people when a fire starts, giving them valuable time to escape. An independent face-to-face fire-safety survey carried out last year showed that 94% of houses in Northern Ireland are fitted with smoke alarms, but we cannot be complacent.

It is not enough to have a smoke alarm fitted in every house; occupants must ensure that the devices are working and that they remain working. It is worth noting that as today is Monday, we should remember the “Thumbs Up On Monday” campaign. Indeed, I hope that everyone tests their smoke alarms every week.

Northern Ireland can pride itself on having among the fewest fire-related deaths in the UK. Building regulations already require the installation of mains-powered smoke alarms in all newly built dwellings. In dwellings for which significant alterations are required, such as the upgrading of electrical systems, mains-powered smoke alarms are also installed as standard. An estimated 97% of housing association properties now have such alarms.

Since the 1990s, the Housing Executive’s policy has been to install mains-powered smoke alarms in all its flats, maisonettes and bungalows. That work continues, and, to date, 74% of Housing Executive dwellings have had mains-powered smoke alarms fitted.

The Fire and Rescue Service has also adopted several approaches that are aimed at reducing the number of deaths that occur as a result of fire. Included in those

approaches is the free fitting of smoke alarms in domestic premises; indeed, around 6,000 were fitted in 2006-07. In the same year, over 7,500 free home fire-safety checks were carried out.

The efforts of the Northern Ireland Fire and Rescue Service have resulted in the number of accidental fires in dwellings decreasing from 1,005 in 2004 to 830 in 2007. Accidental fire-related deaths decreased from 30 in 1999 to 14 in 2006-07.

I am sad to say that it is still the case that some firefighters who have been called to incidents find that older smoke alarms may not have working batteries fitted or that the battery has been removed for use in another appliance. New smoke alarms have integral batteries that are either unsuitable for other appliances or are hard-wired to the mains electricity supply.

We must persevere with the public awareness campaigns. The “Thumbs Up On Monday” campaign highlights the need to acquire and fit a smoke alarm; the No Battery, No Chance strategy urges us to check the battery in our smoke alarms; the “Writing on the Wall” campaign highlights fire risks in the home; and the approach behind the “Smoke Kills” slogan brings home dramatically the consequences of not having a working smoke alarm. When public services act for the public good, some people will always fail to recognise the risk that is involved in not complying with either legislation or common sense.

Part of the Northern Ireland Fire and Rescue Service’s remit is a duty to educate the public on fire safety. I am sure that all Members agree that prevention is better than cure.

Finally, to address the point that was made about collaboration between DSD and DFP, I have already outlined the areas of departmental responsibility that have an impact on fire safety. The Northern Ireland Fire and Rescue Service is the expert body in firefighting and prevention. In accordance with national guidance, the service evaluates the risk that fire and other dangers have for life, property and the environment, and it seeks to deploy resources that will address those risks.

In the spirit of the motion, I am content to order officials to examine more closely the work on the matter that DSD and DFP are doing. That work should be advanced, because we can never be too complacent. A recent survey on smoke detectors in homes showed that, sadly, 23% of people who did not have a smoke alarm said that they would be unlikely to purchase one. That shows that some resistance remains. It is, therefore, right that the Committee highlights one of the hurdles that prevents us from reaching the point where we can, as far as possible, eliminate accidental fires and deaths that are related to such fires.

Mrs O’Neill: Go raibh maith agat, a Cheann Comhairle. I commend my colleagues in the Health

Committee for tabling the motion. I thank everyone who contributed to the debate, including members of the Health Committee and the Committee for Social Development.

I thank the Minister for attending the debate. The motion calls for concerted action by three Departments, and I am pleased that the Minister has been able to respond. Perhaps he also responded on behalf of the other two Departments.

In opening the debate, the Chairperson of the Committee for Health, Social Services and Public Safety, Mrs Robinson, rightly paid tribute to the work of the statutory and voluntary organisations, which have helped to put us at the top of the league table for ownership of smoke alarms. The work of the Fire and Rescue Service, the Housing Executive and others — and the recent changes in building regulations — have contributed to that. However, as Mrs Robinson and other Members pointed out, it is not just a matter of owning or fitting a smoke alarm; it is also crucial to maintain it and keep it in working order.

As well as the number of fitted smoke alarms that are not maintained, we must consider the many homes that still do not have a working smoke alarm. The Chairperson set out some very stark statistics about the consequences of not having a working smoke alarm. She told us that there were 830 accidental house fires last year — eight people lost their lives and more than 250 were injured. A total of 33 people have lost their lives in house fires during the past four years. The most shocking statistic is that 14 of those homes did not have a smoke alarm, and in eight other cases, although smoke alarms were fitted, they were not working.

Mrs Robinson mentioned an issue that was taken up by other Members, including Sue Ramsey and Gregory Campbell. Since 1990, the Housing Executive has had a policy of fitting mains-powered smoke alarms in its properties. Despite that, so far, only three quarters of all Housing Executive properties have smoke alarms. That means that almost 23,000 homes in the social-housing sector are without a smoke alarm. That situation places a large number of people at serious and unnecessary risk, and it must be tackled urgently.

Housing Executive figures show that although 95% of bungalows, 92% of flats, and 90% of maisonettes have smoke alarms, the figure for houses is just 60% — a stark variation.

Sue Ramsey commended the Housing Executive for its policy of fitting smoke alarms over a number of years, but expressed concern about the number of houses still without a working smoke alarm. She also raised the issue of the number of private-sector houses that still do not have a working smoke alarm.

Bob Coulter and several other Members expressed concern about the number of people who do not regularly

check the batteries of their smoke alarms. He said that it would be better if smoke alarms were wired to the electricity supply, rather than powered by battery. He also supported the good work of the Fire and Rescue Service.

Kieran McCarthy also referred to the good work of the Fire and Rescue Service, and said that one fatality was one too many. He called for the resourcing for smoke alarms to be adequate for the job, and he expressed concern about funding for the Fire and Rescue Service — a concern that is shared by the Committee. The Committee is not only calling for the Department of Health, Social Services and Public Safety to take action, but the Department of Finance and Personnel and the Department for Social Development. The Committee firmly commends the good work of the Fire and Rescue Service.

Gregory Campbell highlighted the shocking fact that, apart from houses in multiple occupation, there is no requirement to fit smoke detectors in privately rented dwellings. That is particularly worrying, since research has shown that those most at risk of fire are those who live in rented accommodation, and pensioners who live alone. That situation is unacceptable and it must be addressed urgently.

Fra McCann highlighted the thousands of homes without a working smoke alarm and called for more detailed information. He referred to the practice in other countries, whereby a fire alarm in every room is a standard requirement. He also referred to the problems in the private-rented sector and in houses in multiple occupation, and how they are regulated.

Carmel Hanna said that someone is twice as likely to die in a house fire if a smoke alarm is not fitted. She highly commended the Fire and Rescue Service for its good work on media campaigns — and several Members referred to the “Thumbs Up On Monday” campaign. She also said that privately rented properties required regulation.

Alex Easton praised the good work of the Fire and Rescue Service and welcomed changes in building regulations. He said that much has been achieved, but more needs to be done. He also praised the ongoing good work in schools to educate children on this matter.

Jonathan Craig spoke about the important and welcome fact that a new type of smoke alarm has become available. It has a 10-year lifespan and uses batteries that cannot be used for any other purpose.

1.00 pm

The Minister set out the Fire and Rescue Service’s role, praised its good work, and referred to the “Thumbs Up On Monday” campaign. He also spoke about changes to building control regulations, and he made a commitment to liaise with DFP and DSD in order to advance the work that has been done on the matter.

In conclusion, many Members have reminded us that in most house fires, it is not fire, but smoke, that kills. A working smoke alarm can provide vital time to allow people to escape, and it can save lives. The Committee for Health, Social Services and Public Safety calls for concerted action to be taken in order to ensure that every family is protected by a smoke alarm. I, therefore, ask Members to support the motion. Go raibh maith agat.

Question put and agreed to.

Resolved:

That this Assembly recognises the positive work of voluntary and statutory organisations in installing smoke alarms in homes; expresses concern that many dwellings in both the private- and social-housing sectors still do not have adequate working smoke alarms; and calls on the Department of Health, Social Services and Public Safety, the Department for Social Development and the Department of Finance and Personnel, to undertake a coordinated programme to ensure the provision of working smoke detectors in every home.

PRIVATE MEMBERS' BUSINESS

Compensation for Farmers

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

Mr P J Bradley: I beg to move

That this Assembly supports the case for compensation to be provided to farmers and livestock owners who were subjected to their homes being raided, and who endured financial loss, due to the misunderstanding by the Department of Agriculture and Rural Development, which has now been confirmed, in relation to the source of alpha-nortestosterone discovered in injured male cattle presented for slaughter.

Although I may not have many kind words to say to her later, I welcome the Minister of Agriculture and Rural Development to the Chamber.

It is regrettable that I have had to table such a motion in order to obtain justice for the farming families that were wrongly victimised during the alpha-nortestosterone debacle in 2006. If the Minister and the Department of Agriculture and Rural Development (DARD) had the courage to say that it was wrong for them to assume that people were guilty until proven innocent at that time, we would not find ourselves seeking justice for the farmers and livestock owners who were caught up in the consequences of the Department's wrongful conclusions.

In the aftermath of those events, DARD engaged the services of Professor Patrick Wall of University College Dublin to investigate the sampling and testing procedures that were used to detect illegal hormone residues in cattle. In his October 2006 report, Professor Wall found those procedures to be in order and compliant with all EU directives. He also highlighted the Agri-Food and Biosciences Institute (AFBI) excellent work in that report, and I share the conclusions that he arrived at in both those findings.

The Department commissioned a second report, and, in November 2007, Joan Ruddock, a non-executive member of the DARD board, published her review into the events of spring 2006. Mrs Ruddock's findings confirmed what many of us said in the immediate aftermath of the raids on the homes of innocent families, and she commented on how DARD might improve its approach to enforcement in the future.

It is regrettable that an official report was required in order to confirm that such defamatory intrusions had occurred, but at least Mrs Ruddock's report vindicated the wrongly accused livestock owners. Those of us on the political front who supported the farmers remain satisfied that that was the correct thing to do. However,

the sampling and testing procedures and the analytical work carried out by the Agri-Food and Biosciences Institute were never the main issues. The main — and, it could be said, the only — issue was DARD's over-the-top reaction to the discovery of alpha-nortestosterone in male-casualty animals that were presented for slaughter. DARD simply got it wrong, and it is disappointing that, to date, the Minister and the Department have failed to admit that.

It was the opinion of DARD inspectors that, given that the subject animals were hurriedly presented for slaughter and that alpha-nortestosterone was discovered in the carcasses, the only conclusion was that all the owners were introducing illegal growth promoters into their cattle. Indeed, some farmers were blatantly told that it was obvious that they had been using growth promoters and had simply been caught in the act.

I have one owner's permission to describe his case. That beef producer is a constituent of mine, and he is a highly respected family man and a popular figure in the neighbourhood. On the morning of Friday 31 March 2006, he had just finished attending to stock on an out farm and was making his way back to his home farm. As he neared his residence, he was alerted by the flashing lights on the many police cars that were in the immediate vicinity of his home. That was an introduction to the nightmare that was to follow; indeed, some might say that that nightmare remains.

On arriving at the bottom of his lane, he saw several people in white protective clothing and masks going to and from the buildings in his farmyard. If that was not frightening enough, he next saw uniformed police officers looking out of his upstairs bedroom windows. He described the scene as one that we would normally associate with the preliminary investigation of a murder or major criminal incident, not one that is commonly identified with the day-to-day activities of a family farm.

Other farming families had similar traumatic experiences, and the Department should not attempt to conveniently overlook the way in which many of them were stigmatised in their respective localities. Therefore, I ask the Assembly to agree that the victims should be compensated in accordance with their individual experiences and in keeping with their individual financial losses. By financial losses, I refer to those farmers whose holdings were closed due to the incorrect assumption of drug use, as a result of which they incurred additional cost against the animals that they were unable to sell. Some animals crossed the 30-month deadline in the period of enforced closure, which also led to substantial financial losses.

I will repeat the comments that I made when I received a written answer from the Minister of Agriculture and Rural Development on 14 December 2007. The Minister said that she had arranged for goodwill payments to be

made to those affected, and that that was beyond her statutory obligation. The Minister has stated on several occasions that she had no obligation to make any payments to the victims. That comment would have been correct, and quite acceptable, had drug use been detected at slaughter. However, this is a completely different situation, because the slaughtered animals were thrown into skips on the erroneous assumption that they had all been subjected to growth-promoting drugs. The payment was an obligation, not a goodwill gesture. It served to stall the legal action that some of the wrongly accused livestock owners had planned to take.

I remain committed to seeking justice and compensation, where appropriate, for the victims. It is not that I take any delight in doing so, but I feel obliged, on behalf of the farming community, to remind the Minister that, on the hustings in Cookstown last March, on behalf of Sinn Féin she promised the farmers who were caught up in the issue that, if she were returned to the Assembly, she would leave no stone unturned until they got justice. Other candidates represented the DUP, the Ulster Unionist Party and the Alliance Party; I represented the SDLP. All five of us assured the victims of the nortestosterone case that we were fully behind them in their quest for justice. All the candidates who were on that platform in Cookstown were re-elected, but we find ourselves at different levels in the Assembly structure. The Minister is the only one who can make the conscientious decision to compensate, and that would demonstrate, albeit late in the day, the sincerity of the pre-election promise that she made last March in Cookstown.

In conclusion, as a mere Member, I ask my Assembly colleagues to support the motion, and I make one more appeal to the Minister simply to do what is right in the matter.

The Deputy Chairperson of the Committee for Agriculture and Rural Development (Mr Elliott): I apologise for arriving late. I have just been told that I must speak on behalf of the Committee because the Chairperson is absent, for which he sends his apologies.

I thank Mr Bradley for proposing the motion. I welcome and support it, and I endorse the call for compensation for those involved in what can only be called a witch-hunt against perfectly innocent people. The Department of Agriculture must strike a balance — as the Minister realises — between ensuring that nothing untoward goes on in the Department, or in the actions of farmers, and ensuring that the security of premises and animals, which leads to the security of the people who eat the produce, is protected at all times.

The Committee for Agriculture and Rural Development has been interested in the compensation issue for some time, and, like Mr Bradley, I have taken a personal interest in the matter. On 13 November 2007, the

Committee received Joan Ruddock's report in private session, and it listened to a presentation on the outcome of her review. Mrs Ruddock's review concerned the Department's handling of the matter in response to the findings of the hormone in cattle presented at meat plants after on-farm emergency slaughter.

As Members may know, legislation banning the use of anabolic steroids has been in place since 1988. On 10 March 2006, a sample from an emergency on-farm slaughter tested positive for that hormone. Further tests and samples from similar animals were also positive. However, the Department's reaction was over the top and was, in many cases, unnecessary.

I reiterate that I support the Department taking significant action against those who are guilty of offences. However, in this instance, those people were not found guilty of any offence, and that is where the difficulty arises.

I have had a blow-by-blow account from the people who were affected by what happened. They told me that enforcement officials from the Department of Agriculture and Rural Development arrived on-farm with a huge security presence. They almost sealed off the farm; they searched the farm buildings, and, in some cases, the farmhouses. Such actions were totally unnecessary, especially in situations in which a farmer happened to be an elderly person who was running the farm on their own. The opportunity for such a person to deliberately administer alpha-nortestosterone was practically impossible. Therefore, a common-sense approach is required in such situations.

I am also aware, because people in my constituency had this problem, that farmers were prevented from moving stock off farms, and that that included moving stock directly to abattoirs. As some of the cattle involved were approaching 30 months old, and as farmers were unable to sell them directly to the factories or abattoirs, it meant that as soon as they became 30 months old, their prices were cut automatically when they went to the factory.

Therefore, there are two immediate issues: the extra cost of keeping those cattle on-farm for up to four months, and the additional cost of losing money, because once cattle are over 30 months old there is an automatic penalty from the factories regarding the price they give to the farmer. Therefore, farmers lost twice on such occasions.

I am not asking the Department to take any major action in this instance; I am asking it to consider the small number of cases involved on an individual basis and to compensate those farmers who have been hard done by.

Mr T Clarke: I thank P J Bradley for tabling the motion. On 7 June 2007, the Minister of Agriculture and Rural Development met with farmers to explain

why such an aggressive course of action had been adopted as regards the slaughter of cattle that had tested positive for what I will simply call alpha-N — I cannot get that big word out.

During the meeting, the Minister informed representatives that because there was no evidence to support illegal administration of the substance, and, indeed, because it was highly likely that alpha-N is a naturally occurring chemical, a goodwill payment would be made to any farmer where no criminality was suspected. That would apply to the vast majority, if not all, the cases in question.

