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# OFFICIAL REPORT

(HANSARD)

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## CONTENTS

Private Members' Business:

Town Centres and PPS 5 [p87]

Review of Conviction Case [p101]

Foetal Alcohol Spectrum Disorder [p106]

Oral Answers to Questions:

Education [p109]

Employment and Learning [p114]

Enterprise, Trade and Investment [p119]

Private Members' Business:

Foetal Alcohol Spectrum Disorder [p125]

Corrigendum [p135]

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# NORTHERN IRELAND ASSEMBLY

Monday 22 September 2008

*The Assembly met at 12 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## PRIVATE MEMBERS' BUSINESS

### Town Centres and PPS 5

**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 a winding-up speech, and all other Members who wish to speak will have five minutes. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech.

**Mr Beggs:** I beg to move

That this Assembly notes with concern the impact that out-of-town retail centres can have on the viability of town centres; and calls on the Minister of the Environment to publish and implement PPS 5.

My party colleagues and I have two reasons for welcoming the fact that the motion was selected for debate. First, retailing and town-centre planning policy greatly impacts on the shape of town centres, which, in turn, affects citizen's lives.

Secondly, the updating of planning regulations on retail outlets in town centres and commercial leisure developments has become a drawn-out, almost never-ending saga that has entered the realms of farce. Today's debate must spell out what has happened to the new retail planning policy and when draft revised Planning Policy Statement 5 (PPS 5) will be implemented.

A brief history of draft revised PPS 5 will enlighten Members. Planning policy statements are policies on land use and other planning matters. They set out the main planning considerations that planners take into account when assessing individual planning applications.

The current planning policy for retail outlets in town centres is set out in PPS 5, which is titled 'Retailing and Town Centres'. That document was published in June 1996. Significant changes have taken place since then. Members need only think of towns in their constituencies to get an idea of how many new

supermarkets and out-of-town shopping centres have been built since 1996.

If one takes that into consideration, it will be easy to appreciate that PPS 5 is now badly out of date. Although PPS 5 originally made noises about the importance of sustaining and enhancing town centres in an:

"efficient, competitive and innovative retail sector",

it was, and is, widely criticised as being weak and ineffective.

To quote from another place:

"after several judicial reviews and other legal challenges, PPS5, which was meant to protect town centres, was so watered down that it was almost meaningless and certainly did not protect town centres."

Those are our Minister of the Environment's words, spoken at Westminster. I hope that he still believes what he said then and will be implementing the new policy as soon as possible.

In 2000, the then Minister for Regional Development, Gregory Campbell, announced a major policy review of PPS 5, which was expected to take between 18 months and two years to complete. During that period, however, we reverted to direct rule. Some three years later, on 5 February 2003, in answer to a parliamentary question, the then Minister with responsibility for the environment, Angela Smith MP, said:

"The final draft report of the retail consultancy is due to be issued within the next few days."

I remind Members that that was in 2003. She went on to say:

"The new draft planning policy statement is scheduled to be issued for full public consultation during the next few months."

Of course, that did not happen.

Later, the Northern Ireland Independent Retail Trade Association (NIIRTA), in its report 'Nightmare on Every Street' — I recommend Members either acquire a copy or view it on the NIIRTA website — stated that the Department had advised it that the draft revised PPS 5 would be published in September 2004. Again, that did not happen. It was July 2006 before draft revised PPS 5 was produced and put out to consultation, which was to last until November of that year.

Then, on 15 January 2008, the Department of the Environment (DOE) assumed responsibility for draft revised PPS 5 from the Department for Regional Development (DRD). However, in April, there was a legal challenge to that, and the issue is currently before the High Court. I hope that our courts and the Department will ensure that the matter can be dealt with expediently so that no further undue delays to the long overdue policy change occur.

In an answer to an Assembly question for written answer that I submitted, published on 4 July this year,

the Minister confirmed that the consultation period ended on 3 November 2006, but that draft revised PPS 5 is:

“currently subject to Judicial Review and will be published as soon as possible.”

I welcome such comments from the Minister, and I ask that he and his Department ensure that no more delays emanate from that Department, that the final delay in this lengthy process is the court decision, and that all other issues are resolved, excluding any court decisions that may have to be taken into consideration.

The Programme for Government, which has been approved by the Assembly, states:

“It is clear that climate change is one of the most serious problems facing the world. While we recognise that it requires action internationally, we are determined to play our part in addressing this challenge by reducing our impact on climate change.”

Given the Minister's rather eccentric view that man has not been contributing to climate change, he may need to clarify his view. In particular, he should clarify whether he remains committed to the Programme for Government on the issue, and whether he accepts that implementing draft revised PPS 5 would assist the Planning Service and the Northern Ireland Executive in delivering the commitments that they made in the Programme for Government.

It is now some eight years since Gregory Campbell announced the policy review. That is a ridiculous length of time to develop a new policy. I am not a conspiracy theorist, although others do not share my lack of cynicism — some people do believe in conspiracies, and not just climate-change conspiracies.

Speaking in a Westminster Hall debate on Northern Ireland planning on 1 November 2005, our present Minister of the Environment, when talking about research undertaken by Roger Tym and Partners, said:

“The report, which was published in February 2003, indicated that the Northern Ireland food market was reaching saturation point, with growth down from 1.28 per cent. to less than half that figure. Obviously, that did not suit some people in the Department, because at that stage there was an influx of major food retailers such as Tesco, Sainsbury's and ASDA into Northern Ireland.”

That report was published in 2003, yet there has been a huge number of out-of-town shopping centres developed since then. Therefore, the balance has shifted.

Indeed, in that same debate, our current Minister of the Environment went on to say:

“The document was delayed, but it now seems to have fallen off the radar completely.”

Again, I ask the Minister to examine carefully how the development of a huge number of out-of-town shopping centres has been allowed to happen since that date. Clearly, there is an urgent need for a review of that policy.

Perhaps when he is summing up, the Minister will reveal whether his planning department is still — metaphorically — in bed with the multinational retailers, which is something that he hinted at some three years ago.

To a lay person, draft PPS 5, which was published in 2006, seems to be a clear and concise document. Draft PPS 5 proposes a more stringent approach to retail development in town centres and out-of-town locations. It also ensures a restriction on commercial leisure development beyond town centres.

The proposed sequential approach would ensure that town centres are considered as the first possible location for new developments, thereby contributing to their sustainability and regeneration. The draft —

**Mr T Clarke:** Is the Member saying that he is against out-of-town development and competition coming into Northern Ireland? People are encouraged to see the major retailers coming to Northern Ireland, especially when those large retailers make the press on the issue of their fuel prices. Indeed, another large retailer that has been consistent with its fuel prices is attempting to come into the Province.

With the credit crunch and the current status of the market, is the Member against that competition?

**Mr Beggs:** The Member has not listened to what I said. In support of the draft policy, there should be an increased, stringent requirement to consider seriously locations in existing town centres. That does not rule out development elsewhere. However, it places a greater onus on those who wish to develop outside of town centres to provide a stringent case as to why that proposed development cannot be developed in town centres.

The policy has changed in Great Britain, and it is shown to have assisted in securing town centres. Perhaps the Member wants town centres with vacant shops.

My colleague Mr Cree will refer to the difficulties that have arisen in the Bangor area following the development of a significant number of out-of-town shopping centres. Balance is important in all of this, and the new policy will provide that.

**Dr W McCrea:** Will the Member give way?

**Mr Beggs:** No, my time is nearly up. I hope that the Minister will also ensure that no further delays emanate from his Department.

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

**Mr Craig:** I beg to move the following amendment: Insert after the second “centres”

“, whilst recognising the benefit to the Northern Ireland retail sector of some development of regional significance”.

Although I have proposed the amendment, I have some sympathy with the motion. The issue of how we keep small businesses and, more importantly, businesses in town centres must be addressed.

There are some shocking statistics. For example, over 2,000 local shops close each year, and there are issues about how to make and keep those shops sustainable in town centres. Furthermore, over 50,000 businesses will go out of business by 2015. Therefore, we need to take a more balanced approach to the whole aspect of where shopping facilities are developed in town centres.

The other aspect of moving to out-of-town centres is that — and I know that the Minister could not possibly disagree with me — burning more fossil fuels and increasing one's carbon footprint contributes, in some way, to climate change. That would never do.

[Laughter.]

12.15 pm

**Mrs I Robinson:** Does the Member agree that there has been a significant climate change, in that the DUP won the seat in Fermanagh and trounced the Ulster Unionist Party very well?

**Mr Craig:** Yes, there is definitely some sort of carbon footprint all over Fermanagh at the minute.

On a more serious note, we must take issue with where and how we develop town centres. We must recognise the economic and social benefits of developing our town centres. However, do we do that at the expense of a lack of competition in the retail sector and, more importantly, without recognising areas of regional significance? That is why I have introduced this amendment. Three areas of regional significance are identified in the proposed PPS 5: Belfast city centre; Londonderry city centre; and one non-city regional centre, Sprucefield.

There is a need for such out-of-town regional centres. It is unreasonable to make the argument that anyone will shop every week in the likes of IKEA; that is impossible. People will travel long distances to places such as IKEA once or twice a year. I have no difficulty with the fact that we have an IKEA store in Belfast. People were travelling to Scotland by the busload and taking much-needed finance out of the Northern Ireland economy before the store came to Belfast. We need those businesses in our regional centres.

**Mr Boylan:** Three areas are recognised for their regional significance. Does the Member believe that other areas — possibly in the west — should be designated for their regional significance?

**Mr Craig:** Those are the three areas identified under draft PPS 5. It is up to the Minister to decide whether any new areas should be added, or for the Member to take up the matter with the Minister.

Some businesses are needed in the regional centres, and one controversial business is John Lewis, which has made up its mind to go to Sprucefield or nowhere else in Northern Ireland. The same argument applies to John Lewis as does to IKEA. People are continually taking cheap flights to England to spend their money, and that hard-earned money should be spent in the economy of Northern Ireland. John Lewis is needed at Sprucefield, and it is talking about bringing 1,500 much-needed jobs to Northern Ireland. Will that be to the detriment of some of the local businesses? I doubt that. People have already made their choice and have travelled and spent their money in John Lewis stores in the UK. It is better to keep that business in the Northern Ireland economy.

Another issue — and no Member will disagree with this — is that we need construction jobs to kick-start the construction industry in Northern Ireland. John Lewis would be a major investment of over £200 million, and Northern Ireland sorely needs that investment at this time in view of the crisis in the world economy. Can we afford not to have John Lewis in Northern Ireland? In light of the current situation, the answer is no, as that business would be drained out of the Northern Ireland economy.

We have an amazing planning system in Northern Ireland. There has been a five-year delay on the John Lewis development, and that delay — whether we like it or not — is costing Northern Ireland. It has cost us 200 jobs so far.

Of the 900 jobs that John Lewis originally proposed to create, only 700 remain. The five-year delay has cost 200 jobs, and it will cost many more. The proposed 1,500 jobs will not be available if we continue on the road down which we are going. A decision must be made about that particular planning matter. However, a decision must also be made about draft revised Planning Policy Statement 5. That is the end of my little rant about John Lewis. However, there are significant regional centres where regional businesses such as John Lewis and IKEA must be placed.

**Dr W McCrea:** I accept that regional centres should be developed in their own right. However, towns such as Antrim have, in many ways, been decimated by out-of-town shopping centres. We must be very careful. It is essential that we put life back into town centres, and planning policy can assist that.

**Mr Craig:** That is why I stated that a balanced approach is required and why I had no great problem with the motion. However, we must take cognisance of the fact that regional businesses need a regional centre. A more balanced approach on town centres is required.

**Mr B McCrea:** I thank the Member for saying that he has no particular difficulty with the motion. Will he explain to the House how the amendment would

benefit the motion? What is missing from the motion that the amendment will add?

**Mr Craig:** It seems that the Member has difficulty in listening to what people say in the House. I have stated several times that regional businesses must be located in regional centres. Does the Member argue that Belfast, Londonderry and Sprucefield should not be designated as regional centres? That suggestion would not be received politely in those areas.

**Mr Beggs:** Will the Member give way?

**Mr Craig:** No, I have very little time left.

That is why I moved the amendment that the Assembly accept that regional centres be allocated in draft revised Planning Policy Statement 5 when it is implemented.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. I welcome the Speaker back after the recess.

Tyrone is also undergoing serious climatic change, and I congratulate the county on winning the all-Ireland senior football championship for a third time.

I thank the Members who have brought the motion to the Chamber. Sinn Féin understands the reasons for raising the issue and sympathises with the sentiments that have been expressed. Smaller retailers have genuine fears that they will be squeezed out by multinationals building superstores on the outskirts of towns.

Draft revised PPS 5 recognises Belfast, Derry and Sprucefield as regional shopping facilities and aims to direct new retail developments of regional significance to those areas. That will help to attract major new investment to the region in a way that will also sustain and enhance town centres in the North.

The draft policy promotes the primary retail core of the other cities and towns as first choice for the location of new retail developments, but it must also reflect the Programme for Government's commitment to tackling regional disparities. The valuable and enjoyable shopping experience of existing thriving town centres will be sustained, and existing town-centre businesses will reap the benefits of increased trade from a higher footfall in the town and city centres.