Although I acknowledge fully that consumer protection in the agri-food industry is essential, and that on-farm enforcement is vital to remove animals from the food chain, I have to question the heavy-handed approach to enforcement that was taken by the Department of Agriculture and Rural Development. However, I do welcome the review that the Minister undertook — as a result of farmers' deep-seated disquiet at the implementation of on-farm testing — to try and learn lessons from the debacle of last year.

Although compensation for loss of animals is essential where no illegality was evident, the Minister must also recognise that some farmers suffered further financial loss because of the stringency of her Department's approach, legal though it may have been. The simple point is that farmers lost out financially due to the disruption of selling animals, having to keep them fed and because of the shadow of suspicion hanging over them as supposed wrongdoers. The Minister must realise that farmers cannot take those financial losses and that it was her Department's rigorous, if not over-zealous, approach that caused financial hardship.

1.15 pm

I urge the Minister to rethink her approach and to ensure, as a matter of urgency and priority, that farmers suffer no financial loss whatsoever as a result of her Department's actions. I support the motion.

Mr Doherty: Go raibh maith agat, a Cheann Comhairle. It is a pity that Mr P J Bradley did not deal with all the facts when he proposed the motion. The incidents happened in the year before the Assembly was re-established — the year before Michelle Gildernew was appointed Minister of Agriculture and Rural Development.

When Professor Patrick Wall produced scientific evidence that alpha-N — I could try to improve on Mr Clarke's pronunciation, but I am almost as bad — could be produced naturally, particularly in male cattle, one of Ms Gildernew's first actions as Minister was to initiate a review. She did not have to do that. She brought the farmers together at Cookstown. She brought all of her senior officials, including her new permanent secretary, to the meeting, and gave a very clear

explanation to the farmers. An official apology was offered, and a goodwill payment was made, although the Department was not legally bound to do so. A review into the whole incident was initiated so that lessons could be learned. The results of that review were made known to the affected farmers, and were published on the DARD website.

Some of the raids, particularly those in Newry, in which not only the PSNI but the British Army were involved, with helicopters flying overhead, were entirely over the top. That was entirely unnecessary. However, the question of compensation must be directed at the NIO and the Police Ombudsman. That is where responsibility for the heavy-handedness lies.

The Minister took a good and solid initiative to deal with the issue. To have a go at her and her party is to play politics, rather than to deal with the facts of the matter. The events in question happened a year before the Minister came into office. She did not have to initiate a review, but did so because it was the right thing to do, and she offered goodwill payments. The Department has been told that, legally, it cannot go beyond that.

There is an issue in respect of compensation, but the proposer is taking aim at the wrong Department. The demand for compensation should be aimed at the NIO and the Police Ombudsman, since it is with those agencies that responsibility for heavy-handedness, rough treatment and sullyng — if not destruction — of reputations, lies.

Members who propose motions should deal with and stick to the facts, and stop trying to score political points.

Mr Ford: I join other Members in congratulating P J Bradley on securing this debate. I welcome the fact that the House has a chance to discuss this matter, although we may comprise rather a thin gathering at this stage of the afternoon.

A small number of people suffered significantly because of the problems created by alpha-nortestosterone — I will try that pronunciation, and see whether I can beat Mr Clarke to it.

The first issue that was highlighted by a number of Members is the alleged criminalisation of honest farmers. We have heard about some of the heavy-handedness, and the way in which police raids were conducted. That created enormous difficulties for people who were decent law-abiding citizens.

However, the reputations of those honest citizens are undamaged. They have been entirely vindicated by the work that has been done. Today, we are dealing with the secondary issue — the financial loss that those individuals suffered because they had been wrongly suspected. They lost the value of cattle, their herds were closed, and, as Mr Elliott said, in some

cases, they lost the value of other cattle. He referred to indirect losses, whereby cattle were retained for longer than 30 months.

That is the only proper issue that can be debated by the Assembly. Over the years, we have seen that, with regard to other animal disease issues — brucellosis, TB and foot-and-mouth disease — appropriate compensation has been paid. However, when it comes to this issue, which involves a remarkably small number of people, the Minister appears reluctant to offer realistic compensation for losses suffered.

Trevor Clarke and other Members mentioned public health. There is no doubt that when action was taken by DARD, it was taken in accordance with the best understanding of the existing science. However, now that science has moved on, it is clear that a small number of people suffered grievous unnecessary loss.

In his introductory remarks, P J Bradley rightly highlighted the Cookstown hustings meeting that was organised by the Ulster Farmers' Union in February 2007. Representatives from five parties supported the case of those who had suffered wrongs, and they agreed that action must be taken. Two of those representatives are now Ministers. Mr Poots is no longer the DUP's agriculture spokesperson. However, the DUP view has been adequately represented by Trevor Clarke. I am almost in complete agreement with everything that has been said by P J Bradley, Tom Elliott and Trevor Clarke.

At that meeting, it was agreed that something must be done. The meeting was held in order to discuss agricultural issues — not police presence, harassment or criminalisation — and appropriate compensation. Account must be taken of the type of costs that were highlighted by Tom Elliott — direct costs that were lost when particular animals were taken, which were compounded by, in some cases, the significant lost value for individuals who may have lost several animals that had passed the 30-month deadline.

The Minister has offered a goodwill payment. However, in some senses, that has blunted the issue. The concern is appropriate compensation for the losses that have been suffered, not that of a goodwill payment, which suggests that there is some slight doubt about what happened, but the Minister is still prepared to express her goodwill. Real loss was suffered; therefore, real action must be taken, not a goodwill effort that will simply fudge the issue.

I find Pat Doherty's remarks somewhat surprising. He certainly outlined the actions that have been taken by the Minister. There is probably a case to say that, so far, the new Minister has been more forthcoming than a direct rule Minister might have been. However, that is not to say that her actions have been satisfactory. I cannot understand how Mr Doherty can talk about getting compensation from the NIO: many other people

have been subjected to police raids when they were suspected of criminal activity. If the police act in accordance with the facts as they understand them, there is no question of compensation. The compensation that is being sought is for agricultural loss. The Minister of Agriculture and Rural Development, who reports to the Assembly, is the person who is responsible now. In that context, the Assembly's call for proper compensation and not a fudged goodwill scheme is entirely reasonable and should be supported by the House.

Mr Bresland: I support the motion that has been proposed by Mr P J Bradley. The action that has been taken by Department of Agriculture and Rural Development officials has clearly caused considerable distress to the farmers and their families whose properties were raided. To date, the Minister has implemented a review of her Department's handling of the issue and has set aside £80,000 to compensate the farmers involved. That is not acceptable. The economic loss far outstrips the value of individual animals that tested positive. The excessive movement restrictions that were imposed by the Department have had a considerable effect on those farmers' incomes.

Livestock farmers in Northern Ireland continue to face economic difficulties. The farmers who have been involved in the alpha-nortestosterone debacle have had to face further economic hardship because of herd restrictions. The good name of those farmers and their families has also been defaced by DARD. It is simply unacceptable that the Minister can prejudge the findings of the investigation and set aside a small amount of money in the hope that the farmers and the issue will go away.

The farmers and their families need an acknowledgement from the Minister that their loss has gone beyond the actual value of the animals involved and that any compensation should include the loss of earnings because of herd restrictions that were imposed by DARD, and recognition of the costs that farmers incurred because of those herd restrictions, such as the feed costs that are associated with keeping cattle in sheds.

DARD officials adopted a heavy-handed approach, blackened the names of farmers, destroyed their standing in the community, and inflicted stress on them and their families. It is time that the Minister acknowledged that and acted accordingly. I support the motion.

Mr W Clarke: Go raibh maith agat. In 2006, following the discovery of the hormone alpha-N in a number of cattle, DARD conducted an investigation, based on the scientific evidence of the day, which stated that the hormone could be present only if it were administered illegally. That led to a number of heavy-handed searches of farms, two of which occurred in Newry, one in Banbridge and one in Tandragee. All of those raids involved DARD officials who were

accompanied by the PSNI and, in the case of the Newry raids, by British troops in helicopters. The families who were involved were left shocked and traumatised by those events.

Following the initial raids, there were a further 156 discoveries — across the Six Counties — of the hormone, and the cattle that were identified as having the hormone were seized and destroyed. Later that year, all of the farmers were vindicated when Professor Patrick Wall produced a report that proved that the hormone occurred naturally in injured animals. There was justifiable anger at the way in which the Department of Agriculture and Rural Development had handled the affair. Even more damning was the attitude that the Department had done nothing wrong, despite the fact that the raids had been carried out on farms that belonged to people who were innocent of any wrongdoing.

As time passed, there was little focus on the issue, except for the work of one journalist. As far as I can establish, the SDLP was silent throughout the affair. On coming into office, the Minister, Ms Gildernew, stated that it was an issue that she would address retrospectively — much to the dismay and annoyance of DARD officials. The Minister wrote to all of the farmers who were affected by the matter and invited them to a meeting in Cookstown where senior officials and the new permanent secretary listened to the farmers' stories and their expressions of anger about the way in which the Department had handled the issue.

At the end of that meeting, the Minister and the permanent secretary apologised to the farmers whose homes had been raided. The Minister announced that DARD would issue an apology. The Department undertook a review, which was head by Joan Ruddock. Its findings will be made public. Moreover, all of the review's recommendations are currently being implemented.

The Minister explored the possibility of compensating farmers. However, the legal position was clear: DARD has a statutory duty to investigate and pursue any potential administration of illegal substances. Although the raids were legitimate, the heavy-handed manner in which they were conducted, and the trauma that was caused to the families who were involved, is a matter for the Police Ombudsman and the NIO.

The Minister has gone as far as she is legally permitted to go. In many respects, she has gone much further than that. The vast majority of farmers who were the victims of the raids welcomed the initiative to address the issue. Some have approached the Minister and thanked her for her assistance. They are more than satisfied by the initiative that was created by the Minister. However, some of the families who were subjected to the raids are still, rightly, angry about what happened. Their hurt will never go away. The reputations of some

of those people were tarnished. That grievance requires a real willingness on behalf of the Department and the Minister to understand the feelings of those people.

P J Bradley has turned what was a positive initiative full circle. He knows full well that the legal argument on compensation means that the Minister's hands are tied. Of course, that does not mean that we are in any way defending the actions of the Department on the matter. The nature of the raids is a major cause for concern, which is something that we made clear when we criticised the PSNI and the British Army at the time. However, the Minister —

Mr T Clarke: Will the Member give way?

Mr W Clarke: I have only a short time left in which to speak.

I believe that the Minister should be congratulated on her initiative. We should continue to examine ways of addressing the matter and of alleviating the hurt. Go raibh maith agat.

1.30 pm

Mr Irwin: I thank Mr P J Bradley for bringing this motion to the House. As a dairy farmer, I declare an interest in this matter.

I was contacted by a farmer from my constituency who was extremely distressed, frustrated and incensed by the actions of the Department of Agriculture when his premises were searched by departmental officials, in conjunction with the police. The searches followed tests carried out in early April 2006 on an on-farm emergency slaughter animal registered to him, which were positive for alpha-nortestosterone.

However, as we are all now well aware, the animal that tested positive had not been subject to any form of hormone abuse. In fact, it has since been proven that alpha-nortestosterone is produced when an animal is injured, hence its presence in injured on-farm emergency slaughter animals. As that research concluded that not all cases of positive testing were the result of malpractice by farmers, an additional test has been introduced to distinguish between normal presence and abnormal presence. That, of course, is a welcome procedure and should spare conscientious, hardworking farm families from any further instances of hurt and distress. However, it remains the case that the Department, accompanied by the PSNI, searched four farm premises in the belief that illegal activity had taken place.

On 17 November 2007, the Minister said:

“The Review states that the actions taken by DARD in respect of the surprise on-farm searches were in compliance with legislation.”

However, the account of the search given to me by my constituent leaves me feeling extremely annoyed by the attitude and actions of the departmental officials who went to the premises.

Although the Minister said that she believed that the Department acted in good faith and in line with the legislation, I find it unacceptable that, even though DARD and ABFI raised the possibility of natural occurrence a full two weeks before searching my constituent's premises, they still went in full steam ahead, with a guilty-until-proven-innocent attitude. That is extremely unfortunate, given the scientific research that was emerging at the time, to which reference is made in the report.

Indeed, as regards malpractice, paragraph 3 of section 2.1 of the report on the review carried out by Joan Ruddock states:

"The Department must have significant evidence to the contrary, therefore before it can conclude that the farmer has not been guilty of such administration."

Given that scientific evidence was beginning to pile up to show that there was a strong possibility that natural occurrence through injury was the more likely reason for a positive test, surely the Department should have taken a much more realistic and rational approach to any planned searches. I ask the Minister to give a full account of why a more level-headed approach was not adopted in the circumstances.

The fallout from the search of my constituent's premises has been dramatic. The family name has been blackened around the country, and false allegations and accusations have abounded. This was not simply a farm search; my constituent stated that he could not even watch the staff carry out their searches and procedures as their attitude towards him was shocking. I doubt that that is in line with any legislation. I fully understand that the Department is bound by law to carry out such tests. However, it is the manner in which the searches were carried out, and the assumption of wrongdoing, that is most untenable.

Mr Doherty talked about political point-scoring. I am certainly not trying to score political points, but the police raided those farms in conjunction with, and at the behest of, the Department of Agriculture. That must be taken into account. The Department had the lead role in this affair.

The ex-gratia payments offered for the condemned cattle were welcomed by the farmers as a small gesture. However, many farmers are considerably out of pocket due to herd closure and the associated expenses. Great hurt still exists among those farming families, and I support the case for compensation for the loss of those animals, where it has been proven that no malpractice had taken place.

Can the Minister confirm what steps the Department is taking in examining its approach to searches? How many more cases of positive testing have been discovered that have been proven, through the new test, to be in no way related to hormone abuse?

Farmers remain out of pocket as a direct result of the actions of the Department of Agriculture and Rural Development. I fully support the need for a fair payout to those farmers who had herds closed and who incurred significant expense, not to mention the distress and the hurt caused by the decision to search their premises.

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

Mr Irwin: The Department must act now to rectify this matter and to restore the trust of the farmers involved. I support the motion.

Mr Savage: I declare an interest as a farmer, and commend the Member for South Down Mr Bradley for securing the debate on such an important issue.

The use of hormonal substances for animal growth production was prohibited by the EU in 1988, and legislation was introduced to prescribe measures for monitoring residues and for the actions to be taken on the discovery of positive results. The use of anabolic agents is prohibited for a variety of reasons, including possible adverse human health effects, consumer resistance, the negative effects on animal welfare and the impact of residues on the environment.

Nortestosterone is a well-known anabolic steroid. It was first synthesised in the 1950s and was believed initially to have no natural source. Subsequently, it was shown to occur naturally in boars, stallions, pregnant cows and veal calves. Its presence in adult male bovines is currently deemed illegal under EU law.

In light of the events that have taken place regarding the use of nortestosterone in cattle, I wish to put on record my recognition of the Minister's swift action in meeting the farmers associated with those cases just one month after she took office. I welcome the fact that she has recognised the plight of the farmers who lost animals without any evidence of wrongdoing on their part, and that goodwill payments will be made to those who were affected. It must also be recognised and put on the record that the Department of Agriculture and Rural Development is making those goodwill payments on a moral basis. That is because, under the law, it has no statutory obligation to do so.

The Ulster Farmers' Union has welcomed those goodwill payments along with the review that was ordered by the Minister. It is pleasing that in the wake of Joan Ruddock's report on the issue, the Department has developed an action plan including mechanisms that will be built into the management process to facilitate earlier and speedier responses to findings arising from emerging science. In that regard, the Department will also adopt a project management approach.

I commend the Minister for her endeavours, and I trust that all sides of the House will unite around farmers who have been hard done by in this instance. I support the motion.

Mr Shannon: Ther isnae ocht that a can sae farther than whut his' a'ready bin saed, wi' ither memmers o' tha semmilie. I wud jist laek tae agree wi' whut tha deperment saes about tha tratemunt o' fermers.

There is not much to add to that which has already been said by other Members of the Assembly. I simply wish to endorse what the Department has said in its report about the treatment of farmers.

The Minister received a great deal of kudos for her responses to the BSE and bluetongue crises. However, she is only as good as her last win, and, with respect, the Department must continue to address the issues.

The review of the Department's handling of the alpha-nortestosterone issue recommended:

"That DARD examines the manner in which it approaches on-farm searches with particular emphasis on communication, taking into account that not all farmers subject to surprise searches will have engaged in illegal activity".

The Department's statement and Members' descriptions of some cases have highlighted the fact that, sadly, something went wrong. However, the Department's statement is at odds with the reality of the cases concerned.

For many hard-working farmers, the most disturbing aspect of that dreadful and costly mistake was that they had done nothing wrong, yet they were treated with the utmost disrespect and with more suspicion than most criminals are subjected to during an interview. Those men and women had their homes and livelihoods subjected to the most rigorous scrutiny, and they were presumed guilty until they were proven innocent. I do not profess to have a law degree, but I know that in this country, in law, one is presumed to be innocent until proven guilty. Why was that not presumed of the farmers?

The farmers do not want ex-gratia payments; they want realistic compensation. Compensation has been requested, it is morally needed, and paying it is the least that the Department can do. They do not want goodwill payments but real, honest-to-goodness compensation. As well as paying the farmers the compensation that they are rightly due, the Minister must carry out a review in order that a real and practical change can be made to the way in which her Department treats people and handles issues. In my constituency, I am aware of many instances of departmental officials calling at farms and showing a certain disregard for the farmers and other farm workers. That behaviour has been a bone of contention for some time, and I have made that known to the Department.

It is important that the farming community has a relationship with the Minister; indeed, I encourage that relationship, as, I am sure, does the Minister. However, in this instance, not only was the Department proved wrong, but its actions have made the farming community lose even more faith in it. DARD is supposedly there

to help farmers, not to harm their future prospects and make life difficult for them. The Department is not doing its job correctly, and, as a matter of urgency, it is up to the Minister to recognise and change that fact. I support the motion.

Mr Kennedy: I thank and congratulate P J Bradley for bringing the issue to the attention of the House.

It is important that we debate the matter because it raises major questions about how Department of Agriculture and Rural Development officials handled the episode. In the view of the majority of Members who have spoken so far, it is clear that important lessons must be learnt as a consequence of the actions that departmental officials took in April 2007. The episode has caused considerable distress to several of my constituents, and my constituency colleague William Irwin rightly highlighted that point. Reputations have been severely damaged, and farmers who are well respected in the areas in which they have lived and operated their farm business for many years have found themselves to be the subject of speculation, ridicule and criticism. All that negativity is unfounded and is the responsibility of the Department of Agriculture and Rural Development. The episode is a case in point that proves that science does not always get it right, and Members have given examples of that in the evidence that they have produced today.

I will briefly outline some of the deep-seated criticisms that were made by farmers who were caught up in the episode.

1.45 pm

The constituent who raised the subject with me had his bullock killed on 3 April 2006. Approximately three weeks later, on 27 April 2006, departmental officials and the PSNI raided his farm. Some Members find it hugely ironic that, had the raids taken place pre-devolution, there would have been a major political row over the actions of the PSNI and departmental officials. Happily, there is no such row today, and the Minister presumably supports the PSNI on those matters.

However, the approach of the departmental officials in the first instance raises serious issues. Some 11 staff, accompanied by 11 PSNI officers, took part in the raid on my constituent's home, and back-up was available in the form of additional PSNI officers who waited in minibuses on the road. One questions the logic of that and, given the outcome, whether it was effective use of police time.

To the distress of the farmer and his family, the farmhouse was ransacked and all manner of personal material was searched. He told me that even the attic was searched. My constituent took advice to contact his solicitor and to avail himself of independent tests on his cattle, for which he had to pay. He also incurred

additional feeding costs, because he was not allowed to move other livestock.

Any rogue operators must be dealt with, but the Department should learn hard lessons from those incidents, be prepared to own up to its failings and at least compensate those farmers who suffered considerable distress and whose reputations were damaged.

Mr Armstrong: I declare an interest in today's debate because I was one of the last farmers to have a young male animal taken to the abattoir and found to have an excess of that hormone in his blood. I assume that the Department did not feel it necessary to visit my farm on the suspicion that I was keeping hormones there.

The events that Members are debating today illustrate what happens when an inflexible bureaucracy gets things wrong. In this instance, things went horribly wrong, with terrible consequences for innocent people. No doubt Members will hear that lessons have been learned, and systems have been modified to ensure that it will not happen again. However, that is of little comfort to the affected farmers and their families.

A fundamental legal principle of law is that someone is innocent until proven guilty. In this sorry tale, raids were carried out on the homes of law-abiding farmers as though the DARD officials were looking for drugs or illegal weapons. The officials should have appreciated that they were dealing with hard-working, honest farmers, not terrorist godfathers or criminals — there appears to be a marked reluctance to carry out searches on the homes of those individuals, but farmers are a nice, soft target. The only problem was that the farmers in Northern Ireland were innocent.

I am not naive enough to believe that all farmers are angels and free from any taint of wrongdoing. Farmers are the same as any professionals, be they doctors, lawyers, teachers and perhaps even politicians, and there are some bad apples among us. However, I am confident that the majority of farmers are law-abiding individuals seeking to do an honest day's work and to provide for their families.

The Ruddock review concluded that surprise on-site searches are a necessary tool to ensure enforcement of regulations, but greater emphasis must be placed on the need for sensitivity in conducting such searches. That will allow a spirit of partnership to develop between the Department and the farmers and a good working relationship to develop for the benefit of all sides. It goes without saying that fair compensation must be paid to the farmers affected.

The second key point is that science was not correct in this case. That is a lesson for all those who operate in a bureaucracy. Box ticking is the order of the day for many bureaucrats. There is no room for common sense, or for questioning whether their actions are right

— just as long as the information fits the form that they are checking.

This case shows starkly that the so-called experts — whether they be in Dundonald House or in Brussels — are not infallible. Not only do they get things wrong, but the fundamentals on which they base their directions can also be wrong. When the experts accepted that they were wrong, I was left wondering what other central tenets of science on which they base decisions affecting farmers are also wrong.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a Cheann Comhairle. I have listened with interest to the points raised by Members, and I wish to put a few facts straight.

On becoming Minister, there was no requirement for me to reopen the issue as the Department was in the process of implementing the Wall report, which concluded that the Department had acted on the best scientific advice available at the time and that it had acted within the legislation. However, I was acutely aware of the anger and frustration in the farming community; therefore, I made it an early priority to deal with the issue on taking up office.

I took immediate action on the alpha-nortestosterone issue. I met with affected farmers to explain my Department's position and to hear their views face to face. I apologised for the disruption and distress caused by the on-farm searches. I took the additional step of going beyond our statutory obligation and authorising a goodwill payment to cover the cost of condemned animals. I also commissioned Joan Ruddock to carry out an independent review of the Department's handling of the issue. All the recommendations have been accepted, and work is under way to implement each of them as they apply to the Department to ensure better handling arrangements in future.

The events happened the year before I took up office, but when I came into office I acted immediately to rectify the matter to ensure that it would not happen again. I am well aware of the issues raised. I intend to summarise the main points of the alpha-nortestosterone issue, to clarify the details of the goodwill payment made to farmers, and to explain the rationale behind my decision not to pay compensation.

The alpha-nortestosterone issue began in March 2006 when a male on-farm emergency slaughter (OFES) animal that presented at a meat plant tested positive for the illegal growth-promoting hormone alpha-nortestosterone. The opinion of the highest scientific authority in Europe at that time stated that a finding of alpha-nortestosterone in a male bovine indicated illegal administration. EU legislation requires that where the substance is found, the animal must be excluded from

the food chain and an investigation into the herd of origin carried out.

As a result of two previous cases of illegal use of alpha-nortestosterone where legal hormones were found in farm dwelling houses, the Department of Agriculture and Rural Development's Veterinary Service carried out a search of a dwelling house and farm under the authorisation of a warrant signed by a resident magistrate. Three further cases were investigated in a similar manner.

P J Bradley has made numerous comments in the press about my support for the police raids. This is not the forum to discuss my views on policing, but rather an opportunity for me to explain how I dealt with the unique situation. Subsequent investigations did not involve unannounced visits or searches under warrant. Some of the comments by Members today have capitalised on people's distress. I have also been struck by the absolute hypocrisy of some Members who would not have been too annoyed about nationalists or republicans being raided by police in the past.

In order to protect public health and to fulfil EU statutory obligations, 100% testing of male on-farm emergency slaughter cattle was initiated in April 2006.

That resulted in herd restrictions, and although I appreciate that such restrictions can cause management difficulties on farms, they are a necessary component of the Department's enforcement action. Restrictions are not intended to penalise farmers, and our aim is to de-restrict herds at the earliest opportunity. However, restrictions are essential in ensuring that potential problems are contained on individual farms and that the interests of the wider agrifood industry are protected.

The matter was not restricted to south Down, it occurred throughout the North: there were a high number of positives identified in all of the Six Counties, but no evidence of illegal administration was detected during follow-up, on-farm investigations. All of the animals that tested positive were condemned and were removed from the food chain, with the herd owner incurring the financial loss.

Following criticism from industry and public representatives, who suggested that the Department's sampling and testing procedures may not have been sufficiently robust, the Department commissioned Professor Patrick Wall of University College Dublin to carry out a full assessment of its procedures for hormone testing. Professor Wall's report was published in October 2006 and confirmed the integrity and legitimacy of the Department's sampling and testing procedures. He also concluded that the accepted scientific opinion, which states that alpha-nortestosterone does not occur naturally in male cattle, should be reviewed in light of increasing evidence that the hormone may occur naturally as a result of stress or injury.

In March 2007, and as a result of Professor Wall's findings and following detailed discussions with the relevant regulatory authorities, the Department reduced testing of male OFES cattle from 100% to a risk-related approach based on the opinion of the official vet at the meat plant. Legal advice was sought from the departmental solicitor's office on a number of occasions as the issue developed. That advice confirmed that, under EU law, the Department must remove male cattle that test positive for alpha-nortestosterone from the food chain regardless of whether evidence of illegal administration has been found. It also confirmed that the Department must carry out appropriate follow-up investigations into the herd of origin.

Legal advice was clear that the Department can discharge that responsibility without incurring legal liability to pay any compensation, which is a vital point in the context of the debate. Departmental lawyers also confirmed that the enforcement action taken by the Department was reasonable and proportionate, was based on the best scientific knowledge available at the time, and was in line with the Department's community obligations.

Mr Elliott: Will the Minister give way?

Ms Gildernew: No, I will not.

In June 2007, I met farmers who had been affected and announced that, although the Department had no legal obligation to pay compensation, I would make a goodwill payment to those whose animals had been condemned. That payment was recognition that farmers had suffered financial loss through no fault of their own — it was a gesture of goodwill towards the farming community and was not an acceptance of liability by the Department to pay compensation. The payments were equivalent to the market value of the animals at the time of slaughter, and more than £87,000 was paid to 139 herd owners in July 2007. I became the Minister of Agriculture and Rural Development in May 2007, and the payments were made in June and July. Therefore, I dealt with the issue immediately after coming into post.

At the meeting in Cookstown, which a number of Members alluded to, I apologised wholeheartedly for the disturbance and stress caused by the on-farm searches. I am acutely aware of the trauma that was caused — particularly the experience recounted by Bridget Morris — and undertook to initiate a review of the Department's handling of the alpha-nortestosterone issue to see what lessons could be learned. I appointed Joan Ruddock, a non-executive member of the departmental board, to carry out the review. Her task was to examine all aspects of the issue, including the scientific basis for the initiation of action and the follow-up on-farm investigations.

The Ruddock Review was published in November 2007 and concluded that the actions taken by the Department regarding on-farm searches were in compliance with the legislation and were reasonable in the context of the scientific knowledge available at the time, and of previous experience of illegal administration of growth-promoting hormones. The review confirmed that the Department is permitted to enforce its statutory obligations without incurring liability to pay compensation, and that there is no statutory provision for the authorisation of compensation in those circumstances.

Joan Ruddock also made a number of recommendations on how the Department could improve the handling of similar situations in the future.

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

Those recommendations present a constructive way forward and will improve future handling arrangements. I have accepted the recommendations, and they are currently being implemented. I want to reiterate that point to ensure that this situation does not arise again.

2.00 pm

There is now emerging EU recognition that alpha-nortestosterone is likely to occur naturally in injured or stressed male bovines. We expect that the European Community Reference Laboratory will draft a guidance paper to reflect that position. Further scientific work to inform the evidence base in this area is expected to be completed by the end of February 2008. Officials are reviewing and updating the standard operating procedures, which detail how DARD approaches on-farm searches, in order to ensure that best practice is being followed. It is envisaged that that will be finalised by March 2008.

As the review highlights, meat processors are an important link between retailers and consumers. My Department is committed to involving them more fully via their representative bodies in developing future contingency plans.

DARD's procedures and actions have been the subject of two independent investigations: Professor Wall confirmed the legitimacy and integrity of our sampling and testing procedures; and Joan Ruddock concluded that enforcement actions were reasonable, given the circumstances that prevailed at the time. Legal advice further confirmed that the legislation was implemented in a fair and proportionate manner and that DARD is not liable to pay compensation. Furthermore, I took the additional step of authorising a goodwill payment to farmers to cover the cost of condemned animals. There was absolutely no statutory obligation to do so, and, in my view, that decision fully satisfied the moral obligation under a unique and unusual set of circumstances that had not been seen elsewhere.

As the issue unfolded, I had to balance two main priorities. First, there is DARD's statutory obligation to protect public health and to maintain the reputation of the local livestock industry; my Department must be permitted to enforce robustly the law for the greater good. Secondly, I had to ensure that, when DARD enforces the law, no one is unreasonably or unfairly treated. My Department handled the alpha-nortestosterone issue in the most reasonable manner possible, given the unique circumstances that prevailed at that time.

As the Minister, I am content that I dealt with the issue proactively when I came into office: I met the farmers involved, apologised for the trauma caused and went beyond DARD's statutory obligations by making a goodwill payment to those farmers to cover the cost of condemned animals and to help to alleviate any hardship that they were facing. I contend that that was an honourable, balanced and correct response that recognised the financial implications to the livestock owner.

The Ruddock Report gives us a positive way forward, and the Department will implement its recommendations in order to ensure better handling arrangements in the future. For that reason, and because DARD's actions were proportionate and in line with legal requirements, I cannot support the motion. Go raibh maith agat.

Mr P J Bradley: Almost every Member who contributed to the debate to support the motion was singing from the same hymn sheet, so I will not repeat all their comments. However, I want to thank Mr Elliott, Mr Trevor Clarke, Mr Ford, Mr Bresland, Mr Irwin, Mr Savage, Mr Shannon, Mr Kennedy and Mr Armstrong; I will deal with the contributions from two other Members later. Every Member in the former category referred to DARD's over-the-top reaction to the situation and related the experiences of their own constituents, which are more important than anything that Members have to say. It is those experiences on the ground that really count, and some farmers are still suffering from the ordeals that they endured on those terrible mornings.

I ask the Minister and DARD officials to read Hansard, where they will find the words of responsible Members who are trying to do what is right for their constituents. Those Members are simply seeking justice for victims, a phrase that has been banded about for the past 40 years. The Department can do something for those victims, and I urge it to do so.

The contributions from Mr Doherty and my colleague the Member for South Down Mr Willie Clarke clearly indicate that they have no knowledge or understanding of the farming community. I do not know whether they spoke to any farmers who had been raided or heard any experiences at first hand. Pat Doherty was certainly not

aware of the thrust of the motion, which does not concern which Minister was in situ or when the raids took place. The motion simply concerns farmers who were wrongly accused by DARD, not any subsequent reports. We could debate the issue until Tib's Eve, and the message would still not get across: this debate was about farmers.

I remind Mr Pat Doherty that it was not the Northern Ireland Office that told farmers that they had been caught red-handed, nor was it police officers. In my constituency, it was DARD vets who told people that they had been caught red-handed. Therefore, there is no reason to direct blame at the Northern Ireland Office.

Earlier today, Mr Doherty was appointed to the Committee for Agriculture and Rural Development. I am already asking myself why he has been slotted into that Committee if it is not to help farmers.

Ms Ní Chuilín: On a point of order, Mr Deputy Speaker. Earlier today, P J Bradley proposed a motion on behalf of the Business Committee. He should refrain from making political points; he was happy enough to move that motion. I would like a ruling on that matter.

Mr Deputy Speaker: That is not a point of order.

Mr P J Bradley: My DARD Committee colleague Willie Clarke made a comment about the heavy-handedness of the raids, but it took Mr Irwin to remind him that it was DARD that called in the helicopters and the Police Service. He also criticised a journalist for keeping the issue alive. That was very unfair to the journalist, who cannot defend himself. I would like to think that I — and many colleagues from neighbouring areas that were affected — also kept the issue alive. I intend to continue to keep the issue alive. I do not know how much further the issue can be taken by the House, but if there is reconsideration on the part of the Minister and her Department, it might not be necessary to take it any further. The issue is not going to go away.

I wish to thank everyone who supported the motion. Before Members vote, I ask them to consider the position of the farmers who had their homes raided and the way in which they and their families have been stigmatised in their local communities. They deserve better.