Sinn Féin acknowledges and supports the contribution of small-to-medium traditional businesses, many of which are family-run. Those businesses make up the vast majority of the retail sector here, and they enhance the economy greatly. Many people feel that the implementation of a policy to protect our town centres from becoming ghost towns is long overdue, especially in the current economic climate, when many job losses in the retail sector are feared.

Sinn Féin believes that any policy that is implemented must ensure that small businesses can play their part to bolster not only the economic vibrancy, but the social

fabric of our towns and cities. The draft policy makes provision for retail development in those towns and cities that cannot accommodate large retail development in their centres due to historical or heritage constraints or lack of suitable sites. That will allow towns and cities that wish to expand the retail sector and challenge similar-sized competitors for a share of the market base to do so, which will, in turn, attract shoppers to the nearby primary retail core.

Any policy that is published must be capable of being implemented. It must allow our urban areas the capacity for economic growth, while protecting the vitality and viability of our existing town centres. Ultimately, it must benefit the consumer by offering best value for money.

In conclusion, we recognise the need for the publication and implementation of PPS 5, as called for in the motion. However, we must also ensure that, under the current reform of the planning system — which was initiated by the previous Minister of the Environment — measures are put in place and proper guidance is provided for local government to protect town centres and existing businesses while achieving the necessary economic growth. Go raibh maith agat.

**Mr Dallat:** When a motion of this type first came before the Assembly on 2 October 2000 — a long time ago — it was enthusiastically voted down by the DUP and some Ulster Unionists. We were given a lecture by Ian Paisley Jnr on natural market forces. Nothing was said about balanced communities or the excesses of the multinationals. The present Minister of the Environment made a contribution at that time, too — he told us that one can buy Tayto crisps at Tesco in Knocknagoney.

Today, there appears to be a realisation in both parties that there is a need to regulate out-of-town shopping centres in a manner that provides for some sense of reality and acknowledges that those shopping centres wipe out our town centres, promote degeneration and leave the most vulnerable people with no shops, no banks and no post offices. Eight years on, post offices are now an endangered species. The whole process of killing off businesses in villages and small towns is already well under way. Members should know that, in Britain, more than 60% of villages and sizeable towns are left with no shopping facilities at all — not a single shop is left; no bank, no post office, no pharmacy.

A couple of years ago, I visited a town in Ohio called Ashtabula. I am sure that most people have never heard of it, and I cannot think of any good reason why they should have. The shops are mostly closed, as they have all fallen victim to out-of-town shopping malls. There are still a couple of pubs, and, as it was St Patrick's Day, I decided to have a tippie. I met a man who claimed that he was a direct descendant of an



Indian tribe. He was a nice individual who told me that his wife had gone to do the shopping. When I asked him whether he was expecting her back soon, he told me that shopping was a two-day event. His wife had to stop overnight at her sister's house because it was too far to make the journey in one day. That is the reality of out-of-town shopping centres, and if legislation is not introduced soon, we will head down the same dreary road.

However, we cannot put all the blame on the planners. If the opening of a new multinational store were to be announced today, I know Members who would be scrambling for airtime to welcome the hundreds of new jobs promised. Yet does anyone ever try to research the impact on the hundreds of people who will lose their jobs as a direct result of such developments? I do not think so. Does anyone attempt to evaluate the jobs on offer? How many of them offer the minimum wage? Has any research been carried out on the impact on family life as pressure is exerted on employees to work antisocial hours away from family and loved ones? I think not.

Those matters must be controlled in a way that creates a level playing field and curtails the power of the big retailers that do not care about local communities — their only interest is in sending the profits back home. Those profits do not circulate locally, and such development does little to promote other businesses.

12.30 pm

In recent times, multinationals have made an interesting switch from groceries to drapery, electrical goods, banking, insurance, and anything else that fills their shelves. Yet — and I hope that Sammy Wilson is listening — a small business in the countryside cannot get off the ground because of PPS 14, which bans development in the countryside. Not only is there no control over the size of the multinationals, but there is a bias against local people who wish to start up their own businesses. Even inoffensive advertising signs, which cause no harm to anyone, are being taken down, and the business people who erected them are being dragged through the courts.

It has been eight years since the issue was first debated in the Chamber. That is too long to wait for action if we are serious about retaining our town centres and villages. If we do not take action now, we will end up with a situation similar to that in Ashtabula.

**Mr Ford:** I, too, welcome the motion. As John Dallat said, there is a significant difference between the attitudes expressed in the Chamber this morning and those expressed when we last discussed the issue.

The present retail planning policy in Northern Ireland is around 20 years behind that in Great Britain, and Roy Beggs outlined some of the reasons that have

led to that delay. I am sure that all Members can provide examples of excessive commercial development, specifically in the retail sector, outside historic towns across Northern Ireland, rather than it being used to regenerate town centres and to promote a more sustainable future. One only needs to look elsewhere in the world to see that if we do not modify our planning policies soon, we will go down a very dangerous road and encounter serious problems.

Economic activity varies in historic market towns across the region. Such activity overwhelmingly relates to whether there has been modern shopping development in those town centres, or whether it has been displaced to out-of-town sites. If one looks at comparisons between Ballymena, Omagh, Newry and Downpatrick, one will see different activities taking place inside and outside the core centre. In almost every case, developments that are situated in town centres have thriving social lives and economies, but developments that are situated predominantly outside town centres experience the complete reverse.

I named Omagh and Newry among the list of market towns, and I was amazed that Cathal Boylan, as an Armagh man, referred to Tyrone winning a certain match at Croke Park yesterday afternoon. As Lord Morrow has disappeared, Mr Bresland has not mentioned it, and most of the Tyrone Members are not here, perhaps I should flag up my Tyrone roots and congratulate the team on its success. I apologise; Lord Morrow is in the Chamber.

There are real issues that must be addressed. We have totally failed to ensure that we maintain the vibrancy of those towns and the vibrancy of community life, which crosses over into other aspects.

I confess that I was slightly surprised by the wording of the amendment. I wondered why it did not include the word “Sprucefield”, because PPS 5 readily acknowledges that there is a regional case for it. Planning Policy Statement 5 is designed to protect the integrity of district towns across the whole of Northern Ireland.

**Mr Poots:** Does the Member recognise that, under the current wording of the motion, the IKEA development would have been turned down?

**Mr Ford:** I am not sure whether that is entirely the case, but there is a significant difference between IKEA-type developments — so-called roof-rack shopping — and the difficulties that have arisen from out-of-town convenience shopping.

I reiterate the point that my constituency colleague from South Antrim made: there are real differences between the shopping niches that were originally outlined for Junction One and The OUTLET outside Banbridge and those centres where retailers are given permission to add on normal convenience shopping,

which should be located in a town centre, rather than at a regional or special-day-out centre.

Planning policy has completely failed to learn that lesson by first allowing some of those developments to proceed and then changing the internal nature of those developments. Those points are relevant when it comes to Sprucefield, but they are also relevant to the way in which other centres are used in other places.

On that basis, I welcome the points that were made specifically about the strategic nature of town centre development. The draft revised PPS 5 contains key points, such as greater accessibility, the protection of existing retail provision, the addition of other suitable town centre uses and the promotion of urban renewal, whose implementation will be vital if town centres are to be kept as living, working places. If we do not address those points, and if we allow commercial activity to be driven out to out-of-town centres, all sorts of other activity that characterise a town centre will be lost.

**Mr T Clarke:** I presume that the Member has already made the same points that my colleague from South Antrim Dr William McCrea made in relation to Antrim town. Will he identify where Antrim town centre is and where the retail centre is, because the town has not had one? The retail outlet at Tesco moved before Junction One was opened.

**Mr Ford:** We will debate the minutiae of Antrim town's edge-of-town or out-of-town centres elsewhere. The Member has made a valid point, but what matters is the difference between those places that have developed centres at the edge of town, such as in Newry, and those that have done so completely out into the countryside. There are two key aspects to the enhancement of town centres; first, they promote the opportunity for shared space and a neighbourhood's social cohesion; secondly, they are far more sustainable. That is something that all of us, including the Minister of the Environment, should recognise.

**Mr Ross:** Politicians and the owners of small businesses across the Province have been calling for the publication of the draft revised PPS 5 for many years. More than ever, we are witnessing the increasing pressures that small and medium-sized businesses in Northern Ireland are facing. We must recognise that the vast majority of businesses in the Province are small. However, thousands of people are employed by small and medium-sized businesses, many of which are family-run and are the heart and soul of many local communities.

It has been predicted that many such businesses could be lost over the next few years as they come under increasing pressure from larger superstores and out-of-town shopping centres. The effect of that can be that local shops close down, and residents must travel

longer distances to buy basic necessities such as milk and bread. There is little doubt that some towns and villages across Northern Ireland are at risk of being gutted out, although the premise of the motion — that all out-of-town shopping facilities are somehow bad — is false.

I support the amendment tabled by my party colleagues from Lagan Valley, which is more balanced in its recognition of the impact of some out-of-town shopping developments.

**Mr Beggs:** The Member should look carefully at the motion, which did not rule out — nor did I in my comments — the potential development of some out-of-town shopping centres. Town centre developments, or edge-of-town developments, which some Members mentioned, could be more stringently assessed before greenfield sites are chosen at separate locations. I ask the Member to reflect on that and not to try to change the comments that I made.

**Mr Ross:** I welcome that clarification. It is important to point out that the amendment mentions the development of sites of regional significance.

**Mr Beggs:** Will the Member give way?

**Mr Ross:** No, I will not give way again. I will allow the Member's colleagues to sum up whatever he wants to say at the end of the debate.

I welcome the amendment, which is more balanced in its recognition that some out-of-town shopping developments can be important for the region and the locality. They can also be important to local people. We must remember that many of our constituents want access to a range of products at a competitive price at a location at which they can park easily. That is particularly important now, as families face tighter economic pressures and economic considerations are the top priority.

If new facilities are handled correctly, many of them can provide jobs for local people and generate economic prosperity for a certain region. Members have mentioned many towns that could be under threat from out-of-town developments, including Larne in my constituency.

There are plans for a large supermarket in Larne, near the harbour. There will also be a bowling alley and a cinema as part of that overall development. Far from being bad for the town, the development will provide many desperately needed facilities. The majority of people in Larne travel to Carrickfergus or Ballymena for their weekly shopping and go to neighbouring towns for entertainment. It is better that they can buy their weekly shopping in their own locality and have somewhere to go at weekends and evenings, rather than leaving the town for both shopping and leisure.

**Mr Weir:** Is the Member seriously suggesting that people from Larne travel to Ballymena — two towns that have been grouped together in the new council boundaries — given his previous assertions about how utterly disconnected the two towns are?

**Mr Ross:** I appreciate that it is a two-day trip, as Mr Dallat mentioned, and I shudder at the thought of such a journey. However, it is important that people can shop in their local area and that, where those facilities are not available, we should be supporting efforts to make them available. It must also be recognised that although major developments should be located in town centres, ideally, as proposed in the draft revised PPS 5, it is often the case that the company in question will decide where it wants to locate. It is then for the town to decide whether to let the opportunity pass by.

I listened to the comments from the proposer of the amendment, who made reference to the proposed John Lewis development in Lisburn. In such a situation, when the choice is between Lisburn and Dublin, it is fairly clear which will benefit the local region more. Nonetheless, it must be recognised that town centres are under threat from large superstore developments, and we do not want our town centres becoming deserted. It is, therefore, important that the policy makes clear that out-of-town developments should be avoided unless they bring something of particular significance or importance to the local area or region or the development is not viable in a town-centre location. The key is achieving the right balance between safeguarding town centres and allowing major out-of-town developments that can be of regional importance.

**Mr T Clarke:** Does the Member also accept that if too many restrictions are placed on developments that are not accepted as regional centres, the viability of those already in place could be affected?

**Mr Ross:** I concur with the Member's comments; they match some of the things that I have said. In fairness, the aim of the policy is to ensure that town centres are promoted as the first choice for such developments where possible: therefore, Members should have no difficulty in supporting the amendment.

The Department for Social Development (DSD) is also seeking to regenerate many town centres, and it is important that DOE works with DSD to prevent town centres being killed off before efforts to regenerate them can begin. A blanket ban on out-of-town developments cannot be introduced, as that may not always be in the best interests of local people or towns that may benefit from such developments. I support the amendment.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I thank the three Members for bringing the motion to the House. It is vital that PPS 5 is published and implemented, notwithstanding any legal difficulties, and that the Assembly demonstrates that it

is acting in the best interests of small and indigenous retail businesses.

Local retail businesses reinvest profits into the local economy rather than taking them out, and they are much more likely to give financial support to the local community, through sponsorship of local sports, to take just one example.

If Members have looked at the Northern Ireland Independent Retail Trade Association's document, 'A Nightmare in Every Street', to which Mr Beggs has already referred, they have seen that it shows that local food schemes return 50% of turnover to the local economy compared to as little as 5% from the much larger stores.

The inclusion in draft revised PPS 5 of the possible adverse effects on the vitality and viability of existing town centres is to be welcomed. The sustainability of the retail sector in towns and villages is an issue that the Assembly must prioritise because that also has an impact on those who supply the retail sector, local farmers being the prime example. The draft revised policy identifies town centres as the first choice for new retail developments and establishes a number of common-sense criteria for those seeking to develop away from the retail core of a town or village.

Many town centres, some of which have been referred to, are beginning to resemble ghost towns, and the smaller local hub towns are particularly vulnerable to out-of-town development. Therefore, there is already a need to examine economic regeneration in such areas to ensure that consumers have a good variety and choice of services in their own community, on their own doorsteps, rather than driving 10 or 20 miles to the bigger towns and cities.

In the South, retail planning guidelines similar to those proposed were introduced as far back as the year 2000, which, in itself, demonstrates how far behind we in the North really are, as other Members have already mentioned.

When we are talking about bringing more retail businesses into town centres, we should be considering the traffic implications also. The requirement for more park-and-ride schemes and better public transport to ease the pressure on town centres should be incorporated into any future planning policy.

*12.45 pm*

The pressure on small retail businesses in our economy must not be underestimated. In addition to pressure from multinational companies, the businesses face competition from the new market of Internet shopping and the increasing costs of overheads. A level playing field is needed, so the sooner that PPS 5 is published and implemented, the better.

The planning policy statement has been left on the shelf by direct rule Ministers for many years, and I hope that the Minister will provide assurances that it will be implemented when the legal issues have been dealt with, because many small businesses are already under severe pressure and are trying to keep their heads above water. Go raibh maith agat.

**Mr Wells:** There was much press comment when the Minister of the Environment, Mr Wilson, was appointed, and it overshadowed his first, and best, decision. Mr Wilson turned down the planning application for a Tesco hypermarket at The OUTLET in Banbridge. Like many public representatives, I welcomed that decision strongly. It was a courageous decision, given the nature of the company involved and the huge pressure that was on his Department to approve the planning application.

Why did I, and practically every other public representative, welcome the decision, given that the new store, based on Tesco's figures, would have had an income of £72 million in its first year? We welcomed the decision because that figure is more than the combined total annual income of all the shops in Banbridge — the impact on the town would have been enormous. That is an example of the problem that we face. In addition to £72 million income, which many regard as a conservative estimate, there was sufficient land on the site to double the size of the store at a later date. We have discovered that, if the principle of a large out-of-town shopping complex is accepted, it is almost impossible to resist applications for further expansion, as is happening in Newry. The impact of a store that had the capability of expanding would have been devastating to Banbridge, as similar stores have been to other parts of South Down.

Thirty years ago, Rathfriland was a bustling rural town that served the requirements of a wide hinterland. Today, many shops there are empty, and all that is left are takeaways, charity shops and solicitors. Any town that gets into that predicament is in difficulty. A drift of retail out of Kilkeel has already begun, and it does not take a genius to see what is happening: stand in any town in the South Down area on a Saturday morning and one will see the traffic heading to Sprucefield, Forestside and Newry. The powerful attraction of such shopping centres is leading to a loss of fabric in our small towns.

I also represent Ballynahinch, where a major application has been submitted for a large out-of-town shopping centre. Although the anchor tenant is unknown, we suspect that it will be one of the large multinationals, excluding Marks and Spencer and ASDA. The impact of such a shopping centre will be phenomenal, because the town is already showing severe signs of economic stress. It takes very little for a trend of closure, where stores such as Iceland and

SuperValu leave a town, to become inexorable. Once that happens, the town is on the skids.

It is important that there is a policy to provide guidance. There was an application for a Tesco store in Ballycastle, which had more square footage than all the retailers in Ballycastle and its surrounding towns and villages combined. The impact of such a store on places such as Bushmills, Armoy and Cushendun would have been enormous. Therefore, a consistent policy is required. I understand the difficulties that the Minister faces, but tackling that difficult issue must be one of his priorities.

I am glad that, in Banbridge, when councillors met traders and realised how much they would lose, they, at least, changed their minds. Initially, they supported the application.

I have become the patron saint of lost causes in Down District Council. It voted in favour of the new superstore by 21 votes to one — the one being my vote. Councillors see the pound signs on the large rates cheques that will come in every year from one multinational food purveyor. They do not see how that will result in gradual loss of income to the district as shop after shop in the town closes and, therefore, no longer pay rates.

I hope that councillors will have a bit of sense and realise that it is absolutely vital to maintain the vibrancy of town centres for future generations. The opening of big multinational stores is a quick fix that must be avoided, because it ruins the special character of many of Northern Ireland's towns.

**Mr Cree:** Much has been said during the debate about the market position that is enjoyed by large multiple-retail businesses and about how their out-of-town centres disadvantage small and medium-sized businesses, leading to the running down of town centres and depletion of shopping facilities in local villages. Those points are crucial and have been articulated well by my colleagues and other Members. However, PPS 5 should also be considered alongside wider political and economic concerns.

The Assembly must grapple with rapidly rising fuel and food costs and how to ameliorate their impact in the short term, during the coming winter, on the most vulnerable people in society. In the short term, fuel prices have steadied and, in some cases, abated. Fierce competition has reduced food prices. The hard fact that we must face, however, is that the era of cheap food and fuel is over. Government and society will be forced to make adjustments in order to accommodate the impact of that. How the Assembly shapes the future will affect how people fare with increasing food and fuel bills in the long term. The Assembly must help people to use less fuel and to eat healthily with less money.

Where does PPS 5 come into that? It is tied in with the trend towards high-density development in town centres, coupled with the drift away from low-density out-of-town sites. That is reflected in the move away from private to public transport, walking and cycling. In order to make that happen, town centres must be regenerated and their daytime and evening economies promoted. Bangor's town centre is an example of that, which has been caused by what the Americans call the "doughnut effect". In Bangor's case, it is half a doughnut, because it is surrounded by the sea on one side. Many other towns have been similarly affected, some of which have been mentioned in the debate — Ballynahinch, Comber, Ballyclare, Omagh, and Larne, to name but a few.

Town centres already have the necessary public-transport linkages to enable people to move away from increasingly costly private transport. Northern Ireland has a significantly higher than average carbon footprint. People here burn more fuel for each person than in other parts of the UK, whether they consume that fuel directly or as electricity.

Irrespective of arguments on global warming and mankind's contribution to it, fuel has become relatively expensive and is getting scarcer. It costs more to heat a home and to get around. The Assembly must facilitate the public in order to reduce their needs. PPS 5, which supports town-centre regeneration and development, is essential to ensure that people do not need to burn unnecessary fuel to heat their homes and to shop, and makes living in easy reach of a town centre more attractive when that is set against less dense and more remote housing.

Another factor that PPS 5 will buttress is freedom of choice and flexible retail development throughout Northern Ireland. It ensures that a wide range of shopping activities is open to the entire community. That flexibility and access to a wide range of shopping activities maximises comparison shopping — consumers can easily compare prices, quality and other considerations when making purchases. A more competitive and less captive retail environment leads to increases in the range and choice of goods. That is at the very heart of the healthy operation of free competition; the mechanism that ensures benefit to consumers. Out-of-town shopping centres benefit major multiples precisely because that environment curtails comparison shopping and enables the store to dictate the range and choice of goods. That acts to the consumer's disadvantage.

PPS 5 will improve the facility for comparison shopping and add to the quality of life in our towns and cities. Additionally, it has the potential to reinvigorate local communities through providing local services and shops that are responsive to local people and can take their needs into consideration. That has

the potential to benefit the elderly and vulnerable, so it should be welcomed.

Let me be clear: we are not trying to exclude major retail companies and developers, but, if we are to help the public to cope in the longer term with more expensive fuel and food, we must enact those measures that shape our built environment and infrastructure so that people can cope better. Many of them will be in the hands of the Department of the Environment. PPS 5 is a step along that road, and it should be implemented without further delay. I support the motion and urge the Minister to take immediate action.

**Mr Weir:** I support the motion and my colleagues' amendment. I support the motion in spite of some things that Members from other parties have said in support of it.

**Mr B McCrea:** Explain.

**Mr Weir:** I hear a cry of "explain" from Mr McCrea. I shall refer to a couple of remarks that were made.

**Dr W McCrea:** That was Basil.

**Mr Weir:** I should have said "Mr Basil McCrea", lest either of my colleagues of that name be insulted.

Mr Roy Beggs Jnr referred to conspiracy theories that would fit in neatly with either 'The X Files' or an Oliver Stone movie.

**Mr Beggs:** Will the Member give way?

**Mr Weir:** Mr Beggs has had his say. I have only a short time in which to speak.

We have also heard about the dreadful prospect of cohabitation, which Mr Beggs has supposedly identified. Mr Dallat painted a picture of working for a multinational company that was comparable to life in the Gulag. People who have the misfortune to work for such companies are evidently in some way detached from their families. It would appear to be akin to working a six-month stint on an oil rig, with the destruction of family life that that might entail.

When it comes to having retail choices, we want to see fair competition and a balanced approach to planning. It must be acknowledged that out-of-town shopping centres provide a useful service to people. The volumes of people who use those centres demonstrate that a demand for them exists. Bangor's problems, which have already been mentioned in the debate, are well documented. I am also aware that Bloomfield Shopping Centre and Retail Park and Springhill Shopping Centre are geographically close to communities and have made a major, positive contribution to life in North Down. A balance must be struck.

We cannot go down the line of draconian economic protectionism that tries to shut out the real world and that, like some latter-day King Canute, tries to pretend that we can turn back the waves. We can, however,

ensure that competition is fair, and fair competition lies at the heart of draft revised PPS 5. It is not about banning all out-of-town shopping centres but about creating an environment that benefits town centres. It gives a preference to new developments in town centres and focuses activity there. The reinvigoration of our town centres is vital.

Mention was made of the effects of out-of-town shopping centres on existing retailers. We should remember that, during the many years of the Troubles, when many multinational companies would not even look at Northern Ireland, mall traders kept the economy going.

**Some Members:** Hear, hear.

**Mr Weir:** We owe a debt of gratitude to those people.

Vital environmental and social components are needed in order to reinvigorate town centres. All those issues must be taken into account. In ensuring that town centres are reinvigorated, it is crucial that we do not look only at draft revised PPS 5 and at planning issues but that we ensure that there is joined-up government.

Consider Holywood in my constituency of North Down. Leaving aside the long-running issue of Queen's Parade, the redevelopment of the town centre and frontage is being held up at present by a legal dispute between DRD and DSD over a car park. Some of the solutions are planning related and concern retail, but others go beyond that and involve the provision of joined-up government. We must cast the net wider.

In the final minute remaining to me, I shall speak to the amendment.

*1.00 pm*

It is also the case that, whatever protection we afford town centres and, indeed, however PPS 5 is framed, there are going to be developments of major regional significance, which must be allowed for.

John Lewis would be a welcome addition to Northern Ireland; unfortunately it has been held up for too long. Look at the benefits of IKEA, which is situated on the edge of North Down and Belfast. Although that type of development causes some degree of displacement activity, it is geared at a regional centre, which means that money that would otherwise be spent across the water or down South is retained in Northern Ireland.

I am strongly in favour of PPS 5. I am sure that the Minister will outline the principal problem of the legal difficulties regarding the Rushmere case. There is a strong commitment, from Members on these Benches and across the Chamber, to support PPS 5, to see it implemented as soon as possible, and to have it balanced with fair competition in our town centres.

**The Minister of the Environment (Mr S Wilson):**

First, I thank the Members who tabled the motion on this important issue, about which the public will want to hear the views of their public representatives.

A flourishing town centre can enhance the quality of life for those who live, work and visit there. Town centres are a key asset in many of our communities; they provide a wide range of shops, employment, leisure and cultural uses. They can, at least sometimes, be reached by public transport, and they give access to the essentials of living for so many.

Shopping has always been a key use of town centres. However, it is the diversity of uses, to which some Members made reference during the debate, that makes town centres successful. When we lose that diversity — whatever aspect that may be — town centres come under threat. Other uses, apart from shopping, have an important role to play. Indeed, with urban regeneration we try to attract people back into town centres, to live as well as to shop.

Of course, as mentioned by a number of Members during the debate, it is one thing to increase the number of shops in a town centre; however, if people do not have easy access to those — because of inadequate road systems, parking or public transport — the town centre will not thrive. People will simply turn their backs on it even though the facilities are there. There are a lot of ingredients involved, and the debate has been useful in highlighting that this is not just a single issue. The problem will not be remedied simply by increasing the number of shops in town centres.

I want to deal with some of the points that Members raised. First, I wish to deal with the proposer of the motion, Roy Beggs. I was pleased by his speech, and I hope that it gets full coverage in the local papers in East Antrim, because for the past number of months, he has been implying that I cannot do two jobs: the one that I do at Westminster and the one that I do here. I am glad that he has extensively reported my involvement in Westminster, the speeches that I have made there and my involvement in debates.

Secondly, I am glad that he recognised that much of the delay in publishing and implementing PPS 5 has been due to the period of direct rule. Promises about its publication and the consultation period were made mostly during that time. That was one of the problems that we faced during direct rule. Mr Beggs asked that there be no further delay, as did a number of other Members.

Indeed, the Member for North Antrim Daithí McKay made the same point about the legal difficulties and asked how quickly PPS 5 could be introduced. I will look at the legal situation, even though the judicial review has been delayed again until

November. If it is possible, I will introduce PPS 5 — I do not want to see it being delayed.

Equally, however, I do not want to see PPS 5 issued and then further delayed because it has been brought forward prematurely. My intention is to publish PPS 5 as soon as possible.