Mr Elliott: Does the Member accept that, although the Minister indicated that the raids and incidents took place before she took office, she is in office now, and the opportunity exists for her to do something about it?

Mr P J Bradley: That is exactly the point. There is no question that the Minister is the person with the power. She mentioned goodwill payments. I ask her to use her goodwill chequebook to offer the compensation that this House demands on behalf of the farmers.

Mr T Clarke: Does the Member accept that the Minister said earlier that she was making a political point, from her own point of view, about her support

for the police? Does the Member accept that the Minister might perhaps be a dab hand at getting compensation from the security forces for the farmers, because she and her party have been a dab hand at that?

Mr P J Bradley: I do not wish to relate this issue to any politics other than the politics of the reason that we are here: on behalf of the farmers who have been victimised.

Question put and agreed to.

Resolved:

That this Assembly supports the case for compensation to be provided to farmers and livestock owners who were subjected to their homes being raided, and who endured financial loss, due to the misunderstanding by the Department of Agriculture and Rural Development, which has now been confirmed, in relation to the source of alpha-nortestosterone discovered in injured male cattle presented for slaughter.

Mr Deputy Speaker: Question Time is at 2.30 pm, so I propose to suspend this sitting until that time. After Question Time, the next item of business will be the Adjournment debate.

The sitting was suspended at 2.08 pm.

On resuming —

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

2.30 pm

Oral Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Mr Deputy Speaker: The Speaker has received notification from the First Minister that, owing to business at Westminster, he will not be present in the Chamber today for questions to the Office of the First Minister and deputy First Minister. As scheduled, the deputy First Minister will respond to questions.

Shared Future

1. **Mrs Long** asked the Office of the First Minister and deputy First Minister what its assessment is of the Executive's plans to promote a shared future in light of the draft Programme for Government. (AQO 1444/08)

The deputy First Minister (Mr M McGuinness): A shared future policy and strategic framework for good relations for here is an inherited policy from the previous Administration. However, as stated previously, we are fully committed to promoting the interests of the whole community towards the goal of a shared and better future and a prosperous, peaceful and settled society.

It is, therefore, a key priority of the Executive to increase budgets dramatically in order to resource work to achieve those objectives. Having considered the progress, we are working on detailed proposals for a programme of cohesion and integration, which we will bring to the Committee for the Office of the First Minister and deputy First Minister for consideration. Key objectives, actions and targets will be developed in the context of those proposals.

Mrs Long: Will the deputy First Minister give any indication of the timescale for the publication of that programme? In the draft Programme for Government, it was referred to as a programme to promote societal relations. Previous answers indicated that there would be some detail in the new year. Can a more definite timescale be provided?

The deputy First Minister: There is work to be undertaken on that matter. When that work has been

completed, we will be able to outline for the Assembly the time frame for moving forward. There has been significant progress in the past three years with improved relationships and historically low levels of violence and tension. We want to ensure that relationships in the community continue to improve. We also wish to address the challenges that face new and host communities.

The objective of improving societal relations is specifically addressed within the public service agreement framework. By contributing to the Executive's aim of building a peaceful, fair and prosperous society, with respect for the rule of law, all the key goals outlined in the draft Programme for Government can be seen to set the context for the promotion of good relations.

As I said, we have witnessed low levels of violence and tension, and we must ensure that those gains are sustained. We must ensure that our communities, our economic and business sectors, and our public services are equipped and resourced at local level to face the challenge of increased numbers of newcomers, because newcomers will enrich our cultural diversity and our prosperity. We must ensure that newcomers are integrated into communities that are not divided, separate or unequal. We are committed to building and shaping a society that is free of sectarianism, racism and any form of intolerance.

Mrs D Kelly: Is the deputy First Minister saying that an absence of violence is the only standard by which to judge whether relationships have improved? In my constituency last week, anti-Catholic and anti-Pope leaflets were distributed.

Given that he has said that there are dramatically increased budgets in the draft Programme for Government for building community relations, will the deputy First Minister comment on the £0.6 million that his Department proposes to take away from the Community Relations Council? Has he made an assessment of the impact that that will have and of the implications of such a move?

The deputy First Minister: I, along with every Member of the Assembly, condemn any form of sectarianism, whether it is the kind that took place in the Member's constituency or the kind that occurred in the Serpentine Road area of Belfast over the weekend. The draft Budget recognises that, over the past three years, there has been significant progress in improved relationships, with historically low levels of violence and tension. We want to ensure that relationships continue to improve in the whole community and to address the challenges that face new and host communities.

In the past three years, expenditure on good community and good race relations was approximately £21 million. In the draft Budget, we propose to increase that investment to ensure continued improvement in relationships and to address the challenges facing new and host communities to almost £28 million over the next three years.

Investment during 2008-09 and 2010-11 will, therefore, be in the region of £26 million, taking into account efficiency savings during that period, to meet the public service agreement target of improving societal relations. That money will be in addition to EU Peace III funding. A key element of the investment proposals includes a significant increase over that period to promote inclusion and integration at a local level.

Mr Burnside: I am sure that the deputy First Minister will agree that the best way of ensuring a successful shared future for the community is for it to be based on the right institutional framework for government. The mandatory coalition that exists here, whereby all main parties are in Government, with no official Opposition, has only one similar equivalent elsewhere in the world, and that is the Lebanon. That is hardly an example of a stable constitutional position.

When will the deputy First Minister, and indeed the House, examine constructive evolution from the post-conflict all-party mandatory coalition to weighted majorities whereby we can voluntarily co-operate with one another in an Executive that is based on a voluntary coalition, perhaps with weighted majorities that would reflect the unionist and nationalist communities?

The deputy First Minister: We are where we are. We are here as a result of many months and years of intensive negotiations, and we have eventually reached a situation that appears to command the overwhelming support of our constituents. Regardless of their dislike of mandatory coalitions, all parties recognised the unique challenges that we faced: first, in reaching agreement, and secondly, in trying to achieve a situation in which we could move forward together in a spirit of co-operation to provide proper governance for the people whom we represent.

We have reached that point against the backdrop of many people telling us that it was not possible, that it would never happen, and that, even if it did happen, it would be only a matter of weeks before things fell apart. Quite clearly, that has not happened. We have confounded the critics, and we are moving forward decisively to provide the type of governance that people voted for in the Assembly elections. We are charged with the responsibility to deal with the political structures that are before us at the moment.

I have just come from an Executive meeting at which the four parties were very positive and constructive about how we should move forward. We were dealing with vital issues in the Budget, the Programme for Government, and the investment strategy, looking to the next 10 years.

People are entitled to dislike the present form of government, but it is working in the interests of the people. They voted for it, and it is our duty and responsibility to take forward those structures in a way that helps them to reach their full potential.

Children's Fund

2. **Mrs Hanna** asked the Office of the First Minister and deputy First Minister what action it is taking to improve the Budget allocation for the children's fund. (AQO 1450/08)

5. **Mrs M Bradley** asked the Office of the First Minister and deputy First Minister what is its assessment of the implications of any reduction in the current children's fund budget, particularly in relation to child poverty and protection. (AQO 1449/08)

The deputy First Minister: With your permission, a LeasCheann Comhairle, I will answer questions 2 and 5 together.

The First Minister and I, and our Executive colleagues, are committed to tackling child poverty here. That was outlined in our draft Programme for Government and draft Budget documents, which include a commitment to achieve a reduction of 67,000 by 2010 in the number of children living in poverty, compared with the 1998 level of 135,000. The junior Ministers made the case strongly for significant funding for children's services in pre-Budget discussions and succeeded in securing an allocation of £26 million for the Department of Education, the Department of Health, Social Services and Public Safety, and the Department of Culture, Arts and Leisure to facilitate the continuation of projects that were previously funded by the children and young people's funding package, in addition to a range of mainstream programmes.

Funding has also been allocated to take forward the development of the play policy. In addition, funding has been secured for exemplar, area-based interventions, which will help to demonstrate the effectiveness of early interventions locally and highlight the benefits to children, young people, families and communities.

As for the children's fund, all allocations in relation to the priority funding packages that were initiated by direct rule Ministers, and other ring-fenced items, have been removed from departmental baselines. That was done on the basis that if the individual supported projects are considered to be of significant value, the funding streams should be in departmental programmes, rather than managed through central funds.

It is too soon to detail whether there has been an overall reduction of funding for work with children. Ministers have yet to finalise their priorities, and the final picture will become clear only when that has been done.

Mrs Hanna: Do the deputy First Minister and the junior Ministers believe that the resources required to tackle child poverty and to provide good practical parenting and early-years programmes, and resources for the needs of autistic children, are available?

The deputy First Minister: We are facing a challenge, but we have the strategies and the funding that are required to face the difficult issues regarding the unacceptable levels of child poverty. The children and young people's action plan that was published on 20 March 2007 detailed time-bound actions to be taken by Departments, the NIO and the Courts Service, and it was designed to deliver on the aims of the strategy. Future action plans will follow a three-year cycle in line with Government finance policy. Work has begun on a review of the first action plan and the development of the next three-year action plan to deliver on the six high-level outcomes of the strategy. I am convinced, therefore, that if the Executive move forward decisively and together — particularly with all Departments playing their part — we will have the ability to make a big impact on the unacceptable levels of child poverty in our society.

Mrs M Bradley: We are not on target to eliminate severe child poverty by 2012. How does the Office of the First Minister and deputy First Minister intend to achieve that aim when there is a definite lack of resources and actions to tackle the issue as it stands, never mind after 2008?

The deputy First Minister: The targets that we have set ourselves are ambitious, but with goodwill on all sides — particularly with individual departmental involvement — we can make a serious impact on the unacceptable levels of child poverty in society. It is a tall order, but in the draft Programme for Government, we committed ourselves to making an impact, and only time will tell whether that is achievable.

Mr Beggs: Will the deputy First Minister concede that the failure to mention childcare in the draft Programme for Government is a sad reflection of the Executive's draft priorities? Does he agree that we must invest in people — particularly children and young families — and that failure to do so will have implications for child poverty?

The deputy First Minister stated that £26 million was being spent on children's funding. Will he acknowledge that that is a significant reduction from the direct rule expenditure of £51.7 million guaranteed over two years?

The deputy First Minister: We are supporting all sorts of programmes that can make a big impact as we move forward. For instance, Sure Start is a targeted programme designed to ensure that all children get a good start in life. It arose out of the recognition that child poverty leads to unacceptable differences in life chances, but it is available to all children under four in designated areas. It aims to work with parents and children to promote the physical, intellectual and social development of preschool children — particularly the disadvantaged — to ensure that they are well prepared for school and later life.

In areas in which Sure Start has been implemented, all families with children under the age of four, including pregnant women, have access to a range of services, including early education and play, childcare, healthcare and family support. Better co-ordination between the services is being provided for children and families in the Sure Start areas, and that is important. Sure Start represents an investment of £9.5 million for 2007-08. Approximately 22,000 children under the age of four, and their families, have access to the services provided under the programme in 25 projects.

2.45 pm

Seven new Sure Start projects will be operational by the end of 2007-08. Nineteen existing projects have been extended, and that will provide services for an additional 12,000 children and will ensure that 20% of the most disadvantaged wards here are served by Sure Start. That is an example of an intelligent direction of resources towards the right programmes. We believe that if we can do that, it will have a big impact.

Ms S Ramsey: I thank the deputy First Minister for his answers to the previous two questions. Will he outline to the House the role of the junior Ministers in promoting issues that are important in relation to children and young people?

The deputy First Minister: The junior Ministers have been given special responsibility for co-ordinating policy and promoting the rights and needs of children and young people. They are driving children's issues forward and are taking the lead in reviewing, and revising as necessary, the 10-year strategy for children and young people.

All Departments will be involved in setting special targets over the next three years, which will be published in a revised action plan for children and young people and will be approved by the junior Ministers. The junior Ministers have had a series of engagements with a number of individual voluntary-sector organisations that advocate for children and young people. In addition, they met with a large group of non-governmental organisations at the office of the Commissioner for Children and Young People to listen to what they considered were priority issues for children and young people.

That is vital work, and the junior Ministers recognise the importance of bringing a paper to the Executive Committee meeting on 31 January that will seek an agreement to re-establish a ministerial subcommittee as soon as possible with the intention of improving the integration of policy and service delivery on cross-cutting issues. They also intend to discuss those issues with the Committee of the Office of the First Minister and deputy First Minister, and it is intended that all Ministers will be invited to the first meeting of the subcommittee to decide their priorities.

Civil Contingencies Policy Branch

3. **Mr Kennedy** asked the Office of the First Minister and deputy First Minister what plans it has to carry out a review of the work of the civil contingencies policy branch. (AQO 1292/08)

The deputy First Minister: The civil contingencies policy branch (CCPB) promotes civil contingencies policy development and implementation across the public sector and facilitates the co-ordination of responses to emergencies in an NI-wide impact area.

The branch reviewed its operational structures and systems in 2006-07, and a number of new cross-public-sector groups were established as a result. Its work is kept under continual review in the light of ongoing risk assessments and consultations with key stakeholders, including Departments, emergency services and district councils.

Mr Kennedy: I thank the deputy First Minister for his reply. Will he, along with his Executive colleagues, consider recreating the civil contingencies fund, which could compensate the owners of Orange Halls, for example, that have been systematically burned down in what amounts to a Province-wide, extremist, political campaign? It would help them when applying for speedy rebuilding and reinstatement costs.

The deputy First Minister: Naturally, I express my sympathy to the Orange Order, particularly in those areas where it has had its halls burnt as a clear result of sectarian attacks. Those attacks are disgraceful, and the people involved should be ashamed of themselves, along with those who attempt to burn GAA clubs and foment division and conflict in our society. They cannot be allowed to succeed.

There is a duty on all of us to do everything in our power to ensure that people who participate in those despicable attacks are brought before the courts. People in all communities should co-operate with the PSNI to bring a halt to this ridiculous activity as soon as possible.

Orange Halls have had a particular financial burden, and the First Minister and I have been involved in discussions with the British Government, and between ourselves, regarding the real difficulty in which the Orange Order finds itself.

The civil contingencies policy branch is not responsible for the delivery of all civil contingency activity. Each of the Departments, their agencies and non-departmental public bodies are responsible for civil contingencies in their sectors. Other responders, such as the emergency services and district councils, have roles to play in planning for and delivering a local response.

CCPB's role is to promote effective civil contingencies policy and implement it across the public sector — not to write plans for operational responses. OFMDFM has offered a lead and has come out strongly against the

attacks. It recognises the financial burden that has been imposed on the Orange Order, and further discussion will show whether that situation can be resolved.

Mr Attwood: I have a serious question in relation to emergency planning. Will the Minister confirm whether a bunker has been constructed, allegedly in or around Ballymena, so that, in the event of a grave or catastrophic event, there would be a place of refuge?

A Member: For Junior? *[Laughter.]*

Mr Attwood: I suspect that more people than Junior might go to that place of refuge. *[Laughter.]*

In the event of a grave or catastrophic event, there would be a place of refuge for up to 300 people. Is the Minister aware that a bunker has been constructed? Did it cost between £300 million and £400 million? Is he prepared to lodge in the Assembly Library a list of the titles of the 300 people who may avail of that place of refuge? If that is true, does the Minister agree that it is preposterous, and that there are far better projects in the North on which public money could be spent?

The deputy First Minister: That sounds preposterous to me, and I hope that I am not one of those 300 people. I know absolutely nothing about a bunker in Ballymena or a list of 300 names. However, if it is a serious question — and I presume that it is — we will all be interested in hearing the answer from whoever constructed the bunker.

Mr Deputy Speaker: If there is a bunker, places in it will be allocated purely on a points system. *[Laughter.]*

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá ceist dháiríre agam.

Will the Minister outline the role played by the civil contingencies policy branch in the aftermath of the recent fire tragedy in the Lamy area of Omagh? Go raibh maith agat.

The deputy First Minister: The civil contingencies policy branch represented the First Minister and deputy First Minister at multi-agency meetings on the recent fire tragedy in Omagh. It liaised with colleagues in central and local government and co-ordinated the response of the First Minister and deputy First Minister to correspondence received in relation to that sad and tragic event.

Good Relations

4. **Mr Neeson** asked the Office of the First Minister and deputy First Minister to confirm whether the fostering of good relations remains a key priority; and to identify five key actions planned to deliver good relations in the context of the draft Programme for Government 2008-11. (AQO 1440/08)

The deputy First Minister: As OFMDFM said previously, it is fully committed to tackling sectarianism,

racism and intolerance. The draft Programme for Government contains high-level commitments that support its public statements. The example set by the House and the Executive demonstrates our collective commitment to provide leadership in building the shared and better future that our people deserve.