**Dr W McCrea:** Will the Minister assure the House that the delay in the meeting of the Executive caused by Sinn Féin will not delay the issue of PPS 5?

**The Minister of the Environment:** If that were the case, I would have made the point a long time ago and well before I reached this point in the debate.

*[Laughter.]*

I assure the Member that I would not have missed that point: any delay has not been due to the fact that the Executive have not met. I hope that the Executive will meet so that if I get the go ahead to issue PPS 5, it will not be delayed because of the reason that the Member has suggested.

The Member for East Antrim Roy Beggs referred to the report prepared by Tym and Partners. Had he looked at the detail of that report he would have seen that there is still some potential for growth in retailing, albeit that Tym states that over the next five years the difference between demand and supply will probably be met as a result of the planning applications that are in the pipeline.

I expected the Member for South Antrim Mr Ford to mention climate change. I am disappointed that he did not — perhaps he thought that it was not necessary to do so because it had been raised by the Member for East Antrim Mr Beggs. There was some predictability that it would be raised.

To the Member for East Antrim, all I can say is that 97% of CO<sub>2</sub> emissions are not produced by human activity. The UK produces 3% of the remaining 3%, and Northern Ireland is responsible for 3% of that 3%. The Member can do the maths if he wants. Even if we stop driving cars, heating our homes, producing electricity and other things that produce CO<sub>2</sub> emissions, we would save three ten-thousandths of 1% of the CO<sub>2</sub> emissions in the world. I do not think that PPS 5 is going to make a huge difference to climate change. I am glad that the Member clarified that he wanted a balanced approach, because that was not apparent in the speech itself.

I wish that the Member for Newry and Armagh Mr Boylan's attitude and approach to PPS 14 had been as balanced as his approach to PPS 5. He made a number of very important points. First, we need regional shopping centres in Northern Ireland to attract people from outside Northern Ireland — from the Irish Republic or elsewhere. Those centres can play an important role in regenerating a larger area.

Secondly he pointed out, quite rightly, that not all town centres are suitable for large retail development, either because of historical significance or building constraints. Those towns should not be denied the opportunity to have large-scale retail facilities.

Another Member said that there are a number of largish towns in Northern Ireland that do not have those facilities; that, as a result, people travel long distances to other towns, and that that may rob town centres of the people who would come there for other purposes. He also made an important point about planning reform and the reform of local government in that there will be ample opportunity for public representatives not to blame the delay in PPS 5, not to blame the planners at headquarters and not to blame the planning officer at the divisional office, but to take those hard decisions themselves.

However, that is good, because all the issues that have been discussed here today can then be judged at a local level, where the local knowledge that people have demonstrated in this debate can be brought to bear.

**Mr Boylan:** Will the Minister give some consideration to the west in relation to developments of regional significance?

**The Minister of the Environment:** I think that draft PPS 5 is flexible enough to ensure that that will be the case.

Mr Dallat, as usual, was very good at overstating his case. He paints the picture that in the future, we will find a situation in Northern Ireland where we may have to travel for two days to do our shopping. I am not married; however, if I were, and my wife told me that she had to go away for two days to do her shopping, I would not look for a draft PPS 5 but a private detective. *[Laughter.]*

No matter how devastating the policy that is brought forward will be, I cannot see the emergence of the picture that Mr Dallat has described. Mr Dallat mentioned, of course, the delay in PPS 14 and the impact of that on rural businesses. I wish that PPS 14 had been introduced much sooner, although I have to say that Mr Dallat's own party — and one of his colleagues in particular — was perhaps partly responsible for the fact that PPS 14 did not get through. However, when PPS 14 comes into effect, the policy on farm diversification will be in line with rural development policy. I accept Mr Dallat's point: it is important that rural communities have the opportunity to have local shops and commercial activities. The policy should reflect that.

The Member for South Antrim Mr Ford made an important point in his speech —

**Mr I McCrea:** Just the one important point.

**The Minister of the Environment:** Just the one important point. I know, I am handing out too many accolades today.

Mr Ford pointed out that in some cases, where edge-of-town, or out-of-town, shopping centres have been allowed, different activities have then developed in town centres. We cannot run away from the fact that we have a network of shopping centres, some of which could perhaps be described as inappropriately located; nevertheless, they are there. It is important that when we look to regenerate town centres — and it will be important for local councils in future — that sometimes we look for those town centres to offer different things rather than simply bringing the big shopping centres into the town. However, that is not always possible. If the shopping centre is at the edge of town, what can we do to ensure that the people who go there then come into the nearby town? What activities can we offer to encourage people to come into our town centres?

Mr Ross, a colleague from East Antrim, made the important point that we cannot have a policy that is totally restrictive. Some people have called for a moratorium on any new shopping centres in Northern Ireland; however, there is still some unmet demand for them. Mr Ross mentioned Larne, where a recent survey showed that 56% of people leave the town to shop in Carrickfergus or Ballymena. In doing so, the potential for those shoppers to drift into the town centre of Larne and do other shopping is totally lost. That illustrates the point that where there is an anchor store that attracts people to stay in their town, there is the potential for benefit to that town.

Mr McKay from North Antrim made the very useful point that if we are going to regenerate town centres and put commercial activity into them, we must make sure that people can get into them. Whether that is achieved through town-centre car parking, or through park-and-ride schemes — which may not always be possible in some of the smaller towns, because the economies of scale are not available — it is an important and necessary part of the whole regeneration action.

*1.15 pm*

The Member also asked me — and I believe that I have already answered this question — whether, as soon as the legal issues have been dealt with, I will proceed with PPS 5. I have made it clear that, if it is possible even before the legal issues have been dealt with, PPS 5 will be proceeded with.

I welcome the endorsement from the green wing of my own party for the Banbridge decision. I am sure that I will not receive much more praise from Mr Wells, but he made an important point: even under existing planning policies, whether an application was turned down in Ballycastle or in Banbridge, the policy

is not so loose that it cannot be used to turn down bad applications.

**Mr Speaker:** The Minister's time is almost up.

**The Minister of the Environment:** Thank you, Mr Speaker. I have only two other people to mention. The Member for North Down Mr Weir spoke about Bangor, where there is still a thriving town centre, and I hope that —

**Mr Speaker:** The Minister's time is up.

**Mr Poots:** We live in a time of change. Industry has changed — Bombardier, for example, is embarking on a £500 million spending spree, as it were, in order to update its equipment and to make itself more competitive.

In agriculture, 100 years ago, people were working with horses and ploughs. Now, there is sophisticated machinery in the fields. In health, there is now keyhole surgery, open-heart surgery and transplantation, none of which would have been dreamt of years ago.

Retailing, too, has changed. I well remember going with my mother to the wee shop in the countryside where three ladies packed stuff into boxes, and off we went with our groceries. That was a Friday ritual. Then, along came Stewarts, Crazy Prices and Wellworth's, and those wee stores gradually closed. Then, along came Tesco and Sainsbury, and Stewarts and Wellworth's and Crazy Prices gradually closed. That is the nature of life — change takes place, and things move on.

I remember going into Lisburn town centre, as it then was, to a hardware store on Bow Street, where my father had an altercation with a traffic warden who was booking him while he was carrying bags of cement out of Jefferson's to the boot of his car. The traffic warden thought that he should have parked 200 metres away, but I believe that my father got that situation sorted out.

That was the nature of shopping then, but things change and move on, and some people do not seem to realise that we are moving on. I am disappointed that Mr Dallat is the only SDLP Member present — oh, I see Mr Burns; I apologise. However, Mr Dallat was his party's only contributor to the debate, and that did not go very well for the SDLP — it was rather an inept effort.

Two days' travel time for shopping is something that would happen among the Amish, and perhaps Mr Dallat wants us to become an Amish-style community. That may be fine for some, but many people will move with the times. One cannot stop time. "Stop the world. I want to get off" is not a policy in which we will engage in Northern Ireland.

Northern Ireland must, therefore, move on in respect of retailing. Change is the reality. There are, in fact, many women from Ulster who go for two days' shopping,



but they are going to London, Glasgow, Edinburgh, Manchester or Liverpool — and they are going to the big stores across the water in order to benefit from facilities that are not available in Northern Ireland.

The motion in the names of Mr Beggs and his colleagues, which Basil McCrea seemed to be supporting during his comments to Mr Craig, would have had the effect of stopping, and working against, the likes of IKEA coming to Northern Ireland. My wife, after a trip to IKEA in Glasgow, told me that 11 busloads of people had taken the boat over to IKEA that day. That is a fact of life.

Every year, thousands of people from Northern Ireland travel to mainland Britain to avail themselves of stores such as Harvey Nichols, John Lewis, IKEA, and House of Fraser, and they cannot be stopped from doing so. Consumers will go to shop in those stores whether or not branches exist here. Not to provide those stores in Northern Ireland serves only to lose business for Northern Ireland.

**Mr Beggs:** Does the Member acknowledge that, in the published draft PPS 5, Belfast, Londonderry and Sprucefield are designated as “regional shopping centres” of “regional significance”? Therefore, large stores, such as those to which he referred, could qualify for planning permission under that new criterion in the future.

**Mr Poots:** Mr Beggs omitted to raise the issue that I highlighted and has missed the point, but that is not unusual. Under the terms of the motion and the original PPS 5, IKEA’s planning application would have been turned down. Is IKEA’s presence in Northern Ireland good or bad? Anyone who goes to the IKEA car park will discover that a considerable number of cars have Southern registration plates. IKEA brings money and jobs into the Northern Ireland economy, whether Members wish to acknowledge it.

In Banbridge, The OUTLET’s car park also contains many cars that are registered in the Republic of Ireland. That fact that is backed up by retailers in the town centre who confirm that, since the opening of The OUTLET, they handle many more euros than was the case previously. Therefore, out-of-town shopping centres are not necessarily evil or detrimental to existing town centres.

When Marks and Spencer originally opened at Sprucefield, business increased in Lisburn town centre, as it was then. The Marks and Spencer store generated an increased footfall, and the town rose to the challenge and developed in association with it. In fact, Lisburn’s main shopping streets — Bow Street and Market Square — suffered not because of Sprucefield, but as a consequence of the development of Bow Street Mall.

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

**Mr Poots:** People must recognise the facts that I outlined.

**Mr B McCrea:** I am not sure whether the Member who provided a summary of the amendment is for or against the main motion, because his argument seems to be that it was better to allow the development of out-of-town centres. In fact, the main tenor of the debate has been one of confused rambling from many Members.

I was pleased to hear from Mr Craig, who reached his normal heights by making an interesting, erudite, thought-provoking and generally well-presented case. I am sure that the BBC will pick up on the manner of his contribution. However, I am not sure that he addressed the main issue.

I hear an interesting interjection or two from the Back Benches. I acknowledge that Mr Paisley Jnr, who has just spoken from a sedentary position, has an intense interest in planning, as does the previous Minister of the Environment, Mrs Foster.

However, as Mr Dallat said — and he took some abuse for trying to explain his point — people’s positions change. He also highlighted some inconsistencies in past approaches, and it was right and proper for him to do so.

The DUP has an undoubted interest in planning, and I share Mr Wells’s view that it is, perhaps, one of the most pressing issues that the Assembly can tackle. I am genuinely looking forward to seeing how the Minister, Mr Wilson, will deal with it. I am confident that he will bring his normal flair and élan to the process and take note of the point that Mr Wells raised about the flood of people who are leaving Kilkeel and where they go. In fact, he said as much about Larne and various other places.

On the topic of interjections and contributions from Members, I am interested in Mrs Robinson’s intervention, during which we could not get through the issues without hearing about a change of climate in Fermanagh and a change of climate in Tyrone. The Minister of the Environment said that climate change may be happening, but that it is not his fault. However, the real change of climate is the deep freeze that has set in about the Assembly. The Executive are not meeting, and not a single Front-Bench Member of Sinn Féin is here to talk about these issues. Where are they?

*[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr B McCrea:** Some Members do not understand the metaphors that they tried to develop about climate change and freeze. This place is going into deep freeze

because two parties are incapable of governing. That is why those parties are over at the Labour Party conference. They are trying to work out a shoddy, back-room deal — as they normally do — instead of being here to deal with real issues. I welcome the Minister's assertion —

**Mr Speaker:** Order. It is important that the Member returns to the motion.

**Some Members:** Hear, hear.

**Mr B McCrea:** I welcome the Minister's assertion that he will push PPS 5 at every available opportunity. The UUP motion calls for that, and we want that to happen. The content of PPS 5 and the points that the Minister will take on board as part of the consultation process should rightfully be debated and brought to the attention of all Members.

Some Members were unsure about what my colleague Mr Beggs said. He argued for a proper, sequential assessment of whether it is right to put a —

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

**Mr Paisley Jnr:** Your time is up.

**Mr Speaker:** In fact, the Member's time is not up. Mr McCrea, you have 10 minutes.

**Mr B McCrea:** Thank you, Mr Speaker. No doubt, I will be allowed some injury time as well.

As other Members have said, we want an opportunity for fair competition. I recognise Mr McKay's point that 50% of income that is generated in local stores is returned to the economy, whereas in multiples, the figure is sometimes only 5%. However, one must also recognise that people shop in multiples because they are cheap and convenient; they provide a service that people want. They also provide distribution channels throughout the United Kingdom for many local food producers.