Our priority must be to build on the peaceful summers that we have enjoyed recently. That has been the product of much hard work by many people at interfaces and other areas who have successfully built and maintained relationships, even at times of great tension. Our future strategy will be to sustain that success and support measures such as the use of mobile phone networks in campaigns to influence young people away from recreational rioting.

As I have already said today, a key priority of the Executive is to dramatically increase budgets to resource work to achieve those objectives. Much has been achieved, but much remains to be done. That message is at the heart of the draft Programme for Government and informs our relationships in Government.

Mr Neeson: Is the Minister aware of the statement that was made recently by five clergymen in north Belfast, expressing their concerns about how the draft Programme for Government deals with — or fails to deal with — divisions in our society?

Furthermore, is he aware that the latest edition of the Community Relations Council's publication criticises how the Executive, through the Programme for Government, have dealt with sectarianism? What is the deputy First Minister's reaction to that criticism, and what does he plan to do about it?

The deputy First Minister: The 'Shared Future' framework document and the racial equality strategy were debated on 4 June and 3 July 2007 respectively, and in line with the resolutions to those motions, the Office of the First Minister and deputy First Minister will introduce detailed plans, which are consistent with the Pledge of Office, to promote the whole community's interests and to achieve a shared future and a prosperous, peaceful and settled society. The Department will also introduce plans for 2008-11 that will detail how racial equality and an inclusive society for our increasingly diverse community can be achieved. At the core of those proposals is the idea that action must be taken to tackle racism, sectarianism and intolerance. We intend to discuss those proposals shortly with the Committee for the Office of the First Minister and deputy First Minister.

People must recognise that the institutions have been in place for only a few months. A great deal of hard work has been going on, particularly on the development of the Programme for Government, the Budget, and the 10-year investment strategy. It is, therefore, far too soon for people to judge the quality of that work. Only when proposals have been introduced and it is clear how they will be implemented should people judge whether the Executive are making a real impact.

However, I know that the sight of the First Minister, me and the SDLP and Ulster Unionist Party Ministers has sent a positive message to the entire community. Over the past eight months, tremendous work has been done, and that will continue. Those who harboured the notion that all this would fall apart have had to sit up and take notice that the parties are dedicated to ensuring the fulfilment of the dreams and views of their constituents.

Therefore, it is too soon to make judgements. People can judge us properly only over time, so it is unfair to do so over a matter of months. We have made rapid progress that I believe will continue. However, people will be in a position to judge us only when we have introduced and implemented our proposals.

Mr Craig: Does the deputy First Minister agree that good relations should apply not only to religious and political breakdown in Northern Ireland, but to ethnic relations in the general population? That is a matter of increasing importance in my constituency and in those of others. Should that aspect of good relations not be given a much higher priority?

The deputy First Minister: I could not agree more. How we treat the newcomers who come to our shores is one of the great challenges that we face in the North and, indeed, on the island of Ireland. There is no doubt whatsoever that those newcomers have made important contributions to our economic successes, our hospitals, schools and many of our other services. Such good relations are a high priority for the Executive, and the First Minister and I are dedicated to eradicating racism and sectarianism of whatever description. That is reflected in our programmes and policies and in those that Departments have adopted. It is clear that every Minister is as dedicated and committed as us to the success of that work.

In the past three years, around £21 million has been spent on good relations and good race relations, and, in the draft Budget, we have proposed increasing that investment to approximately £28 million over the next three years in order to ensure continued improvement in relationships and to address the challenges that face new and host communities. That is a substantial financial commitment.

3.00 pm

ENVIRONMENT

Rural Planning Legislation

1. **Mr McElduff** asked the Minister of the Environment what plans she has to make an announcement on new rural planning legislation; and to detail the range

and number of stakeholders with which her Department is consulting on this matter. (AQO 1366/08)

The Minister of the Environment (Mrs Foster):

When I reissued draft planning policy statement (PPS) 14 on 25 October 2007, I stated my clear view that the review of draft PPS 14 would have a short and focused timescale. I said that I would publish a new draft PPS 14 within six months and that that would be followed by a period of public consultation. I am holding to that commitment. The Executive subcommittee has determined that, as part of the process, there should be engagement with key stakeholders on the findings emerging from the review. Therefore, meetings will be held in February at various locations across Northern Ireland; the outcome of those meeting will also help to inform the revision of draft PPS 14.

Mr McElduff: Is the Minister aware that the fall in planning applications, which has been caused by the presumption against new single homes in the countryside, is having a disastrous knock-on effect on the rural economy, particularly in the building trade in counties such as Tyrone and Fermanagh, as has been highlighted in the past week by University of Ulster economist Michael Smyth? Have there been any Executive-level discussions about measures that might be taken to support the building trade at present?

Mrs Foster: I continue to engage with all stakeholders, and I will be having a meeting soon with the Construction Employers Federation about its concerns, not only in relation to draft PPS 14, but across the spectrum. I also understand from my officials in the Planning Service that five years' worth of planning applications have not yet been built. That being the case, I am somewhat bemused by the allegation that builders all around the country are going to be out of work when so many applications have not been taken up. Bearing that in mind, as I said in answer to the initial question, I was determined that the review would be focused and time constrained.

The Member is fully aware that there will be stakeholder engagement across Northern Ireland, including — most notably for him — in Omagh. We will discuss with the various stakeholders the emerging findings from the review. I trust that he will also take the opportunity to speak to his ministerial colleagues about progress on draft PPS 14.

Mr Burnside: I am sure that the Minister will agree that draft PPS 14 established a much too rigid framework, although that is understandable, given what people call "bungalow blight". There is a tremendous trend among farmers for replacing many fine old stone-built houses in the countryside with bungalows. They get planning permission for a replacement house, they build a bungalow, and they let the old stone house fall apart. With luck, it will be used to house a few cattle. During

the review, will the Minister consider giving an incentive, perhaps by means of a grant, to farmers to improve fine old buildings rather than replace them with bungalows?

Mrs Foster: I am happy to confirm that my Department is carefully considering one issue to which the Member referred — the fact that old buildings are being allowed to go to rack and ruin while new buildings are being built close by. We want to maintain vernacular buildings in the countryside, and we are considering pertinent design issues. Many architects have made submissions to me stating that design should form a large element of the policy outlined in draft PPS 14. Therefore, I am very happy to confirm that we are examining that area closely.

Mr O'Loan: With regard to the emergency bunker in Ballymena, the problem at the moment is that, if Junior were to go into it, none of his party colleagues would want to go in with him.

Will the Minister confirm whether the junior Minister Ian Paisley Jnr has attended meetings of the working group on rural planning? Will she also confirm whether he is a member of that group? In view of his particular interest in planning, which not everyone would regard as dispassionate, does she regard his participation as appropriate?

Mrs Foster: No planning permission has been granted for a bunker in Ballymena; therefore, if one exists, my enforcement team will be interested in having a look at it.

Regarding the actual question as opposed to the preamble, the Ministers on the subcommittee are Nigel Dodds, Michelle Gildernew, the junior Ministers Gerry Kelly and Ian Paisley Jnr, Conor Murphy, Margaret Ritchie and myself. We have had a good debate regarding PPS 14. Three meetings have taken place: the first on 12 November 2007, the second on 10 December 2007 and the third on 14 January 2008.

The subcommittee is considering a range of policy options and is developing new policies that will attempt to balance the needs of the environment and the rural communities. We are also concerned — and this is an important point — with the practical implementation of the policy, because, shortly after I took office, it became clear to me when engaging with officials from the Planning Service that one of the most difficult issues regarding PPS 14 was with planners and the difficulties that they had in implementing the policy. Therefore, we must also consider that.

Regarding the suitability of the two junior Ministers' attendance at the subcommittee, they are reporting back to the Office of the First Minister and deputy First Minister, and I have no difficulty with that.

Environmental Crime Team

2. **Mr Hamilton** asked the Minister of the Environment to make a statement on the success of the environmental crime team that exists within the Environment and Heritage Service. (AQO 1302/08)

Mrs Foster: I have been greatly encouraged by the success that the Environment and Heritage Service's (EHS) environmental crime team has achieved. Since 2005, it has overseen 244 successful prosecutions against those convicted of illegal-waste offences. Those cases have generated fines of £568,415. In addition, six custodial sentences have been imposed, ranging from two to 12 months.

Courts view environmental crime with increasing seriousness, as is evidenced by the high fines that are often imposed and the jail terms that have been handed down to some of the most serious offenders. In my view, that is mainly due to the work of this highly professional and committed team, which has made great progress in tackling illegal-waste crime, while operating in often difficult circumstances.

The team makes use of its increased legal powers, and has developed strong working relationships with other law enforcement agencies, including those in the Republic of Ireland. Its work has helped to increase public awareness of the impact and seriousness of illegal dumping.

I was particularly pleased by the recent success in achieving a confiscation order against environmental criminals, which was the first in the United Kingdom.

Mr Hamilton: I thank the Minister for outlining the environmental crime team's successes in securing prosecutions, fines and custodial sentences. Will the Minister tell the House what structures are in place to allow EHS to build upon its successes in respect of illegal dumpers?

Mrs Foster: The environmental crime team was formally set up in 2005-06. It had worked as a team before that, but that is when it was designated an environmental crime team. The team forms a dedicated intelligence unit to target not just the complicit land owners, but those who drive the crime of illegal-waste dumping.

EHS will train further staff as financial intelligence officers in partnership with the Police Service of Northern Ireland and the Assets Recovery Agency. While the team has been developing its financial investigation and financial intelligence skills, it has formed a partnership with the Assets Recovery Agency and the Police Service of Northern Ireland to refer cases for confiscation under the Proceeds of Crime Act 2002.

Environmental crime team investigators commenced a programme of retraining in October 2006 on issues such as the Police and Criminal Evidence (Amendment)

(Northern Ireland) Order 2007, investigative interviewing, human rights, the Regulation of Investigatory Powers Act 2000 and court skills. All of those skills are required to enable the team to bring people to justice when they commit environmental crime.

I am pleased with the progress made by the environmental crime team, and I trust that it will go from strength to strength now that it has that skills base.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. I am sure that the Minister shares my concern about the scale of illegal dumping in the Belfast hills. It is estimated by the Belfast Hills Partnership that one million tonnes of waste are dumped there every year.

Will the Minister agree that a recent report by Criminal Justice Inspection made it clear that EHS is failing to tackle persistent environmental offenders? Furthermore, will she update the Assembly with respect to costings for the establishment of an independent environmental protection agency?

Mrs Foster: I received a report from the Criminal Justice Inspection in 2007, in which mention was made of the environmental crime team. That team has since developed, and the Member will acknowledge that. Since that date, I have also looked at having a single environmental team to deal not only with illegal waste dumping but also water pollution — currently dealt with by the water unit in EHS — and other elements of environmental crime such as wildlife crime.

I am working towards, and want to see implemented, the recommendations of Criminal Justice Inspection: a single environmental crime unit in EHS to deal with the range of environmental crimes that we encounter.

As to the question about the costings, I have received a question for oral answer from the Alliance Party Member for North Down. I will not steal his thunder. I am sure the Member will get a copy of the answer, if that is not reached today.

Mr Gardiner: Will the Minister agree that the removal of a rath, dating from the era of St Patrick, in the village of Waringstown in my constituency of Upper Bann, was an environmental crime? What punishment does she propose for the officials who failed to adequately protect that site?

Mrs Foster: The Member had been in protracted correspondence with the Department in relation to this issue long before I became a Minister. Correspondence continues, and I hope that we will at some stage come to a resolution and closure of the matter.

Planning Service

3. **Mr Attwood** asked the Minister of the Environment whether the Planning Service is fit for purpose. (AQO 1475/08)

Mrs Foster: The Planning Service has been confronted with a number of challenges in recent years, such as a 62% increase in the number of planning applications between 2000 and 2006, and greatly increased regulation and public scrutiny.

Against that background, and within the constraints of the current planning system, I am happy to say that performance against business targets is improving. It is pleasing to note that half-yearly results at the end of September 2007 confirmed that the Planning Service was meeting three out of the four business targets for those parts of the process that lie within its control. That is in spite of an increase in the number of applications received so far this year, compared to the same period last year. Planning Service has also been successful in dealing efficiently with a number of key infrastructural proposals, such as the Titanic Quarter. However, there is always room for improvement, and I assure the Member that the Planning Service is committed to improvement.

We should distinguish, however, between the Planning Service and the planning system. The question refers to the Planning Service: I believe that our focus should be on the entire planning system, but I am the first to acknowledge that we must improve our part — the Planning Service.

My officials are making progress with a number of improvements to the planning process, including: piloting streamlined council consultation arrangements with the city council in Londonderry; making greater use of pre-application discussions; revising the procedures for dealing with reserved matters applications; reforming the development control group structure to speed up the decision-making process; streamlining the processes involved in preparing for an appeal; and looking at ways to enhance accessibility to the planning system through better use of technology.

I recognise that a modern up-to-date planning system is integral to delivering the Executive's goals for Northern Ireland, as indicated in the draft Programme for Government, and we will be working towards that goal.

Mr Deputy Speaker: Members will know that the Speaker made an announcement this morning about the use of mobile phones in the Chamber. A mobile phone has just caused interference. Members have been made aware of the effect that that has on the recording equipment in the Chamber. I ask all Members to switch off their mobile phones.

Mr Attwood: I thank the Minister for her extensive answer. I am sure, however, that she concurs, on the basis of her constituency experience, that frustrations with the Planning Service and the planning system are common among constituents in the North.

3.15 pm

However, with regard to the Minister's last point, is she satisfied that the Planning Service and the wider planning system will be fit for purpose, for example, to accelerate potential inward-investment opportunities should they arise during the next three years? In particular, is she satisfied that in the event that hotel-development opportunities arise, especially outside Belfast or wherever they might be, the Planning Service and system will be able to give potential hotel developers certainty that if they invest here, they will get approvals in good time in order to service any increased tourist demand as identified in the Programme for Government?

Mrs Foster: I could just get up and say yes; however, I am not known for brevity of that nature. The Member is aware that my Department is committed in the Programme for Government to process applications for strategic projects in six months. That is a challenging prospect for the Planning Service. However, it has already been achieved in respect of some major applications. I believe that it can continue to do so. I stress that this is not just a matter for the Planning Service, but for the entire planning system. Therefore, applicants and agents must play their part with Planning Service in order to develop a better system. That includes having pre-application discussions with the Planning Service in order that quicker and more efficient decisions can be made, whether they are consents or non-starters, so that, if necessary, people can go back to the drawing board immediately and without having to wait.

I recognise that there is frustration at constituency level. Indeed, constituents, not just from Belfast but from across Northern Ireland, have raised several specific issues with regard to apartments, garden grabbing, and so on. I am listening closely on all of those issues. Indeed, I met a delegation of residents from south Belfast and several others who have come to see me. The Department is in listening mode. The Member is aware that I am committed to a planning reform agenda, which I hope to bring forward before summer 2008.

Mr T Clarke: Will the Minister tell the House what she and her Department are doing to restore public confidence and faith in the Planning Service?

Mrs Foster: I hope that people in Northern Ireland realise that the Administration is a listening one — certainly, I have done my best to get out and listen to people's various concerns about the Planning Service.

There is no doubt that the Planning Service does a difficult job. It must reach decisions on developments, and if there are objectors to a particular development, they may be disappointed and may say, therefore, that they have had a bad experience with the Planning Service. If an applicant is turned down, he or she will

have had a bad experience with the Planning Service. It must be recognised that that will always be the case, and it is important to distinguish between dissatisfaction with a particular decision and a general lack of confidence in the process through which that decision is reached.

The Department and the Planning Service, in particular, are committed to ensuring that the planning system delivers a first-class service to all of the people of Northern Ireland. That is why the Department is undertaking wide-ranging planning reform and why I am delighted that Greg Lloyd, a well respected professor of planning law at the University of Liverpool, has agreed to lead that reform process. In February, I will be taking the opportunity to visit colleagues in Scotland, during which time I will take a close look at their planning system. I also hope to learn from their recent reform process.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister explain why there has been significant drift of senior and middle-level planning officers to the private sector?

Mrs Foster: The simple answer to that question, which has already been said, is money. Planners are much better paid in the private sector. However, that can be looked at in two ways: one can get depressed about the fact that the Planning Service is losing out on senior planners above a certain level. However, on the other hand, it is recruiting good graduates.

Through the development of incentive schemes, I hope to encourage them to remain in the Planning Service. Additionally, I hope that senior planners who have gone to work in the private sector will ensure that planning applications that are submitted to the Planning Service will be of a certain standard. If that is the case, I hope that it will be of benefit to the planning system in general.

National Park in the Mournes

4. **Mr McCarthy** asked the Minister of the Environment what action she is taking to implement proposals for the establishment of a national park in the Mournes. (AQO 1457/08)

Mrs Foster: I consulted the Council for Nature Conservation and the Countryside (CNCC), the Committee for the Environment, and the Committee for Agriculture and Rural Development about the Mourne national park working party's report in September 2007. Recently, I received a response from CNCC, and I look forward to the Committees' responses soon. Last week, I met a small group of Ulster Farmers' Union (UFU) representatives and others in the Mournes to hear their views. The proposal to designate a national park in the Mournes has created a significant response from the local community and beyond. In view of that,

it is only right that I give proper consideration without the constraints of a deadline to the working party's report and to the views of those whom I have met.

Mr McCarthy: I thank the Minister for her detailed response. Will she agree with me that the matter has been rumbling on for some considerable time and that it would be in the interests of her Department, farmers and landowners to get something done as soon as possible so that tourism can be encouraged? Tourism is one of Northern Ireland's big assets; in some areas it is the only asset. It is important that the matter be brought to a successful conclusion as soon as possible, with agreement from as many people as possible.

Mrs Foster: The Member says that tourism is the only industry in some areas. Last week, I met a group in the Mournes that would firmly reject that point of view. I was impressed by the farming representatives that I met in Ballinran last week when I was in the kingdom of Mourne. I was impressed by their breadth of knowledge about national parks and, in particular, by their confidence in their future in agriculture. They certainly do not see themselves as part of a dying industry. We should encourage that attitude, given the bad spell through which agriculture has come.

As Members know, the working party reported last year. It reported the desire of many people for a national park and also the concerns of farmers. I want to consider farmers' views as well as the other issues in the working party's report; I also want to consider the responses that I await from the Committee for the Environment and the Committee for Agriculture and Rural Development.

Mr P J Bradley: I thank the Minister for visiting the Mournes and hearing, at first hand, the concerns of the farmers about the proposal for a national park. My question is about the three reports that are now with the Minister: the report from the working party; the report from the Mournes area of outstanding natural beauty residents' action group; and the independent report of the nominees for the Mourne trustees. Will the Minister attach equal importance to the contents of all three reports?

Mrs Foster: The Member is correct that I have received those three reports. I understand that some clarification is needed with regard to the trustees' report, which was communicated to me at the UFU meeting last week. I hope to have a focused meeting with the trustees of the Mournes only. I will do that in the near future.

The Mourne working party identified many issues, and I commend its work. The issue of access was raised, regardless of whether there would be a national park or not. I know that Mr Bradley will be aware of that. Because access does not depend on whether there is a national park, I have asked the Environment and

Heritage Service to commit a further £500,000 over a three-year period to address the issues connected to it.

When I was in the Mournes I assured the people to whom I was speaking that there were no strings attached to that money, regardless of whether there would be a national park or not. In other words, landowners who are not in favour of a national park could make use of that money to upgrade their access in the Mournes. That message was well received.

A national park for the Mournes is a matter that we will have to consider carefully. I will take the farmers' views on board, as well as those who want the Mournes to be a national park that can be developed for tourism.

Mr Easton: The working party has identified the need for positive management for the Mournes. How will the Minister support that?

Mrs Foster: The Mourne Heritage Trust, which is a well-respected body in the Mournes, has been tasked with co-ordinating the management of the Mourne area of outstanding natural beauty. I recognise that quite a few designated areas already exist in the Mourne area, and that has brought the environmental product there very much to the fore.

The Department already provides grant aid to the Mourne Heritage Trust through its natural heritage grant programme, and it will consider further initiatives for which the trust, or others, may seek funding. As I have already said, access is an issue. That is not connected to any decision on whether or not there should be a national park, but it was identified in the working party report. We hope that the £500,000 that I mentioned earlier will benefit the area and provide additional resources for developing and improving access, providing better information for walkers and helping landowners to deal with many of the access problems that they face.

Review of Public Administration

5. **Mrs Long** asked the Minister of the Environment to provide an update on proposed powers for district councils under the review of public administration.

(AQO 1459/08)

Mrs Foster: Following the publication of the emerging findings of the review of local government aspects of the review of public administration (RPA), a major stakeholder event was held in Cookstown on 25 October, attended by over 120 delegates. Four subregional events were subsequently held in Armagh, Limavady, Omagh and Lisburn. Stakeholders were also invited to submit written comments on the emerging findings and initial proposals, if they felt that that was appropriate. Some 58 organisations and individuals submitted comments.

The views expressed at the stakeholder events, in the written responses, during the take-note debate in the House on 13 November and by the Committee for the Environment have informed further discussions in the Executive subcommittee — which I chair — and at a number of bilateral meetings that I have held with ministerial colleagues, particularly in relation to the functions that might transfer to local government to strengthen its role. Those discussions are continuing and are reaching a critical stage. I want to ensure that all the views that I have received are fully and carefully considered as the thinking on the three strands, of which the Member will be aware, is drawn together before final recommendations are made to the Executive.

Mrs Long: One of the key powers that most local government organisations would like to see devolved to them is community planning. However, for that power to be effective, other powers would have to be devolved that would allow local government bodies to produce, not simply a wish list for their borough, but also a to-do list. Does the Minister agree that other significant powers will have to be devolved to local councils if they are to have a substantive role in community planning?

Mrs Foster: As far as I am concerned, community planning is the linchpin of what we are trying to do with the review of public administration. The Member is right to say that the matter does not only affect my Department as regards planning; it affects a range of Departments. It is that suite of functions that the Northern Ireland Local Government Association (NILGA) has been pressing for and that we have sought in the bilateral meetings that I and ministerial colleagues have had over the past days.

I want to take this opportunity to commend NILGA on its work and its very realistic approach to all those issues. It has looked at the issues, been involved in stakeholder engagement, looked at what was on the table as a result of the emerging findings, and pushed all along for more to come on the table. I have found NILGA to be a very helpful tool in my kit, and I hope that when the end of the process is reached, that will be reflected in the range of functions that is devolved.

Dr Deeny: Health professionals also have concerns about the delay in finalising the number of councils — particularly those of us who have been appointed to the new local commissioning groups. As the Minister will know, the local commissioning groups, in terms of both their number and their make-up, are very much dependent on the number of councils in Northern Ireland —

Mr Deputy Speaker: Order. Can the Member get to his question?

Dr Deeny: It is coming.

My question is: can the Minister tell us when she will announce the future number of councils in

Northern Ireland and their respective geographical make-ups? Can she give us some idea of how many councils there are likely to be in future?

3.30 pm

Mrs Foster: The Executive subcommittee is due to meet soon to discuss and agree final recommendations to the Executive, which will include its views on the number and functions of those bodies, and the vision to which all Members are signed up. The Member made a point about health professionals. In an early engagement with me, the Minister of Health, Social Services and Public Safety made it clear that, no matter the number of councils that is settled on, the local commissioning groups would be able to engage with that number of councils, and that there was no need for me to be concerned about that matter. That was a very helpful early intervention.

FINANCE AND PERSONNEL

Departmental Solicitor's Office

1. **Mrs D Kelly** asked the Minister of Finance and Personnel what consideration he has given to transferring responsibility for the Departmental Solicitor's Office out of his Department. (AQO 1494/08)

The Minister of Finance and Personnel (Mr P Robinson): Consideration was given by direct rule Ministers in 2006 to the transfer of the Departmental Solicitor's Office, as the core component of the new Government legal service for Northern Ireland, to the Office of the First Minister and deputy First Minister in April 2007. In early 2007, preparations for that transfer were halted, pending the anticipated progress on devolution.

The Departmental Solicitor's Office has operated successfully for many years as part of the Department of Finance and Personnel, while providing professional legal services to all Northern Ireland Departments. I am satisfied with that arrangement, and I have no plans to seek the transfer of responsibility for the Departmental Solicitor's Office to another Department. However, as you know, Mr Deputy Speaker, any significant transfer of responsibilities among Departments would, in the first instance, be a matter for the Office of the First Minister and deputy First Minister.

Mrs D Kelly: In view of that answer, will the Minister outline any functions that he hopes to transfer under the review of public administration?

Mr P Robinson: That is the subject of a later question, but it is sufficient to say that the Department of Finance and Personnel deals with central Government. I am

sure that the Member is not suggesting that we hand over control of central Government to local government.

Mr Hamilton: Will the Minister tell the House whether Ministers and Departments are obliged to follow legal advice that they receive from the Departmental Solicitor's Office, and, if not, what the implications are of failing to do so?

Mr P Robinson: All Ministers are obliged to act within the law, and will take legal advice from time to time. Whether or not their actions are consistent with the law, it is, in the final analysis, a matter for the Minister whether he or she accepts that advice or not, and takes the consequences. I am sure that if the Member were to trawl through history, he would find some instances in which a Minister did not take such advice and ended up in court.

Departmental Spending

2. **Mr Irwin** asked the Minister of Finance and Personnel to detail the discretion that Departments have in relation to how money allocated through the Budget process is spent. (AQO 1340/08)

Mr P Robinson: Although the strict legal response to the Member's question is that all Government expenditure is subject to the approval of the Department of Finance and Personnel, Departments, in practice, spend on the basis of delegated authority, which can be amended or withdrawn at any time. However, I take it that the burden of the Member's question was to determine the level of discretion that is available to Departments to reprioritise the allocations that are given to them.

The proposed allocations in the draft Budget were developed in conjunction with Departments, and, therefore, reflect their initial view of how allocations should be used. The Departments had a further opportunity to amend those views before the finalisation of the Budget position. That meant that Executive Ministers had broad discretion in distributing the additional funds that are available for specific services within their Departments.

The final Budget position will show allocations to Departments at the level of spending areas. The number of spending areas in each Department ranges from two for the Office of the First Minister and deputy First Minister to 13 for the Department of Finance and Personnel. Departments will have complete flexibility to transfer allocations within spending areas, but any proposed reallocation among spending areas must be approved by the Executive. It also remains open to the Executive to ring-fence any funding allocation for a specific purpose.

Mr Irwin: In light of the Minister's answer, should each Minister reflect on the outcome of the consultation process when determining his or her priorities?

Mr P Robinson: I am pleased to say that almost 10,000 people took the trouble to make submissions not only on the draft Budget but on the draft Programme for Government and the draft investment strategy. That indicates a much higher level of involvement in consultation than we have ever had previously in Northern Ireland. Ministers will want to benefit from that level of public consultation. The Budget, which will come before the House tomorrow, will reflect the outcome of that consultation. When Ministers distribute their allocations, they will want to take the consultation into account. They will also take the consultation into account in any in-year monitoring rounds.

Ms Lo: What plans does the Minister have to put in place a strategic approach to ensuring that underspends are allocated against agreed priorities rather than dealing with them in an ad hoc manner through each of the quarterly monitoring rounds?

Mr P Robinson: The nature and purpose of monitoring rounds is to deal with ministerial pressures. It is not possible, strategically, to ensure that every programme in a Minister's Department will run in accordance with the timescale that he or she had hoped to meet at the time of the Budget. Programmes will experience new issues and pressures, and there will always be slippages. When there have been slippages, the purpose of monitoring rounds is to take the funds that are available and use them to deal with pressures. However, if it is possible to allocate beyond any pressures that have to be met, the strategy in the Programme for Government allows for that. As the monitoring rounds progress, we will consider shortfalls in any Programme for Government targets. Strategically, we would use in-year spending rounds to assist Ministers to meet those targets.

Dr McDonnell: In the interests of openness and transparency, should individual Ministers be allowed to make frank statements to the House on the details of their departmental budgets? At times, we spend a lot of time discussing fairly small amounts of money, such as that spent on the North/South Ministerial Council. It would be useful for the House to have the chance to debate the way in which large budgets are spent inside Departments.

Mr P Robinson: Mr Deputy Speaker, you have had to sit on that Chair on several occasions when the House debated those issues. I am sure that you have not seen any reluctance on the part of Ministers, or Members, to make their views known on allocations and pressures. The purpose of the consultation process has been to allow everyone in Northern Ireland who wishes to express a view to do so. At some stage, Ministers must take a collective Executive decision.

The Executive have done that, and we will bring forward a Budget statement tomorrow based on the agreement of the Executive. I am not in a position to restrict Ministers from making statements on behalf of their Departments. I hope that any such statements would recognise the considerable steps that have been taken by all Executive colleagues to ensure that the Programme for Government can be supported by all Ministers and is worthy of the support of the people of Northern Ireland.

Mr Deputy Speaker: Question 3 has been withdrawn.

Economic Vision for Northern Ireland

4. **Dr Farry** asked the Minister of Finance and Personnel what is his assessment of the economic vision for Northern Ireland within the draft Budget 2008-11.
(AQO 1485/08)

Mr P Robinson: The draft Budget aims to create a dynamic, outward-looking, competitive and innovative regional economy. Spending proposals focus on ensuring that resources are made available to secure productivity improvements in Northern Ireland through investment in the four main drivers of productivity: skills, enterprise, innovation and infrastructure. Such investment is necessary to achieve the public service agreement target of halving the private sector's productivity gap with the UK average — excluding the south-east of England — by 2015.

Dr Farry: I thank the Minister for his response. In light of the Varney Review, and its statement that Northern Ireland should be satisfied with taking its share of the proceeds from a booming UK economy through the Barnett formula — and thereby perpetuating the financial penalty on the rest of the UK — how can such a vision can be achieved, particularly given that Sir David Varney did not foresee any meaningful change to the gap in the levels of gross value added (GVA) between Northern Ireland and the UK?

Mr P Robinson: Everyone in the House was disappointed at the outcome of the Varney Review, but I hope that the Assembly's greater involvement in Varney II will bring us a better outcome. Northern Ireland's GVA is about 81% of the UK average, and the Programme for Government is intent on addressing that disparity. The only way that that can be done is by the Assembly increasing economic growth through allocating resources to the key Departments involved, and by those Departments introducing proposals to upskill the workforce. The Departments must be innovative in generating new jobs and they must ensure that the new jobs are created in occupations that will attract higher wages than many existing jobs in Northern Ireland. Northern Ireland is among the areas

of the United Kingdom that are experiencing the largest increases in economic growth.

Mr Storey: To follow on from the Minister's comments, will he state how his draft Budget allocations seek to encourage economic growth?

Mr P Robinson: I have outlined what I consider to be the drivers of productivity. The Departments that have responsibility for those drivers are the Department for Employment and Learning, the Department of Enterprise, Trade and Investment, the Department of Education and the Department for Regional Development, which has responsibility for improving infrastructure.

Without specifying any possible changes in the final Budget, it is worth pointing out that in the draft Budget, we allocated an increase in resources to those Departments over the CSR period that was well above the block average of 3.6%. The Department for Regional Development will receive an average increase of 6.5%; the Department of Enterprise, Trade and Investment will receive a 4.8% increase; the Department of Education will receive a 4.3% increase, and the Department for Employment and Learning will receive 3.9%. In my Budget statement, some of those figures will change, which, I hope, will be helpful.

Mr Cree: The Varney Review of taxation policy failed to deliver anything significant to the economy and contributed nothing to the economic vision. The Minister has touched on the new review: will he share with the Assembly his expectations of the Varney II review and state when the report will be published.

Mr P Robinson: The only positive to come from the Varney Report was the provision of an economic analysis, some of which is useful, but the report provided no concrete benefit to Northern Ireland. All that can be said is that Varney II can do no worse than the first version.

3.45 pm

As Minister, there are things that I can control and there are things that I cannot control. I cannot control the Treasury; no one has managed to learn how to do that. As a devolved institution, all we can do is argue our case, attempt to convince people, and state to them that there is a very real need here for new instruments to help us to grow our economy. The difference between the first Varney Review and Varney II is that having greeted Sir David when he started his first review, I had no further meetings with him — nor, having sought a further meeting with him, did I get one — whereas, this time, Northern Ireland officials will be involved throughout the process, which I think means that the views of the Assembly will be heard throughout and, I hope, will have an impact.

Civil Service Modernisation Projects

5. **Mr P Ramsey** asked the Minister of Finance and Personnel to detail the progress on the main Civil Service modernisation projects, including Workplace 2010.
(AQO 1495/08)

Mr P Robinson: Significant progress has been made across the Civil Service reform and modernisation programme. The centre for applied learning has been fully operational since October 2006, the Records NI project will be completed by March 2008, and the other key corporate services projects, providing shared-service centres for human resources, accounts and ICT, are being rolled out across the Northern Ireland Civil Service, and will be complete by April 2009. The procurement for NI Direct will get under way this month, with a view to introducing the single telephone point of contact for public services in Northern Ireland on a phased basis from December 2008 onwards.