As has been mentioned, parking is one tool that should be provided to planners and local councillors. One of the biggest issues in planning is accessibility. A way must be found to get over the tyranny of the parking warden, which Mr Poots raised with reference to Lisburn. It is certainly necessary to have people to try to manage the traffic, but a lack of convenient parking is a disincentive for shopping.

Let me just mention dual mandates. We were encouraged by the Minister's comments in the House of Commons, which were made when the Assembly was suspended and more time was available. The Minister suggested that there was some sort of confusion or conspiracy.

We want clarity, forward motion and an end product, because the lack of a clear and concise planning policy is hindering our economic development.

1.30 pm

I turn to the wording of the motion. Alastair Ross, quite properly, outlined that the John Lewis store must be built at Sprucefield; otherwise, it will be built in Dublin. It is obvious that it should be built in Lisburn. That project should begin now, and we should provide tools and appropriate legislation to ensure that quick and timely decisions can be made. Furthermore — and I know that some other Lagan Valley colleagues have spoken — there is a discussion about the expansion of Tesco in our fair city. Mr Ford said, and he received an accolade from the Minister for the contribution —

**Mr Ford:** Please do not mention that.

**Mr B McCrea:** I will mention it. The problem is that, once a development is agreed, will it be utilised for the purpose for which it was originally intended? Other Members said that development breeds further expansion that changes the character of the process.

As I said earlier — and Mr Speaker, rightly, directed me to return to the motion — it is important that the Assembly starts to work together on issues of mutual importance. It is important that Members identify issues that unite us and on which we agree. Therefore, we are happy to accept the amendment proposed by our friends and colleagues in the DUP, despite — as Peter Weir said — some of the arguments that could have persuaded us otherwise. We hope that the entire House will urge the Minister to introduce a timely, well-considered PPS 5 in order to enable our country's economy to progress. I support the motion and the amendment.

*Question, That the amendment be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

That this Assembly notes with concern the impact that out-of-town retail centres can have on the viability of town centres, whilst recognising the benefit to the Northern Ireland retail sector of some development of regional significance; and calls on the Minister of the Environment to publish and implement PPS 5.

## PRIVATE MEMBERS' BUSINESS

### Review of Conviction Case

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

**Mr A Maginness:** I beg to move

That this Assembly notes the concerns regarding the conviction of John Torney who maintained his innocence up to his death in July 2005; recognises that evidence has emerged that was not made available at the trial and that the Criminal Cases Review Commission (CCRC) has yet to investigate fully all aspects of this new evidence; expresses concern at the lack of progress by the CCRC in complying with the Order of the Divisional Court in the High Court made on 22 June 2005; and calls on the CCRC to review all aspects of the case with a view to its referral to the Court of Appeal.

The motion refers to the murder convictions of John Torney at Belfast Crown Court on 4 March 1996. At that court, presided over by the then Lord Chief Justice, Lord Carswell, John Torney pleaded not guilty. However, by a majority of 10 to two, the jury convicted John Torney — a serving RUC officer — of the murder of his wife, Linda, his 11-year-old daughter, Emma, and his 13-year-old son, John Jnr.

The dreadful events of 19 and 20 September 1994 in Lomond Heights, Cookstown, which resulted in the death of Linda Torney and her two children, represent an appalling loss of human life and devastating tragedy for the Torneys and their extended family.

In April 1997, an appeal by John Torney Snr against his conviction was dismissed by the Court of Appeal. In July 2005, aged 50, John Torney suddenly died in prison of a heart attack. He protested his innocence to the very end.

If one accepts the prosecution case, the cold, calculated murders were clinically carried out by John Torney Snr using his service revolver. Worse still, he cynically and audaciously blamed his young son for carrying out those killings. As the trial judge said in his concluding remarks, the murders were planned and executed with fiendish ingenuity and ruthless precision. If that remark were true, he was caught in flagrante delicto. In that situation, how could one really say that those murders were ingenious? If he planned to do something such as that, why did he do it in such outrageous fashion? There is a question mark over that conclusion.

On the other hand, John Torney's defence was that his son killed his mother, Linda, and his sister, Emma, with John Snr's service revolver and then committed suicide. On the basis of the evidence presented to the court, the jury preferred the prosecution case. Both

before and after John Snr's death, the Torney family — in particular, Hilary Torney — has pursued a relentless campaign to have John Snr's murder convictions overturned. They have done so with great courage, dignity and impressive industry, and they have lobbied many people. They have come to the Assembly today, Mr Speaker, to seek your support and to advance his case with the Criminal Cases Review Commission (CCRC) in order to seek a referral to the Northern Ireland Court of Appeal.

None of us can determine the truth of what happened on that tragic night in 1994. However, as Members of the House, we can consider a number of factors that have come to light since the trial and the unsuccessful appeal to the Court of Appeal. Those are factors that the Torney campaign and I believe cast a significant doubt on the way in which the police originally investigated the killings and on John Torney's ultimate conviction for murder, based, as it was, on the evidence that was gathered as a result of that investigation.

On 31 October 2000, BBC 'Spotlight' broadcast a documentary about the Torney case. That documentary was seen by Dr Samuel McGuinness, the former headmaster of Cookstown High School, which both Emma and John Jnr attended at the time of their deaths. The programme reminded Dr McGuinness that he had had a conversation with a senior investigating officer in the week commencing 26 September 1994. That senior officer told Dr McGuinness that there was evidence of sexual activity between John Jnr and his sister, Emma, on the night of the murders and that semen was found on the girl's body. The same police officer indicated that no mention of that would be made at the trial, as they did not want to rub John's nose in it.

During the programme, Dr McGuinness realised that the defence at the original trial had not known about that at the time of the trial. He reported his conversation to the defence solicitor, Mr Keith Burrows. That was — and still is — a very significant development and was referred to CCRC and the Police Ombudsman's Office for further investigation. Neither of those investigations was exhaustively concluded, and the Police Ombudsman's investigation is still notionally extant. A formal decision by the CCRC not to refer the case to the Court of Appeal was made in 2002.

Ultimately, that led to a judicial review in 2005, in which Lord Justice Kerr ordered the CCRC to carry out further investigations to identify the police officers who spoke to Dr McGuinness.

Despite being investigated by the CCRC and the Police Ombudsman, the three police officers who were recorded as having been in contact with Dr

McGuinness at the time gave statements denying that a conversation of the sort described by Dr McGuinness ever took place. Indeed, one police officer, whom I will not name, claimed that he had not spoken to Dr McGuinness about any sexual history between John Torney Jnr and his sister, Emma. However, he went on to state:

“In fact I do not recall being aware of any information regarding possible sexual history between the two during my time on the investigation team.”

That is an extraordinary statement, which demands careful explanation, because the same officer took a statement from Miss Laura Mattingley on 24 September 1994 in which she recalled how Emma Torney told her, *inter alia*, that her brother, John, had sexually abused her during the summer holidays.

Despite Dr McGuinness's assertion that he would be able to identify the investigating officer by sight or photograph, no opportunity has been afforded to him to do so, and, therefore, the matter is stuck at that point. The significance of Dr McGuinness's allegation, if true, is that at an early stage of the police's investigation, they ignored or suppressed evidence of actual sexual contact between brother and sister. Either allegation, if proven, would have had a major bearing on the case if it had been raised at the original trial or subsequently at the appeal. Therefore, it is essential that that matter be exhaustively investigated by CCRC or the Police Ombudsman. It is crucial that Dr McGuinness is afforded an opportunity to identify the police officer. Such an opportunity has been withheld for technical legal reasons, which, in such a grave case, must be removed in order to determine the truth.

It is clear that at an early stage of the police investigation, two schoolgirls recorded in written statements Emma's allegations of sexual abuse by her brother. That opened up an alternative line of inquiry, which the police, for whatever reason, did not pursue. Presumably, believing that it was an open-and-shut case, they deemed that no further lines of inquiry were necessary.

Dr McGuinness's serious allegation is, in effect, the key to having an in-depth review of the case. The CCRC takes the view that there is insufficient evidence to refer the case back to the Court of Appeal and, although the Police Ombudsman's investigation is not yet concluded, no formal communication has been received from that office since 2006.

Members should note that at no stage did Mr Torney make any allegations of sexual abuse by his son. That allegation arose from the statements made by the two pupils at his daughter's school.

My time is short; there are other matters that should be covered, which I cannot cover. There are aspects of the forensic evidence in the case that are unsatisfactory

— for example, Emma Torney's pyjama suit was lost, and, therefore, it was not possible for it to be forensically examined. That might have revealed evidence of abuse. Furthermore, the absence of gunpowder residue on John Jnr's hands raises serious questions. Those matters must be thoroughly reviewed in order to bring some sense of finality and justice to the case.

Any reasonable observer would agree that there is grave doubt about this case, and it should be further investigated by CCRC until firm conclusions are reached and the matter can be referred back to the Court of Appeal.

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

**Mr Weir:** I support the motion. However, leaving aside matters of justice and the rights and wrongs of what was done in court, we should, above all, keep in mind the fact that we are faced with a human tragedy.

*1.45 pm*

It was a tragedy that led directly to the deaths of three people — John Torney Jnr, Emma Torney and Mrs Linda Torney. John Torney Snr is also deceased. Above all else, our thoughts should be with the families concerned — not just the Torney family, but the Duff family as well. The Duffs are Mrs Torney's relatives.

The Assembly must, and I believe that it does, adopt a solemn approach to such issues and treat them with gravitas, sensitivity and caution. I say caution because I appreciate that the Torney family has been told by its legal team that this motion may be the best way to apply pressure on the issue.

However, I am reluctant in principle for the Assembly to deal with individual court cases. It is wrong to have a trial by Assembly. As has been indicated, this House is not a court of law. Indeed, because neither Mr Torney Snr nor Mr Torney Jnr are here to answer the allegations against them, it is difficult for Members to make judgements or to stray into the area of allegations.

I appreciate that, in proposing the motion, Mr Maginness had to outline the circumstances of the case. However, it is difficult when people are not able to defend themselves or comment. As the Assembly is not a court of law, I do not intend to go into the details of the case. I cannot say whether Mr Torney Snr is guilty or innocent. I cannot say whether the conviction is safe or unsafe. Even if I were to have a clear view in my own mind, it would not be appropriate for the Assembly to pass such a judgement.

After reading the case files, I am convinced that, as Alban Maginness said, there are a range of issues that must be considered. They include the evidence of Dr McGuinness, the procedures that were applied, some

of the evidence that has come to light since the case was last considered by CCRC and concerns about the forensic evidence. I do not know whether those issues are enough to say that the conviction was unsafe. That is not my judgement to make. However, they raise serious questions, and there must be a proper examination of the Torney case.

**Mr A Maginness:** The Member is right to say that the Assembly is not a court of law, nor does it intend to act as a court of law. The facts that I adverted to provided a necessary foundation for the debate.

The Member should know, however, that whether or not one is convinced of Mr Torney's innocence, the fact remains that doubt is caused by the allegation raised by Dr McGuinness. That doubt and those allegations must be investigated thoroughly and brought to a conclusion. One cannot predict what those conclusions will be, but, nonetheless, the doctor's allegation raises such serious doubt that the CCRC must be urged to reinvestigate thoroughly, as suggested by the High Court.

That is the substance of the motion, and I welcome the Member's support in that respect.

**Mr Speaker:** Mr Weir will be allowed an extra minute for that intervention.

**Mr Weir:** Thank you, Mr Speaker.

As I said, I am reluctant to go down the road of opening up court cases in the Assembly, however justified that action might be. I am concerned about the precedent such that that would set. There are clear issues in the Torney case. I am not in a position to judge whether that will lead to a declaration that the conviction was unsafe. That would also be wrong for me to judge. However, it is clear to me that there are serious issues that must be examined. Consequently, in order to ensure that the maximum amount of scrutiny is brought to bear on the case, it is right and appropriate that the evidence in the case be re-examined by the CCRC.

Members on this side of the House support the motion.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. In a way, I broadly endorse Mr Weir's comments. On behalf of my party, I support the broad thrust of the motion. Like Mr Weir, I do not want to delve into the poignant and difficult issues that have been raised in the Chamber this afternoon.

This morning, I had a first-hand briefing from members of Mr Torney's family, and I appreciate the time that they took to do that. In the early hours of 20 September 1994, three members of the Torney family lost their lives in tragic circumstances, and that was followed by Mr Torney Snr losing his life in 2005. We are discussing an immense and horrific family tragedy, and I extend our sympathy for and solidarity with all the family members concerned.

I am not in a position to second-guess the original judgement or what may be produced in a further trial or review, but some of the issues that have been raised seem to resonate with previous experiences, unfortunately. I do not intend to single out what may or may not be deficiencies in the original case. However, issues have been raised in relation to forensics, the identification of officers, and additional evidence that may have come to light recently.

Therefore, Sinn Féin supports the motion on the broad basis that a wide range of issues has been raised by the Torney family and others, such as the legal advisers and other experts. Indeed, the courts have asked for several of those matters to be examined. On that basis, we call on the CCRC to consider the case afresh and examine any new evidence. Ultimately, people have been bereaved and have suffered, so if there is evidence of an injustice or of a failure of the justice system, we want to see that redressed. On that basis, Sinn Féin supports the motion.