On Workplace 2010, I am pleased to say that the two remaining bidders — Land Securities Trillium and Telereal — have been invited to submit their best and final offers for the contract, and those should be received by the end of April. I can also confirm that the independent review of policy on the location of public-sector jobs is under way, and I expect a report from the team by the summer. The Member will be aware that although the placement of jobs was not part of the initial reform project, it is my intention to draw that issue in as part of the reform project and to align it closely with Workplace 2010.

Mr P Ramsey: Will the Minister outline the views of his Department in respect of decentralisation of public-sector and Civil Service jobs to regions of high unemployment, and the environmental impact of the subsequent reduction in commuting requirements? Finally, can he define what is considered a reasonable travel to work area?

Mr P Robinson: Having set up a review, I think it is wrong for me to state what I believe the outcome should be. I met Sir George Bain as he started the review, and I believe that the review team have already had some initial meetings. I have previously expressed views in the Assembly on the issue, so I do not approach it reluctantly.

There are real advantages for Northern Ireland if we can have a fair distribution of jobs around the Province, with reduced pressure on our infrastructure if jobs are close to people rather than bringing people along our roads to jobs. If we can grow the economy, particularly in the areas that we are pressing for — financial services, business services, and computer technology — those jobs are more likely to come to the greater Belfast area. Therefore, it becomes all the more

important that we look at the jobs where we have a greater control of location and consider their displacement to other areas of the Province.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for that last answer in particular, and I have a related question.

If female civil servants are given an advancement opportunity, they may have to relocate or commute to avail themselves of it. That can cause difficulties for those who have child-rearing responsibilities. Will the review take that important issue, which relates to equality of opportunity, into consideration?

Mr P Robinson: I am sure that consideration of that issue was in the review panel's remit. We have been inclined to examine how the public sector works on the basis of what has been its historical *modus operandi*. The truth is, however, that things will change considerably in the future. I visited Clare House and spoke to some of the staff there. One lady who was from the greater Belfast area told me that she worked mostly from home and came to the office perhaps only once a week to deal with some issues.

There will be greater flexibility in the future, and it is likely that computers and the advancement of technology will play their part in that flexibility. More people will stay in their own area rather than work in town centres.

Mr Shannon: I thank the Minister for his response. Given that some reform projects have recommended the centralisation of information, will the Minister set out the latest position on the important, and topical, review of data security?

Mr P Robinson: Members will know that, following the most recent high-profile data loss by Her Majesty's Revenue and Customs in the third week of November 2007, I initiated a review of the way in which Departments and agencies handled data. That review has been led by Bill McCluggage, and the process has been that people from each of the relevant areas of activity have been contacted and allowed to conduct self-analysis on the basis of a series of questions. The outcome of the review indicates that improvements can be made, and we will report shortly to the Committee when we have more detail. The report will deal with a series of issues about the transfer and handling of data. Clearly, improvements can be made. Considering the frequency of those types of occurrences in GB, it is incumbent on us to ensure that Departments that hold personal details in many areas of activity have the highest level of security. It is important that we do not find ourselves in the same position as those in GB have found themselves.

Mr Deputy Speaker: Question 6 has been withdrawn.

Review of Public Administration

7. **Mr Gallagher** asked the Minister of Finance and Personnel to list the functions that he has offered up for transfer to local government under the review of public administration. (AQO 1496/08)

Mr P Robinson: The Department of Finance and Personnel is responsible primarily for the finance and personnel policies of central Government Departments. Discussions were held on the matter under the review of public administration (RPA), and the previous Administration decided that no DFP functions should be recommended for transfer to local government.

Mr Gallagher: That is a disappointing response that is shared by those in local government. It gives strength to the growing view that the Minister and his officials are using the RPA as an empire-building exercise. Given that there will be fewer councils after the creation of the new authorities, some council assets will be surplus to requirement.

As for the disposal of those assets —

Mr Deputy Speaker: Order. Mr Gallagher, it is Question Time. Please put a question to the Minister.

Mr Gallagher: Will the Minister tell the House whether, when those assets are disposed of, the money will remain in local government or be taken back to the centre?

Mr P Robinson: I am somewhat confused by the Member's comments. The Member said that he was disappointed by the response, but he did not identify one function of the Department of Finance and Personnel that he believes would be appropriate to delegate to local government. The reason, of course, that he did not do that is because there are no functions of the Department of Finance and Personnel that could appropriately be handed to local government.

By its nature, the Department of Finance and Personnel deals with central Government; it is responsible for civil servants. I assume that the Member is not suggesting that we hand over the control of those who are looking after Northern Ireland Departments to local government. The Department of Finance and Personnel deals with the finances of the 11 Departments; I assume that he is not suggesting that we hand the control of the finance of central Government to local government. There is no function of the Department of Finance and Personnel that should, or could, be devolved to local government.

I happen to be one of the strongest supporters of delegating more powers to local government. Any of the Member's colleagues should know — perhaps more than most — that in the Executive subcommittee, I am the one who has been pushing all Ministers to ascertain what additional powers they could hand to local government. The only area of the work of the Department of

Finance and Personnel where there is a relationship with local government concerns some EU funding. That can be transferred, or a greater role given to local government in that respect, only if the function that the European funding is related to is also devolved to local government. Unless any Member can tell me of one function of my Department that could be devolved, we will have to regard the issue as closed.

Mr Ross: Bearing in mind the fact that there are very few — if any — functions of the Minister's Department that could be transferred to councils, could he explain to the House what actions he or his office has taken to encourage other Departments to transfer powers to local councils?

Mr P Robinson: Representatives of local government have met me, officially, as Minister of Finance and Personnel, on this issue, and they have encouraged me to encourage others to involve themselves fully. I was first elected to local government in 1977, and I believe that there is no better delivery unit than local government. We found that out when there was flooding; we turned to local government for help.

I am a massive supporter of local government. I believe that it could manage and handle additional functions, but only functions that do not have an overarching responsibility for central Government areas of activity. That is the difficulty, so all that I can do is encourage colleagues. I have done that in the subcommittee that has been set up, and I will continue to do that in the Executive. I must say that, in recent meetings of the subcommittee, I have found that there has been a greater degree of unity among the Ministers about how we can move forward on this issue, and I believe that we are making progress.

Stormont Estate: Events in 2008

8. **Mr Burnside** asked the Minister of Finance and Personnel to detail the major (i) sporting events; (ii) cultural events; and (iii) other events, planned for the Stormont Estate in 2008. (AQO 1267/08)

Mr P Robinson: The events calendar for the Stormont Estate changes regularly, with events being added throughout the year. At this early stage, there are four major sporting events in the 2008 calendar: the Thirty-first Belfast International Cross-Country Race, which was held in early January; the Tour of the North — the cycle race, not the Orange parade — on the evening of Good Friday in March; the Red Bull Soapbox Race in late May; and the Tesco Race for Life, in support of breast cancer awareness, in early June. To date, no other major events have been planned for 2008. However, I expect further approaches to be made.

4.00 pm

Mr Burnside: There seems to be a total lack of co-ordination and promotion of the Stormont estate as a venue for events. I used to enjoy attending the odd Vanguard rally here; they were great events in the early 1970s. However, events are held here only because of the initiative of those behind them. I submitted this question to the Business Office to be addressed to the Assembly Commission, and it was transferred to the Finance Department. Regardless of the Department, there should be a centrally co-ordinated campaign. I ask the Finance Minister to initiate that.

If someone wants to hold a rally, marathon or even a funeral — like George Best's — in the Stormont estate, the initiative comes from bodies such as Castlereagh Borough Council or sporting organisations. It would be much better if there were a central Department that dealt with getting sporting or cultural events and rock concerts held at this great venue and which promoted the grounds in co-ordination with other Departments. Will the Minister ensure a more positive and co-ordinated use of the Stormont estate?

Mr P Robinson: Everyone recognises that Parliament Buildings and its grounds are ideally situated, and we want to encourage as many people as possible from Northern Ireland to visit the site. We encourage people to use the facilities and to have a very good relationship with people involved in promotion, which will continue. I encourage anyone who wants to use Parliament Buildings and its grounds for an event to contact my departmental officials, who are happy to be proactive in looking for those who could hold their events here.

ASSEMBLY COMMISSION

Mr Deputy Speaker: The next item on the Order Paper is questions to the Assembly Commission. Several Members of the Commission will answer questions. Question 1 has been withdrawn.

Assembly Education Programme

2. **Mr Storey** asked the Assembly Commission to detail the number of schools that have participated in the Assembly education programme since the restoration of devolution in May 2007. (AQO 1439/08)

Rev Dr Robert Coulter: From the restoration of devolution in May 2007 until today, 125 schools have participated in the Assembly education programme. Several youth groups, further and higher education groups and adult learning groups have also participated in the programme, raising the number of participating groups to 218. The education programme of the Assembly has

been one of the success stories since we started operation in May 2007.

Mr Storey: I concur with the Member's comments about the success of the programme. Schools in my constituency are encouraged to participate and to become more aware of what happens in this Building. Can the Member expand on the geographical spread of schools participating in the education programme across the constituencies?

Rev Dr Robert Coulter: Of the 125 schools that participated in the education programme, the vast majority — 112 — were from Northern Ireland; schools from England, the Republic of Ireland and Europe also visited.

The breakdown of the 125 schools from Northern Ireland was as follows: there were six schools from Belfast East, which is 5.36% of the total; three schools from Belfast North, 2.68%; seven schools from Belfast South, 6.25%; six schools from Belfast West, 5.36%; nine schools from East Antrim, 8.04%; five schools from East Londonderry, 4.46%; seven schools from Fermanagh and South Tyrone, 6.25%; three schools from Foyle, 2.68%; four schools from Lagan Valley, 3.57%; five schools from Mid Ulster, 4.46%; 20 schools from Newry and Armagh, 17.86%; nine schools from South Down, 8.04%; eight schools from the Member's North Antrim constituency, 7.14%; seven schools from North Down, 6.25%; one school from South Antrim, 0.89%; one school from Strangford, 0.89%; nine schools from Upper Bann, 8.04%; and two schools from West Tyrone, 1.78%.

Procurement of Goods and Services

3. **Ms Ní Chuilín** asked the Assembly Commission to outline what consideration it gives, when contracting and procuring services and goods, to the arrangements that will be made for trades union and staff representation; and to detail the processes that are put in place for monitoring and reviewing these conditions, to ensure that agreed terms and conditions for staff are adhered to by the provider of the services or goods.

(AQO 1438/08)

Mr Moutray: The Assembly Commission does not specify that an organisation selected as a provider of goods or services must have either trade union or staff representation. When selecting a service provider, the Commission considers the relevant competencies required to meet service provision. It cannot exclude a contractor who does not have a trade union. Each company has the ability and flexibility to decide how to achieve desired industrial relations. However, the Commission recognises that a high standard of industrial relations is necessary, so it includes a clause in the terms of all contracts to ensure that staff are not treated in a discriminatory or unfair way. The Commission

also considers staff turnover rates during the procurement process, as that is a robust and effective method of measuring employee satisfaction.

The staff relations of a contractor can also be measured by how well the contract is performing. It is unlikely that a supplier with inadequate staff relations will be able to perform the contract consistently to a satisfactory level. Furthermore, contractors are formally evaluated in contract review meetings — such as the recent support services contract review — which are held twice a year.

If a contract manager becomes aware of a contractor failing to comply with either statutory or contractual obligations, the matter will be treated seriously. If the situation is not remedied, the contractor might be found to be in breach of contract.

Ms Ní Chuilín: I thank the Member for answering on behalf of the Commission, and I am delighted to hear the response. I previously raised an issue with the Commission regarding the cleaning staff in Parliament Buildings, and there was an understanding that the cleaning staff are not entitled to trade union representation. I am also delighted that the conditions and contracts are reviewed.

Parliament Buildings: Visitor Numbers

4. **Mr Hamilton** asked the Assembly Commission to detail the estimated number of visitors to Parliament Buildings since the restoration of devolution on 8 May 2007. (AQO 1303/08)

Mr Neeson: Following the restoration of devolution on 8 May 2007 until 31 December 2007, 34,345 people visited Parliament Buildings and 7,528 people came along as part of the Assembly's education programme. Therefore 41,873 people visited Parliament Buildings in 2007.

Mr Hamilton: Those figures underline that Stormont is a tourism asset, and a record number of people have visited in spite of Stormont's poor visitor facilities. The Northern Ireland Assembly Secretariat Review Report — in which the Commission was involved — outlined the need for a newbuild near Parliament Buildings to deal with office, staff, press and education accommodation issues. I ask the Commission to consider the inclusion of a dedicated visitor centre when it deals with the recommendations of that aspect of the report, so that we can tap into the tourism potential and maximise it.

Mr Neeson: The existing facilities in Parliament Buildings are restricted by space constraints, and the Commission is considering what additional accommodation provision is required for the Assembly. There is a proposal to increase visitor facilities in line with the Commission's new vision to engage the public and

provide outreach services. The Commission expects to have extensive visitor, education, Committee, exhibition and public space available in any extended Assembly facility.

Work to begin quantifying the requirements is under way, and any decision to take forward such a project will be informed by an engagement and outreach strategy, which is currently being developed. The extended accommodation — the new building — has been considered as part of the recently completed review, and the Commission is clear that it wants any additional accommodation to be located in close proximity to Parliament Buildings.

Plans for any newbuild are at the preliminary stage, and construction is not expected to commence until 2010-11 at the earliest. From a purely constituency point of view it will be of interest to Mr Hamilton that the number of visitors from Strangford during that period was 755, and a further 141 pupils participated in the education programme.

Parliament Buildings: Outreach Strategy

5. **Mr McElduff** asked the Assembly Commission to detail what initiatives it will undertake to attract a greater number of visitors to Parliament Buildings; and what plans it has to develop its outreach strategy.

(AQO 1369/08)

Mr Neeson: Initiatives to attract more visitors to Parliament Buildings will form an integral part of the engagement and outreach strategy that is being developed. As part of that process the Commission has already agreed that the education service will recruit a third education officer, on a temporary basis, to assist with the development of an outreach education programme.

The education service is hosting an information afternoon on 29 January 2008 for MLAs and party staff to encourage them to participate in the development of outreach services and in the education programme. Leaflets and sample education packs will be available for Members to take away and distribute to interested constituents and groups to encourage them to visit Parliament Buildings. Members will have received copies of those leaflets in the post this morning.

Furthermore, an engagement and outreach strategy working group, led by the Director of Research and Information, has been formed. The group comprises representatives from core business areas in the Assembly. Members, and other interested parties, will have the opportunity to engage with the group.

In addition, the Commission has undertaken work to consider what additional accommodation is required for the Assembly, which includes exploring options for the provision of visitor and outreach facilities. The

Commission expects to have an extensive visitor, education, Committee, exhibition and public space available in any extended facility, and that should attract more visitors.

Mr McElduff: I thank Sean through you, a LeasCheann Comhairle, for his extensive answer.

Visitors to this building have a very positive experience. However, there is greater identification with the building among people in counties such as Antrim and Down than there is among those in County Tyrone, and the statistics bear that out. That is why I want to see an outreach strategy in Tyrone, Fermanagh and in those counties in which people, in the past, would have been less inclined to visit Stormont.

I would like to hear more detail about a multi-element strategy aimed at outreach. I am pleased that the education service is going to have a third officer. However, who is responsible for writing to senior citizens consortia in the way that the education service writes to schools to inform them about the availability of the services here? It would not be the education service. Is anyone filling that gap at the moment, or is it being left to individual MLAs?

Mr Neeson: Mr McElduff has raised a number of points. Developing outreach services is a major priority of the Commission because it is important that the public take ownership of the Assembly and identify with it.

I anticipated that the issue about the west of Northern Ireland would be raised. The education service has sent a mailshot to all schools inviting them to visit Parliament Buildings, and education officers have attended meetings with the Western Education and Library Board to encourage schools in that area to visit Parliament Buildings. Schools furthest away from Belfast would benefit from an outreach service, though it is recognised that visiting Parliament Buildings and seeing the Assembly in action would be an ideal experience for everyone.

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

The Assembly Commission would also like to see all MLAs play a full role in promoting the work of the Assembly, which brings me to the final point — how do we attract more elderly groups? That issue must be looked at as part of our investigation into extending and improving outreach, and it will be taken on board.

4.15 pm

Motion made:

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

ADJOURNMENT

Disabled Parking and Footpath Access for Wheelchair Users in Dundonald

Mr Deputy Speaker: All Members who wish to contribute to the debate will have approximately 10 minutes in which to speak.

Mr McNarry: I bring this issue to the House in a voice of exasperation and frustration as expressed on behalf of wheelchair users in Dundonald: frustration in that, despite their representations to the Department for Regional Development and the police over several years, sympathy is not a substitute for positive action; exasperation in that, in their predicament, they are angry at themselves and express disbelief at people who do not stop to consider others — people like myself who, until the difficulties were fully explained and demonstrated, would have parked partly on the footpath, against the law, to make a quick stop, which inevitably, I admit, took longer than anticipated.