**Mr Kennedy:** I am grateful for the opportunity to lend my support and that of my party to the broad thrust of the motion. The circumstances surrounding the death of the Torney family in 1994 were harrowing, and it must be very difficult for the wider family circle to come to terms with that. Equally, the death of John Torney in 2005 must still be difficult for those who are trying to clear his name.

I agree with the comments made by Mr Weir, a Member for North Down, that this is a legislative Assembly and not a court of law. Therefore, all Members must take due care and consideration with what we say and how we say it.

I, as well as other Members, have met representatives of the Torney family on several occasions. They have presented the evidence surrounding the case and conviction of John Torney Snr to me. Having considered the material presented, I am confident that significant evidence is now obtainable that was either not considered or not made available at the time of the trial. I am also convinced that avenues of investigation exist that must and should be followed by the Criminal Cases Review Commission.

The testimony of Dr Samuel McGuinness, former head of Cookstown High School, is crucial to the case. In October 2000, Dr McGuinness provided a sworn affidavit in which he stated that he had been informed by a policeman of significant evidence that could have altered the outcome of the murder trial. However, that evidence was not used. Dr McGuinness has not subsequently been given the opportunity to correctly identify that police officer. However, in June 2005, just weeks before Mr Torney's death, the Lord Chief Justice ordered the Criminal Cases Review Commission to take such steps as it may to utilise the evidence that

was presented by Dr McGuinness. To my knowledge, that has not happened.

I am also disappointed that the former Police Ombudsman for Northern Ireland, when asked to investigate the allegations made by Dr McGuinness, apparently concluded that she found no evidence to substantiate those allegations. From the evidence presented to me and others, that seems a peculiar decision.

In any potential miscarriage of justice, there will always be grey areas and intangible aspects that cannot be measured. However, Mr Torney and his family have always protested his innocence. The prosecution's case must be further scrutinised and any evidence that was missed or lines of investigation that have not been pursued must be examined.

The basis of every democratic society is the rule of law and a fair trial. The great thing about democracy is the influence and input of ordinary people, but that also can be a weakness. Human frailty can lead to mistakes — intentional or unintentional — and those can lead to miscarriages of justice. A measure of any democratic society is its ability to limit the occurrence of miscarriages of justice and the steps that it takes to investigate those, if and when they occur. It is not inconceivable that any one of us, or our families, could be accused of a crime. In that event, we would hope that the correct processes would be applied and the fullest investigations made to ensure the right and truthful outcome.

The circumstances and potential new evidence surrounding the case warrant further and fuller investigation by the Criminal Cases Review Commission. It must comply fully with the order of the divisional court of the High Court in 2005 —

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

**Mr Kennedy:** To fail to do the aforementioned would be an affront to the Torney family, and a slight to the legal and democratic principles of Northern Ireland. I support the motion.

**Dr Farry:** The Alliance Party also supports the motion. First and foremost, the events under discussion must be viewed as a tragedy for the Torney family and the wider family circles of those involved. I include Mr Torney Snr, who died in prison while still protesting his innocence. As we have heard, a number of issues — seemingly unresolved — may have impacted on his incarceration.

However, the Assembly is not a court of law and, specifically, it is not a court of appeal. None of us in this Chamber can say with any degree of authority what did or did not happen on that night in 1994. Our concern must be whether justice has been done. To

know that, we must be sure that the various agencies involved have considered all the material facts and evidence, and that the checks and balances that exist in our criminal justice system have operated properly.

2.00 pm

Several issues of dispute and uncertainty are still outstanding and relate to the motive of those convicted and potential scenarios; forensics, relating specifically to the night in question and the issues raised by Mr Maginness regarding evidence that had not been properly examined or seen to be examined; and the nature of the family relationships, including the allegation of sexual relationships in the family, which has not been explored fully in court.

Where can we go from here? There are two issues to be considered. The first, and probably the more minor issue, relates to the performance of the Police Ombudsman's office. The family reported, disappointingly, a lack of response from that office to allegations that they made as to how the case was investigated. Indeed, they have not had an acknowledgement of those allegations.

The second, and broader issue, relates to the Criminal Cases Review Commission, which is a UK-wide body and not directly accountable to the Assembly. Nonetheless, there are issues as to whether it sufficiently and rigorously implemented the decision of the Court of Appeal in 2005. That alleged failure may be an issue that the family might wish to challenge further through a further judicial review. The broader issue is whether the case should be referred back to the Court of Appeal on the basis of new evidence and facts that have come to light or have been reviewed and reanalysed?

I recognise that the Assembly should tread with a certain degree of trepidation when looking at individual cases. However, while bearing in mind that the CCRC is not accountable to the Assembly, we, as elected representatives of the people of Northern Ireland, have a duty to speak out when we believe that there have been systemic failures or the potential for systemic failures. Public interest warrants a fuller examination of the situation, and there is the potential for further consideration under our legal system.

**Mr Attwood:** I welcome the debate for the reasons outlined by Stephen Farry, who said that there is a duty to speak out when there has been potential systemic failure and injustice. That should be the touchstone against which the Assembly should be judged and should judge itself. We have a duty to speak out when there is potential systemic failure and injustice. If, during its life, the Assembly uses that touchstone to guide it in respect of such cases, then it will affirm itself as being responsive to the community in the North that it serves.

The motion is one of a school of motions to have come before the Assembly in the past few months and, no doubt, will come before the Assembly again. In April this year the Assembly endorsed unanimously a motion in respect of the case of Raymond McCord Jnr. Without trying to usurp the authority of the courts or second-guess any other criminal justice institution in the North, the Assembly, nonetheless, made a decision on what could be a case of injustice.

A few months before that, a DUP motion on the case of a miscarriage of justice in the Republic of Ireland was similarly endorsed unanimously on the Floor of the Assembly.

I hope that, in the coming weeks and months, the Assembly will have an opportunity to debate similar cases of alleged miscarriages of justice, or alleged cases of injustice, not least the case of the people killed by the British Army in Ballymurphy in 1971.

I acknowledge Peter Weir's comment that the Assembly must not usurp the authority of other justice institutions in the North. However, when families have little option, it is appropriate for the Assembly to make statements about alleged miscarriages of justice or cases of injustice. We have done that in the past, and I trust that we will do so in future. Although we must act judicially, we should not shirk that responsibility.

That is the best way in which to view this debate. The debate should reassure everyone in the Chamber and outside that we are acting appropriately and with discretion in such cases. Sadly and necessarily, as Alex Maskey indicated in his intervention, a new profile and new energy is often required in cases of miscarriages of justice or cases of injustice in order for the wrong to be remedied. John Torney's family are strongly convinced of his innocence, and they hope that the Assembly will help to give a new profile and new energy to the efforts that they have made over many years to rectify what they and many other people see as a great wrong.

Four essential issues arise in the case of John Torney, and other authorities must deal with those issues quickly. Alban Maginness referred to the first issue — the allegation that there was an abusive relationship between the son and daughter who so tragically died with their mother. If the police knew of that allegation in the hours immediately after the tragic murders, was that evidence ignored or suppressed, as the family and Alban have said? If proven, the suppression of that evidence would give rise, *prima facie*, to whether there should have ever been a prosecution, trial or conviction, never mind a life sentence. That matter goes to the heart of the case but is still not being fully faced up to by the authorities with the relevant responsibilities.

The second issue concerns the conduct of the police officers who had responsibility for investigating the case. According to a sworn testimony, one of the three police officers told a witness — a former headmaster of Emma and John Jnr — that, although there was evidence of a sexual and abusive relationship, it would not be pursued by the police. In statements to the Police Ombudsman, all three police officers denied that one of them gave the witness that information, despite his sworn evidence to the contrary. That is at the heart of the level of confidence that we can have in the police's investigation of criminal matters.

The third issue concerns the continuing role of the Criminal Cases Review Commission, which is responsible for dealing with miscarriages of justice in Britain and Northern Ireland. As Stephen Farry indicated, the High Court directed the CCRC to take all necessary steps to identify the officer who gave the information to the headmaster. That was three years ago. If any of our constituents told us that a court of law in Northern Ireland had directed another responsible body to conduct all necessary steps to identify those officers more than three years ago and that that had not yet happened, what would we say about the inordinate delay and the alleged technicalities, which Alban Maginness mentioned, that caused the delay?

That matter goes to the heart of the process and affects confidence in how the CCRC conducts its affairs, and it must be addressed immediately.

The fourth point was highlighted by the Member for Newry and Armagh Mr Kennedy; namely, that a Police Ombudsman investigation returned a negative outcome in respect of the family's complaint. A further complaint was raised with the Police Ombudsman over two years ago, but, at this stage, no conclusion has been reached, and no information was brought to the family's attention during that period.

It is more than legitimate for the Assembly to shine a spotlight on cases of that nature when responsible bodies such as the CCRC on the one hand, and the Police Ombudsman on the other, have not, after such inordinate delay, reached conclusions or completed the task set for them by the High Court in the North. It is legitimate for the Assembly to say that justice delayed is justice denied. A case that takes so many years to come to the point of review and satisfaction is surely one about which the Assembly should speak out loudly.

In conclusion, I welcome the support of Members, particularly the comments from members of the Ulster Unionist Party and the Alliance Party. Although I am aware of the words of caution that have been expressed in other places, I will repeat what I said at the outset of the debate: if this House cannot speak up for those families who no longer have the opportunity to speak for themselves, we will have failed in our responsibility

and obligation to them. As our history of the past 40 years has shown, there are many families like the Torneys. Many people have suffered wrongs that need to be rectified and much hurt endures. We should judge ourselves on how we have helped those people when we consider what we have contributed to the betterment of our society.

*Question put and agreed to.*

*Resolved:*

That this Assembly notes the concerns regarding the conviction of John Torney who maintained his innocence up to his death in July 2005; recognises that evidence has emerged that was not made available at the trial and that the Criminal Cases Review Commission (CCRC) has yet to investigate fully all aspects of this new evidence; expresses concern at the lack of progress by the CCRC in complying with the Order of the Divisional Court in the High Court made on 22 June 2005; and calls on the CCRC to review all aspects of the case with a view to its referral to the Court of Appeal.

## PRIVATE MEMBERS' BUSINESS

### Foetal Alcohol Spectrum Disorder

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

**Mr G Robinson:** I beg to move

That this Assembly calls on the Minister of Health, Social Services and Public Safety to introduce policies to reduce the level of Foetal Alcohol Spectrum Disorder; where necessary co-operating with other agencies and Departments; and to introduce dedicated teams to assist families affected by Foetal Alcohol Spectrum Disorder.

I did not bring this subject to the House to be negative or judgemental or to scaremonger. I state categorically that I understand that no one deliberately intends to harm an unborn child. This debate is not an attack on the Minister or the professionals who deal with foetal alcohol spectrum disorder (FASD) daily. I sincerely believe that they deserve our utmost respect and admiration. I tabled the motion to raise awareness of the effects of the disorder. I want to highlight the devastating effect that alcohol or drug misuse can have on an unborn child and the need of families, who live daily with FASD, for diagnosis and a support network.

*2.15 pm*

This debate is about the well-being of future generations. Some people may not fully appreciate the damage that alcohol can cause to the unborn child. Problems affecting a child with FASD include: varying degrees of facial disfigurement; brain damage, resulting in poor social skills; inability to learn simple tasks; behavioural problems; and an impact on co-ordination and motor skills. Those problems affect the entire family of a child with FASD.

As the term "spectrum disorder" implies, there is a wide variation in the severity of the condition and in the level of support required. FASD is not a well-publicised condition, but that does not mean that we, as a society, can afford to overlook the daily needs of the families and children who are affected by it. Their needs must be identified and addressed. Everyone in the Chamber must play a part in getting the ball rolling today.

The effects of alcohol on the unborn child are permanent — they do not go away. However, they are entirely avoidable. An interdepartmental co-operative approach must be adopted to achieve the objective of reducing the number of children affected by FASD. It must involve the Department of Education, the Department for Employment and Learning, the Department



for Social Development, the Department of Health, Social Services and Public Safety and national organisations who can supply the knowledge on which new policy and structures can be firmly based. Such a multi-agency approach will ensure that all resources are utilised efficiently and effectively — in short, joined-up working.

The problem of drinking before and during pregnancy must be raised early with young people. I say young people, rather than young women, because research has shown that alcohol consumption during adolescence can also have a detrimental effect on the fertility of young men. It may permanently alter the DNA that they pass on to their children, increasing the risk of birth defects such as FASD.

We must examine the dual issues of whom we should target and how, operationally, that can be achieved. It can be done through the education system, youth groups, family planning clinics or anywhere that young people get together. The means of delivery must be relevant and must utilise multiple threads of communication, such as leaflets, social networking websites and the traditional media. The policy in Northern Ireland should be to prevent, rather than deal with, birth defects caused by alcohol. There is an old adage, "prevention is better than cure".

General public awareness must be raised. Even in today's society, parents have an important role to play. In the interests of public health, a publicity campaign should be undertaken to help to raise awareness of FASD among our citizens.

In the education sphere, some of the possible problems of FASD include: a reduced attention span; frustration; poor problem solving; the feeling of difference and exclusion from their peers; and delays or defects in speech and language development. However, every child with FASD is an individual and will have different needs.

Many children with FASD have exceptional abilities in one area, be it music, art or mathematics. Therefore, the people of Northern Ireland should be responsible for ensuring that such children achieve their maximum potential. We need better diagnosis and specialised services. At the moment, there is no accurate information on the number of children with FASD.

Some parents have told me that they have had difficulty getting an accurate diagnosis of the disorder. In fact, last week one parent told me that their child's diagnosis of FASD had been overturned. The implications of that are huge, as the support services that have been in place, and even benefit entitlement, may also be removed from that family.

From my perspective, that is a shocking state of affairs. How can that family be expected to cope physically, emotionally or financially? I secured this

debate in order to urge the Minister to put in place a comprehensive service designed for those children and families who, sadly, have to live with FASD. As with any medical condition, there must be, primarily, an accurate diagnosis so that families are not left in turmoil because of medical inconsistencies.

I can almost hear the Minister screaming in my ear, "George, what about the cost?" I ask the Minister: what is the cost of doing nothing? There is a continuing need for lifelong medical assistance, special arrangements for education and medication to treat the secondary symptoms of FASD, all of which cost, at best, millions over each generation. Many of the specialised services and personnel required to supply those services are already available in the different systems. It is not a long journey to make in order to utilise them. However, every journey begins with one step, and I ask the Minister to take that step by liaising with other Departments and support organisations in order to ensure that those communications are embedded and developed. After an accurate diagnosis, families must have barrier-free, easy access to the services that are beneficial to them.

I am fully aware that there is no quick fix for this problem, but we have to start somewhere at some time. That time and place is now. Children with FASD carry the effects for their lifetime. That is why parents need accurate diagnostic and support programmes that are obviously and desperately required in order to achieve the objectives that I have brought to the attention of the House today.

The FASAwareUK website states that FASD:

"is the biggest cause of non-genetic mental handicap in the western world and the only one that is 100% preventable."

Let the Assembly encourage the Minister to take the first step on the journey.

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. I support the motion and welcome the opportunity to speak on it. The motion calls on the Minister of Health, Social Services and Public Safety:

"to introduce policies to reduce the level of Foetal Alcohol Spectrum Disorder ... and to introduce dedicated teams to assist families affected by Foetal Alcohol Spectrum Disorder."

Drinking during pregnancy may give rise to foetal alcohol spectrum disorder, and babies who have been subjected to alcohol while in the womb are also more at risk of sudden infant death. That is a cause of great concern, especially as we appear to have a culture of binge drinking. According to a representative of the Royal College of Midwives, many women carry a binge-drinking habit into their pregnancies.

In general, more people are aware of the dangers that are associated with smoking during pregnancy, but there is much less awareness of the effects of alcohol while pregnant. In the past few years there has been

increased awareness-raising of the effects of alcohol consumption by pregnant women and those trying to conceive. However, more must be done, especially as some health professionals suggest that foetal alcohol spectrum disorder is increasing and that, due to the complexity of the disorder, many cases are not being diagnosed.

Foetal alcohol spectrum disorder is the umbrella term used to describe a range of effects that can be caused by maternal alcohol exposure. Children that are identified as having FASD show signs of behavioural, intellectual and physical difficulties, including learning difficulties, poor language and memory skills, and attention problems. Who would willingly subject their child to such problems? Who would willingly drink alcohol, knowing that those difficulties could be the outcome? We must provide targeted support and advice, so that women are made aware of the effects of the condition and can make an informed choice.

We have sought changes to the advice that is offered to women about drinking alcohol during pregnancy. The National Institute for Clinical Excellence (NICE) guidelines were revised in recent years to reflect the change in thinking. NICE now recommends that alcohol should be avoided altogether during pregnancy, but it says that those who wish to consume alcohol should minimise the risk to the baby by refraining from drinking alcohol in the first three months of pregnancy and thereafter consuming only a few units a week. Even that advice is confusing and is causing a great deal of concern. Women are asking whether they should or should not have a drink during pregnancy.

FASD is completely preventable through the elimination of drinking during pregnancy. Therefore, we have a duty to ensure that every possible effort is made to raise awareness and to bring down the level of FASD, or, if possible, to eliminate it. The dangers of drinking too much alcohol have been well documented for years. However, in recent times, healthcare professionals have made more concerted efforts to increase public awareness. I want to commend those professionals involved in the campaign, and pledge my support to help them along the way.

In order to lead an informed campaign, there is a need for more information, a good understanding of the continuum of permanent birth defects associated with FASD, and an increased awareness of the risks of pre-natal alcohol exposure among the general public, in particular among women who are pregnant, or considering pregnancy. That has been made more difficult by the fact, for which there is evidence, that FASD consists of a set of conditions that are poorly understood, not only by the general public, but by health professionals. Therefore, there is a need for more studies of the effects of those conditions, so that the best support can be provided.

It appears that the best advice for pregnant women seeking clarity on whether they can drink alcohol or not is to refrain altogether, because there is no definitive research to suggest that there is a safe level of alcohol consumption during pregnancy. If a pregnant woman consumes alcohol, it will go into her bloodstream, and, from there, straight into the baby's bloodstream. In some cases, that alcohol can have a toxic effect on the foetus. Surely, that is enough to deter any mum-to-be. If you are drinking, your baby is drinking. I support the motion. Go raibh maith agat.

**Mr B McCrea:** On a point of order, Mr Speaker. Question Time is about to begin, and yet again, four of the first six questions to be asked are from the party of the Minister who will receive those questions. We have been assured that the selection of questions is a random process. Clearly, it cannot be, and I would like an explanation of that.

**Mr Speaker:** All I can say to the Member is that the questions are selected by random ballot. Neither I, nor my office, take any part in that procedure.

**Mr B McCrea:** Further to that point of order, Mr Speaker. I thank you for the clarification, and I realise that that is the case. I am not a statistician, but, although the process appears to be the chance selection of a ballot, four, five or six of the first six questions are regularly asked by the party to which the responding Minister belongs. There is something not right. I am not saying that something is wrong, but something is not right.

**Mr Speaker:** I understand that the Member has made a very valid point. *[Interruption]*.

**Mr B McCrea:** What about Dromore?

**Mr Speaker:** Order.

As Question Time commences at 2.30 pm, I propose that Members take their ease until that time. This debate will resume after Question Time, when the first Member called to speak will be Mr Gardiner.

*The debate stood suspended.*

2.30 pm

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

## Oral Answers to Questions

### EDUCATION

#### Post-Primary Transfer: DUP Proposals

1. **Mr A Maskey** asked the Minister of Education to confirm if she is aware of any proposals on post-primary transfer from the Democratic Unionist Party.

(AQO 230/09)

**The Minister of Education (Ms Ruane):** Is mór an díomá dom é nach raibh an Coiste Oideachais ná páirtithe polaitíochta eile ábalta aghaidh a thabhairt ar na buncheistanna a bhaineann le haistriú iarbhuideoeachais go fóill. Go dtí seo, níor tháinig aon chomhdhearcaidh chun solais agus níor cuireadh aon mholtaí eile ar an chláir ach amháin mo mholtaí-se.

I am disappointed that the Education Committee and other political parties have not addressed the real issues on post-primary transfer. No consensus has emerged, and mine remain the only significant proposals on the table. When I brought my proposals to the Executive on 15 May 2008, and during discussions with the Education Committee the following day, I made it clear that I was happy to listen to constructive comments about the proposals and that I would engage constructively with anyone who has ideas that improve them.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her reply. Have there been any proposals from the Education Committee that could, even now, offer the prospect of a consensus?

**The Minister of Education:** Go raibh maith agat as an cheist sin agus as an phointe sin. Two comments struck me from the comments that I received from the Committee. First, some Committee members feel that some breathing space is required. To an extent, I agree, which is why my proposals include the partial continuation of academic selection during its phased abolition between 2010 and 2013, which was a difficult feature for me. However, there will be no distortion of the primary-schools curriculum as a result.

Secondly, the Committee showed interest in an important feature of the proposals that has received relatively little attention — the development of academic streams, which could be academic schools

within clusters of schools. Academic provision will continue to exist, and I have always made it clear that it should continue to be a key part of our system at all ages, but particularly from 14. I propose that curricular provision be all-embracing in all areas and offer the full entitlement framework to all children. However, I envisage that school diversity and specialism will continue and flourish.

My position has always been that academic selection is unnecessary. By that I partly mean that there are ways to have schools with a strong academic emphasis in their provision that are fairer, better and more flexible than academically selective admissions procedures conducted at ages 10, 11 or 14. Academic selection is unnecessary at 11 and at 14.

Throughout the process, I have listened carefully to all the main interests — educational and other — and worked to achieve a consensual way forward. My proposals offer a compromise solution for those who, like me, do not regard the current system as the way forward and do not hang on to the past. There are areas of commonality, but the Committee has failed to make any consensus proposals.

**Mr Storey:** Mr Deputy Speaker, will you rule on whether the Minister's previous answer has any relevance to the question that she was asked? Despite being asked a question about proposals from the DUP, all the Minister did was attack the Education Committee. Obviously, that was the statement —

**Mr Deputy Speaker:** Order. Will the Member ask his question?

**Mr Storey:** In her answer, the Minister tried to do what the rest of her party has been doing over the past few days — abdicate the responsibility that comes from being part of the Executive. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Storey:** Will the Minister accept that her proposals have not received consensus, and will she agree to meet me after today's sitting to consider further proposals from the DUP? The DUP put proposals on the table — we went to the public with them. Mr O'Dowd is going round the country doing the same because the Minister has little support.

Will the Minister agree to meet me and discuss my alternative proposals in order to see whether consensus can be reached? Then, perhaps, that will remove the confusion that exists among parents of children who are in P6. The blockage remains with the Minister.

**The Minister of Education:** There is no confusion among parents of P6 children. Some people have tried to create the myth that there is confusion. A Chathaoirligh, primary-school teachers and principals are well aware of what they will be teaching, which is the revised curriculum. Teachers like the revised

curriculum. The teaching unions are opposed to distortion of the curriculum.

I have always said that I am available to meet the Chairperson of the Education Committee. I have yet to receive the Committee's consensus proposals. I look forward to receiving them. In fact, I will attend the Education Committee, where a good discussion on the matter can take place.

Let us not play politics with children's education, which is what Mervyn Storey is doing. I am glad that people have reached consensus that change is needed and that they understand that the current system fails many children from different communities. Progress must be made. I have made proposals after engaging extensively with all of the different stakeholders during several months of consultation. The Member's party did not even discuss those proposals in the Executive. I look forward to the Executive's discussion, because I will bring — *[Interruption.]*

**Mr Storey:** On a point of order, Mr Deputy Speaker.

**The Minister of Education:** If I may finish my answer —

**Mr Deputy Speaker:** Please take your seat for a moment, Minister. Mr Storey, you are aware that no points of order are taken during Question Time. All remarks must be made through the Chair. Last week, I told Members that all remarks must be made through the Chair — not over it, nor under it.

**The Minister of Education:** I look forward to the Executive meeting at which my proposals are discussed. Progress must be made on the basis of equality, partnership and respect. That is the greatest message that the Assembly can send to children in every class from P1 to P7. Children need to see politicians engage with each other on the basis of equality and partnership. Go raibh maith agat.

**Mr K Robinson:** Despite what the Minister has just said, will she accept that both the public and schools are mystified as to what her proposals entail? Will she undertake to bring a motion to the House that will enable each party to set forth its ideas in public?

**The Minister of Education:** Ní ghlacaim leis sin. I do not accept that. The reason is that I go into schools and meet educationalists every day of the week. They understand the need for the system to be changed. They are crying out for change and are thankful that the Department is bringing it about. They are also well aware of who resists and blocks change. The message that comes from schools in every community is that blocking change disadvantages working-class children on the Falls, on the Shankill and in Ballymena, Coleraine, Derry and all parts of the North of Ireland. Let us continue to make change, rather than try to

interrupt and block ministerial proposals. Let us move forward and bring about change for the children who need it. *[Interruption.]*

**Mr Deputy Speaker:** Order.

## Revised Curriculum

2. **Mr McLaughlin** asked the Minister of Education to confirm that she will take action against any school attempting to divert feeder primary schools from teaching the revised curriculum. (AQO 226/09)

## Breakaway Entrance Exam: Sanctions

5. **Mrs O'Neill** asked the Minister of Education what sanctions she will take against a school that plans to administer a breakaway entrance exam. (AQO 222/09)

## Transfer Procedures: Advice

8. **Mr Neeson** asked the Minister of Education what advice her Department has given to primary schools in relation to the transfer procedure for pupils currently in P6. (AQO 194/09)

**The Minister of Education:** Go raibh maith agat, a LeasCheann Comhairle. Le do thoil freagróidh mé ceisteanna, 2, 5, agus 8 le chéile.

With your permission, Mr Deputy Speaker, I shall answer questions 2, 5 and 8 together.

Tá ceangal dlí ar scoileanna an curaclam reachtúil a sholáthar do dhaltáí den aois éigeantach scoile.

Schools are required by law to deliver the statutory curriculum for pupils of compulsory school age. The revised curriculum was not designed with testing for the purposes of selection in mind.

Over the years, the transfer tests have had a damaging effect on the delivery of the primary school curriculum. I am mindful of that in the proposals for which I seek a legislative framework. In the interests of consensus, they include a transitional test for a three-year period, which is available to schools that feel that they need time to adjust to the reform.