Able-bodied people enjoy freedoms and take for granted going for a walk and doing spur-of-the-moment activities such as casually walking into a shop for a newspaper, an ice cream on a warm day, or even a postage stamp. Those are all normal activities to which most people seldom give a thought. In Dundonald, specifically along the Grahamsbridge Road, Church Road, Robbs Road and Comber Road, the footpath route for the wheelchair user can be a nightmare of a dangerous obstacle course.

Parking on the footpath denies access for the wheelchair user. Their freedom to pass safely and use the footpath properly is taken away from them. There is no room for the wheelchair to squeeze past vehicles, which vary from a car, to a van to a lorry, parked partly on the road and partly on the footpath.

The same applies to a mother with a pram. Try negotiating the footpath with a pram and then try to configure what manoeuvrability a wheelchair user would have in contrast. Do you manoeuvre the wheelchair over a high kerb to get onto the road in order to go round the offending vehicle? How dangerous an exercise will that be? Do you go back along the footpath to the point first accessed and travel along the road in the wheelchair, knowing that usually there will be five or six cars, vans or lorries parked in groups at

intervals? It is Sod's Law that at least one vehicle will be parked on a bend.

Those dilemmas, which put the lives of wheelchair users at risk, as well as causing difficulties for road traffic, are typical events not only in the towns and villages of my Strangford constituency, but others across Northern Ireland. In Dundonald, nothing has been done to make life easier for the wheelchair user, and that cannot continue because it is not acceptable.

I want the Department and the police to co-operate and mount a spring and summer exercise to help the wheelchair user, which should include a campaign of information and awareness, posters in shops, visits to the building development sites and a leaflet drop to local homes. The spring and summer are great days for wheelchair users to get out and about. Let us try to make their days more enjoyable. With a bit of will and effort by the Department, the police and the local community, we can all improve accessibility for the wheelchair user in Dundonald.

Parking in the village is a lottery for the disabled, and the inadequate number of disabled-parking spaces in Dundonald makes it even more a matter of pot luck. A disabled driver cannot benefit from double parking, parking on a footpath or, indeed, from dropping off a passenger and returning to collect him later. On several occasions, I went to the village to check for myself how difficult parking could be for the disabled. I immediately noticed how difficult it is for anybody to park legally in the village.

A frustrated, wheelchair-using, disabled driver illustrated the difficulties of parking by describing to me how he sets about organising — can you believe it — the collection of a prescription. Incidentally, wheelchair users and disabled drivers are not moaners but proud, independent-minded people who wish to go about their business without a fuss and to do normal things as best as they can. For this person, collecting his prescription involves driving around in search of a space, giving up, and then phoning the pharmacist to arrange a time for a staff member to leave the shop in order to hand over the prescription. In order to collect the medication when it is ready, the same exercise must be repeated. Come on, colleagues — it is 2008, and, in Dundonald, people must resort to such arrangements in order to get their medication. That is not on.

All that disabled drivers and wheelchair users are asking for is to be able to maintain their dignity, to be given a fair chance of acting as normally as possible, and not to be a burden on others. Incidentally, I say well done to the local pharmacy staff for helping, and understanding the frustration and predicament of, their customers. However, it would be far better if the wheelchair user were able to park, get into his or her wheelchair, and make his or her own, unobstructed

way to the chemist's shop, and to derive immense satisfaction from being able to do so. My plea is that we should address that situation in Dundonald. Where there is a will, there must be a way. I ask that we find that way and, in doing so, help those good people. I have identified an undisputed need; the task is not massive, but the outcome will be immense. Even two more spaces would make a difference, although, in reality, at least six more are required.

I appreciate the Minister for Regional Development's presence. I understand that it has been a busy day for him and other Ministers. Here is an issue to get to grips with; to disentangle from bureaucracy, red tape and the normal paperchases; on which immediate results can be recognised, acknowledged and supported. If the Minister does that, many people will be extremely grateful.

For the sake of wheelchair users and disabled drivers in Dundonald, I hope that the Minister appreciates the urgency of this initiative for next spring and summer, and that that will prompt him to move positively and deliver good news for people who deserve to have life made easier for them. Having brought this matter to the House's attention, all that I ask is for the Minister to please get on with it and let the public know the outcome.

Mr Shannon: I support my colleague David McNarry. Recently, the lack of provision for disabled people on the roads was brought to my attention and, for that reason, I have been asking questions about disabled-vehicle legislation and the lack of disability discrimination legislation in the Province. That was brought to my attention not only by concerned disabled constituents but by a group of carers who have found that their lives have been made much more difficult by the fact that, in the Province, we have sadly fallen behind in the provision of facilities for disabled members of the community.

There are many examples of that lack of facilities. In fact, a website is dedicated to helping the parents of disabled children find out which facilities are equipped to ensure that their day out is fun, rather than a struggle due to a dearth of essential amenities. I was pleased to discover that many places in Strangford are listed on the website as areas of interest. However, it was not so good to see how those attractions were regarded by many members of the community. I wish to cite a couple of examples. I thank the Minister for attending the debate.

The following is an extract from the Parents' Stories website concerning Xtreme Bowling:

"Located in Dundonald Icebowl, this is bowling with a twist. Its in the dark with glow in the dark lanes. White clothes and teeth also glow. Special ramps can be used for those who have difficulty holding or throwing the ball."

However, the review continues:

"Dundonald Ice Bowl is not very wheelchair friendly, the ground outside is uneven and there isn't a proper dropped kerb for wheelchairs at the entrance. Also the doors in the entrance are the old heavy kind and hard to open. There is a cafe inside but it has steps up to it. The ramp up to the cafe is at the left hand side. There is a disabled toilet (locked) in the skating rink."

That is by no means a glowing recommendation, despite the fact that I have heard many glowing reports of bowling there — excuse the pun. The fact is that the facilities are not friendly for all who wish to use them. I do not intend any slight on the Ice Bowl, which is an excellent facility. However, perhaps a wee bit more care is needed in order to be disability friendly.

I recently received information from the Baywatch Campaign, which concerns disabled-parking bays and the blue-badge scheme. It was found that 21% of people park their cars in a space, regardless of whether there is a disabled-user restriction. That figure has been reduced by 3%, but it shows, nonetheless, that some people — drivers in particular — have complete disregard for disabled people.

Some 16% of bays were difficult for disabled users to access, and the campaign expressed disappointment in the poor parking provision of public bodies. Some people will even go as far as using a blue badge that belongs to someone else. It is a disgrace, for example, that a woman with a disabled child had to park far away from her destination because someone who was in a rush took the space that was designated for someone with mobility needs. That is totally unacceptable.

It seems that urgent work must be done to halt the slights on members of our community who have disabilities. It is very clear that there is a problem in my constituency and in the Province as a whole, never mind simply Dundonald. However, this debate is concerned with Dundonald. Nevertheless, it is important that all Members of the Assembly take on board the fact that there is a very real need for reform and change. It is my hope that this Adjournment debate will kick-start that critically needed change.

The Disabled Drivers' Association (Northern Ireland Group) is a self-help organisation that is run by people with disabilities for people with disabilities. It has slightly fewer than 1,000 members in Northern Ireland. The Disabled Drivers' Association is concerned with all aspects of mobility that affect drivers and passengers with disabilities. It has made several suggestions in the consultation on the draft accessible transport strategy, and I support its recommendations:

"The Disabled Drivers' Association sees the involvement and consultation with people with disabilities an essential strategic objective of the Accessible Transport Strategy.

The Disabled Drivers' Association is concerned that the commitment of the Government to build-in accessibility for people with disabilities as a condition of spending public money is spoilt by the statement 'where possible, proportionate and cost-effective'.

We hope this clause will be removed as it makes the commitment very weak and half-hearted.”

The Disabled Driver’s Association feels that there is no specific policy in the draft accessible transport strategy to address the pedestrian environment in Northern Ireland, which directly involves its membership. It is essential that a policy be established to improve access to the pedestrian environment for disabled people.

With the encouragement of park-and-ride schemes, the Disabled Drivers’ Association feels that accessibility for disabled people to use such facilities should be a factor in the future design of any new scheme.

4.30 pm

The Disabled Drivers’ Association also recommends:

“action from the ATS to support this campaign, which will highlight the importance of disabled parking bays to the general public and awaken an awareness of the implications of abuse.”

The association states that the Department has been very successful with its belt up campaign, and hopes that that will be expanded to the abuse of disabled-parking bays. Some of the association’s recommendations could well be the start of a new time of equal access for disabled people in the Province, which cannot come soon enough.

I urge the Minister to respond positively to the issues that have been raised. Start getting it right in Dundonald, and we can start getting it right elsewhere.

Mr McCarthy: I find it amazing, to say the least, that in this day and age disabled people in Dundonald are being discriminated against and cannot park their cars or even use a wheelchair freely. I listened to a broadcast this morning and I could not believe that people in Dundonald have allowed that to be the case for so long.

In defence of the Department for Regional Development, any time that I, as a public representative, have approached the local office for help regarding disabled-parking bays, the officials were always helpful. It took time to go through the process, but the issues were addressed. I am surprised to hear that in the case of Dundonald this issue has been going on for so long. Perhaps the people of Dundonald do not have as good local council representation as we have in our neck of the woods.

I have a family member who uses a wheelchair, and there is no doubt that it is frustrating when one goes onto the street and finds the way blocked by a car. In fact, people can get really angry when a car is parked partially on a footpath and they have got to find their way off that footpath and onto the main road where there is traffic, which puts every one in danger.

The general public — and drivers in particular — should take responsibility for their actions. I know that

drivers can be inconsiderate: Mr McNarry mentioned the fact the he occasionally parks on the footpath when he is going into the post office. We are all human, but that could be the time when someone in a wheelchair comes along and requires access.

I am sure that the Minister will ask officials in the local office why this has been allowed to drift for so long. I am glad that the Minister is present, and I hope that he can get a quick resolution to this problem for the people who are affected by it in our constituency, and, in particular, Dundonald.

Mr Hamilton: I congratulate Mr McNarry on securing the debate on what is an important topic. The acuteness of the problem in Dundonald is accentuated by the fact that it is such a sizeable settlement and one that is very much growing. Mr McNarry referred to the “village” a couple of times during his opening remarks. That is how local people, us included, refer to Dundonald. However, it is actually a major town, and we sometimes forget that because of its closeness to Belfast. It is the second largest settlement in the Strangford constituency and, therefore, is deserving of the attention that he calls for today. I hope that the Minister can respond favourably.

I want to take the Minister further into the constituency, along the A22 Comber Road, but he may not be able to get down that road today; my understanding is that it was flooded in three places this morning. Perhaps, as he travels down it, that is another problem that he can look into. Mr McNarry will know of the situation in Castle Street and Mill Street in Comber where there have been long-standing problems with access for disabled people and also with the standard of the pavements and kerbs.

The people of Cookstown pride themselves in having the widest main street in Northern Ireland; the people of Comber have to face the scourge of having the narrowest main street. That brings attendant problems: to say that Castle Street and Mill Street are “Victorian looking” does a great disservice to the many outstanding Victorian engineers who helped to build our country. The state of the footpaths and kerbs is appalling, and that problem is accentuated in the minds of local people by the constant appearance of yellow spray paint along the streets, which shows just what a problem there is. That presents hazards for elderly, infirm and disabled people.

Northern Ireland Water is due to undertake extensive work in that area, and the much-anticipated and much-welcomed installation of Phoenix Natural Gas is also due to begin soon. I am not asking the Minister to improve the street only to have it dug up again at a later date. As elected representatives, we have all encountered that frustration.

I support the sentiments of the debate about Dundonald; I ask the Minister to ensure that the work of Northern

Ireland Water and Roads Service on Castle Street and Mill Street in Comber is dovetailed and co-ordinated.

I thank the Member for securing the debate and for allowing me the opportunity not only to support him but to raise the issue of Castle Street and Mill Street in Comber.

Mr Deputy Speaker: It seems that the boundaries of Dundonald have been pushed out a bit.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for securing this Adjournment debate.

I have noted the comments made by the various Members who contributed to the debate and the concerns that they have expressed. I welcome the opportunity to discuss parking and access for people with disabilities in Dundonald and Castlereagh. I have asked my officials to take a note of the Hansard report, so that if I fail to pick up on any of the points that Members have raised, I can write to them later. Specifically, I will ask my officials to write to Mr Hamilton about the points he raised about streets in Comber. I do not have that information to hand to answer him now.

By way of background to this issue, and in case Members are not familiar with the range of concessions that are available through the disabled persons' badge scheme, I will briefly summarise what is available to blue-badge holders, who travel either as drivers or passengers.

Badge holders may usually park on single or double yellow lines for up to three hours, except where there is a ban on loading or unloading, or within 15 m of a junction. They may also park without a time limit, irrespective of the parking times imposed on other users, and free of charge without time limit in on-street pay-and-display bays. Additional parking facilities can take one of two forms: either the provision of disabled-parking bays close to town centres and local facilities; or the provision of disabled parking near an individual's home or place of work. Currently, there are no general disabled-parking bays in Dundonald village.

In Mr McNarry's contribution today, and in his interview this morning, he discussed the general disabled-parking provision in Dundonald village. Officials from my Department's Roads Service have no record of a specific request for such provision, but I have asked them to review current parking arrangements to see if a facility for disabled drivers can be provided. They are happy to do that. Roads Service is happy to discuss the specifics with the Member or any of his constituents. If Members want other sites to be considered, they should let me know, and I will arrange for those to be examined.

I am aware of the importance of providing parking for disabled people, to provide access to shopping,

healthcare and other essential services. My Department funds the work of the Inclusive Mobility Transport Advisory Committee (IMTAC), which is the lead partner in the Baywatch Campaign, which seeks to end the abuse of parking bays that are provided for the use of disabled people. It challenges public attitudes and encourages service providers to do more. We have had some of that commentary in relation to today's debate.

In December 2007, I was pleased to reaffirm my support for the Baywatch Campaign, when I was invited to launch 'Providing Accessible Parking: A Good Practice Guide'. Recently, the Baywatch Campaign conducted a survey into the misuse of disabled-parking bays: misuse had fallen from 25% last year to 21% now. Mr Shannon referred to those figures. Of course, 21% is unacceptable: nonetheless, the trend is in the right direction. I hope that that will continue. Today's debate will add to the public's awareness of the issues.

Enforcement of accessible parking regulations is crucial for on-street and Roads Service car parks. My Department has the power to deliver a clear and consistent message that abuse or misuse of the blue-badge scheme will not be tolerated. I encourage all public- and private-sector parking suppliers to adopt a similar approach.

With regard to applications for a disabled-parking bay outside someone's home or place of work, the Department uses several criteria to assess that person's specific need because provision of underused bays can have considerable effect on residents. Although bays are normally provided for drivers who have a disability, they may, in cases of special hardship, be provided when a passenger is disabled. Two disabled-parking bays are provided in residential locations in the Dundonald area. I understand that since December 2003, my officials have received 14 requests for disabled-parking bays in the Dundonald area. For various reasons, none of them has met the requirements for the provision of a disabled bay. My officials will continue to assess any further requests for bays outside individuals' homes or workplaces in the normal manner.

The Department takes the needs of disabled people seriously and aims to provide drop kerbs in all new works and in footway reconstruction works in all town centres, particularly where a shop mobility scheme operates, as well as in urban areas in order to link town centres with residential areas, and in the vicinity of on-street disabled-parking bays. In the Dundonald area, several recent works have helped disabled people's mobility, including improvements to the East Link Road, the Old Dundonald Road, the Upper Newtownards Road, the East Link Road junction at the Ulster Hospital, the pelican crossing at the Comber Road near Cumberland Road and the provision of a new pelican crossing on the Comber Road at Grand Prix Park.

Drop kerbs and tactile paving are being provided in association with the resurfacing scheme that is on-site on the Comber Road. Similar works are also planned for several other sites around Dundonald. With regard to the difficulties that are presented to wheelchair users in Dundonald from vehicles that park either totally or partially on the footways, I understand that both the Upper Newtownards Road and the Comber Road, which run through the two main commercial areas, are subject to urban clearway restrictions. As such, vehicles are prohibited from parking on the footways at all times. I have asked my officials to ensure that appropriate enforcement is carried out at those locations. In other areas with no marked restrictions, enforcement is a matter for the PSNI.

In conclusion, I hope that I have dealt with all Members' concerns. As I said at the start of my speech, I have asked officials to take a note of the Hansard report of the debate. If I have missed any points that Members raised, I will write to them with clarification.

Adjourned at 4.42 pm.