Chuir mé in iúl go soiléir gur mhian liom go mbeidh bunscoileanna ag díriú a n-iarrachtaí go heisiach ar mhúineadh an churaclaim athbhreithnithe nuair a thagann deireadh leis na teisteanna aistrithe atá ann faoi láthair.

When the current transfer tests end, I want to see primary schools focus entirely on teaching the revised curriculum. I expect every teacher and principal in our primary schools to fulfil the statutory duty of delivering the revised curriculum to our children and

not to be diverted from that important task by the particular admissions requirements of any post-primary school. I can rely on the teaching profession in the primary sector to do the best for children in their schools.

However, let me be clear, if any school is found to flout the law, I will take action.

**Mr McLaughlin:** I thank the Minister for her forthright reply. Will she tell us what the Education and Training Inspectorate will do if it encounters evidence that schools set aside the requirements of the curriculum to focus on test preparation?

**The Minister of Education:** The Education and Training Inspectorate is an independent means of reporting occasions in which the statutory curriculum is distorted by testing for the purposes of selection. If it encounters evidence that the revised curriculum has been set aside for any reason, it will report that as part of the inspection procedures. Any such report will be published on the departmental website. Therefore, parents and the Department will be made aware of such evidence, and appropriate action will be taken to protect the education of the young people in that school.

Boards of governors have a statutory duty to secure the delivery of the statutory curriculum in their schools. If parents feel that their child's school is not delivering the broad and balanced requirements of the curriculum, they have a right of appeal to an independent curriculum complaints tribunal. Following such proceedings, the Department has the power to direct a school to fulfil its duties. Furthermore, teachers' unions can report to the Department if they feel that teachers or schools are not fulfilling the statutory duties that are outlined in the curriculum.

**Mrs O'Neill:** Will the Minister assure the House that the transitional test will not distort the revised curriculum?

**The Minister of Education:** Is féidir liom sin a dhéanamh. Before I do so, I congratulate the Member on her county winning the all-Ireland final yesterday. I was privileged to be at the match. My own county, Mayo, unfortunately drew with her county, but that result might be rectified next week. *[Interruption.]*

I am answering the question on the revised curriculum. I am sure that children in many schools in Tyrone are preparing artwork for the return of the Tyrone team. I am sure that the Member will attend the return of the team. Sport is also education.

The transitional test will not distort the revised curriculum. It will be focused on the expected levels of literacy and numeracy at transfer age in a manner that does not require either a skewing of the curriculum or prior practice. It should be taken on a single day, and last no more than one hour. It should rank children on

the basis of ability within the cohort sitting it. It is my intention that such a test will be taken in the post-primary setting, not in the primary school. For too long, the primary curriculum has been distorted by the unnecessary testing of our children. That is the difference between the transitional test and the transfer test. The transitional test is also different to the sort of test that a number of grammar schools claim that they will carry out, not only in the flexibility that it indicates on my part, but in its regard for the education of children in primary schools.

Let me be clear, the test that I propose is a concession in the interest of consensus, and it is a means to an end — the end of academic selection.

**Some Members:** Never.

**The Minister of Education:** I propose that this test operates for a three-year period, during which its application within admissions will reduce. *[Interruption.]*

**Mr Deputy Speaker:** Order, please. The Minister has the Floor. She is entitled to be heard.

2.45 pm

**The Minister of Education:** Yes, I have heard "never" on many previous occasions.

I want to return to the issue of the test. Grammar schools will have time to adjust; however, many are going with the new proposals. I will welcome the decision of any grammar school which chooses not to use the test. No child will be compelled to take the test. I have reluctantly conceded the test, because I consider it to be an unfortunate necessity on the route to the abolition of academic selection. If political debates suggest to me that the test is not a necessary means towards that end, I will be delighted.

**Mr Neeson:** As the Minister knows, my party and I acknowledge the need for change. As a former teacher, I know that there is extreme confusion among pupils, teachers and parents about what changes are being brought about. Will the Minister explain exactly what information her Department is providing to primary schools?

**The Minister of Education:** Go raibh maith agat as an cheist sin. We have been out and about visiting schools and holding public meetings right across the North of Ireland. I plan to continue doing so. I met all the post-primary principals in Fermanagh. Last week, I was in Ballinascreen, where we held a public meeting. We have held many different meetings so that we can have a genuine discussion about the proposals.

The Department and I have clearly said to primary principals and to teachers of P6 pupils that they must teach the revised curriculum. I do not know how much clearer I can be. There is a revised curriculum in place,

which is a good curriculum. Yesterday, as I was going to the match in Dublin, a teacher told me that the revised curriculum is working.

I have also met all the different trade unions —

**Mrs I Robinson:** More resources?

**The Minister of Education:** Of course, people want more resources, and we are doing everything that we can to ensure that education gets the resources that it needs. My colleagues are ensuring that we have those resources.

We have also written to school principals to explain that they have a statutory duty to teach the revised curriculum.

**Mr B McCrea:** Does the Minister intend to name and shame those schools which attempt to help their pupils in the new test? Will she publicly publish a target list of schools that she thinks are likely to default on the issue? Will she give an assurance to the House that she intends to set up surveillance cameras in every school so that she can pick out the teachers who do not do what she wants? In practice, will she use the so-called anti-terrorism laws under the Regulation of Investigatory Powers Act 2000 to ensure that every teacher does exactly what she says?

**The Minister of Education:** Although the Member asked about 20 different questions, I have already answered his question about what I will do, and I have explained what the inspectorate and the teachers' unions will do. If the Member had listened, he might have got his answer. *[Interruption.]*

**Mr Deputy Speaker:** Order, please. I must ask Members again to allow the Minister to answer the question.

Have you finished giving your response, Minister?

**The Minister of Education:** Yes, I have finished.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that instead of taking action and sanctions against schools, she should be apologising to schools —

**Some Members:** Hear, hear.

**Mr D Bradley:** Does the Minister agree that she should be apologising for the consternation in schools where parents are asking principals for advice on the Ruane 11-plus, and where principals are unable to answer those questions?

Does the Minister agree that she has left parents and teachers in an invidious position, which has been made worse by her failure to attend Executive meetings?

**Some Members:** Hear, hear.

**The Minister of Education:** I do not agree with any of the points that the Member has made.

*[Interruption.]* Until I came into this job, I thought that the SDLP were anti-academic selection and pro-change. I was obviously mistaken. *[Interruption.]*

**Mr Deputy Speaker:** Question 3 has been withdrawn.

### Extended Schools: September Monitoring Round Bids

4. **Mr Molloy** asked the Minister of Education what bid she made for extended schools in the September Monitoring Round. (AQO 235/09)

**The Minister of Education:** Go raibh maith agat. I congratulate the Member on his football team, because I do not discriminate on grounds of gender.

**Mr Kennedy:** Who won the Ryder Cup? *[Laughter.]*

**The Minister of Education:** Who won Wimbledon?

**Mr Deputy Speaker:** Order. It is Question Time and there are serious issues to deal with.

**The Minister of Education:** I am glad to see that there is such interest in the House in such a wide variety of sport.

Mar is eol do Chomhaltaí, thug mé an-tacaíocht don chlár um scoileanna sínithe. I gcás na tairisceana ar £5 mhilliún a lorgaíodh i dtosach i mbabhta mhí an Mheithimh, lorgaíodh arís í i mbabhta monatóireachta Mheán Fómhair.

I have been highly supportive of the extended schools programme. The bid for £5 million, which was originally logged in the June monitoring round, has been re-submitted in the September monitoring round. The earlier bid was not met by the Finance Minister. However, in his statement to the Assembly on 24 June 2008 on the outcome of the June monitoring round he assured Members that every effort would be made to provide additional funding for the extended schools programme at the next monitoring round. I look forward to that.

In light of those positive indications about the potential to meet the bid for £5 million, I wrote to the current Finance Minister to outline the fact that I had asked my officials to put arrangements in place to ensure that additional allocations were made in July to allow for school planning and continuity of the programme. The Finance Minister welcomed that course of action in his reply but highlighted that the scope for the Executive to meet that bid in the September round would depend on the amount of funding available for reallocation.

I have been delighted to receive letters of support and thanks from school principals and pupils for the restoration of previous funding levels and widening eligibility criteria.

**Mr Molloy:** Will the Minister confirm how schools are being identified as in need of funding and what level of funding is expected?

**The Minister of Education:** Go raibh maith agat. Priority for funding has been given to schools serving areas of greatest social disadvantage, and it has been targeted at children and young people who are disadvantaged, marginalised, or who have the most limited access to current services. The additional £5 million funding means that we can restore previous years' funding levels for 2008-09 and reintroduce those wards, identified as being the most deprived under the education domain, to the selection criteria. The education domain measure had been used in 2006-07 and 2007-08. However, due to the reduced level of funding, the multiple-deprivation measure has been adopted for 2008-09.

Schools eligible for the programme are as follows. Primary, post-primary and special schools are eligible for the programme if: 51% or more of their enrolment is from a neighbourhood renewal area; 51% or more of their enrolment is from the 30% lowest ranking wards in the multiple-deprivation measure; 51% or more of their enrolment is from the 30% lowest-ranking wards in the education domain, or if they have a free school meals entitlement of 37% or higher.

Nursery schools are also eligible for the programme if they have 37% or more children who are entitled to free school meals and/or 37% or more pupils' families claiming jobseeker's allowance.

Schools are being allocated funding amounts of between £5,500 and £48,000, depending on their size and the uptake of the clustering incentive. Funding was decided on the basis of a formula as follows: first, there would be a block allocation to every school of £3,000; secondly, there would be a sliding-scale whereby the first 100 pupils are funded at £100 each; the next 100 at £75 each; the next 100 at £50 each; the next 150 at £25; the next 100 at £20 each; and the remainder at £10 each. Where schools join with other schools in a cluster arrangement, they will be entitled to a 15% additional allowance as an incentive for partnership working.

**Mrs I Robinson:** Will the Minister, while she is on her feet, tell us how many times she has been in her Department? This is my only opportunity as an elected representative to ask a question of the Minister as she refuses to meet me in my constituency. I make no apology for repetitiveness in asking the question, although I may be accused by a certain member of Sinn Féin of being obsessed; apparently when you speak about one subject you are obsessed.

Will the Minister indicate when we are going to see a newbuild for Tor Bank School for special needs? The Minister talked eloquently about equality and

therefore, I would like to know when that newbuild will commence? The state of the shanty town that currently acts as a school is an absolute disgrace to the Department of Education and to the Minister in particular.

**The Minister of Education:** I have met with the Member on a number of occasions; however, her supplementary question is not relevant to the initial question. I ask that in future the Member's questions be relevant —there are rules governing that.

I have visited Tor Bank School — *[Interruption.]*

**Mr Deputy Speaker:** Order, order. I know that it is not popular to suspend people from schools any more but somebody is going to get suspended here if you do not respect the Chair.

**The Minister of Education:** In relation to Tor Bank School, I will write to the Member with the information, as I have done before. I have visited Tor Bank School. Tremendous work is being done there, and I pay tribute to the principal and the staff.

**Mrs M Bradley:** Is the Minister aware that her failure to properly fund the extended schools programme through the education budget — and I am talking about schools that are in areas of high deprivation — has done irreparable damage to many projects?

**The Minister of Education:** I think that the Member has left out some information. There were four Departments funding the children and young persons' package: the Department for Social Development (DSD); the Department of Education; the Department of Health, Social Services and Public Safety, and the Department of Culture, Arts and Leisure. In the Department of Education, we mainstreamed a sizeable proportion of the extended schools budget. I asked the then Minister of Finance and Personnel for more money for extended schools; I wrote to him on many occasions outlining my concerns about the cutting of that programme, and that is on record. Thankfully, we have managed to mainstream a large section of the extended schools programme in the Department of Education, and we have, hopefully, managed to get extra money. I look forward to DSD funding the projects that it is also responsible for.

### Area-Based Planning Groups

6. **Mr McCarthy** asked the Minister of Education for an update on the work of the area based planning groups. (AQO 182/09)

**The Minister of Education:** I have been in regular contact with the chairperson of the central group for area-based planning and, in my view, an excellent start has been made on that important exercise. The chairperson and vice-chairperson of the central group,

and the five chairpersons of the local area groups, have had a series of meetings to reach a shared understanding of the exercise and to prepare discussion papers for consideration by the central group.

The central group met on 27 June and on 4 September; a further meeting will take place in early October. Initial guidance on the process of seeking submissions has been agreed and will be issued in the near future. Nominations have been received for the five area groups and a two-day residential meeting, which will allow them to analyse the available data and identify the key issues in their respective areas, will begin on 30 September. I have requested an interim progress report from the central group by the end of October.

In the meantime, I have been meeting principals in all parts of the North; I have had meetings with many of the principals in Fermanagh, and this week I am meeting some of the principals in County Down. For the first time ever in the North of Ireland, we have all the different education sectors sitting down together and planning on an area basis, rather than, as in the past, all the sectors — the Catholic sector, the Irish-medium sector, the integrated sector — meeting separately. As part of the review of public administration (RPA) I have regularly chaired a high-level group made up of all the different sectors so that we can move towards area-based planning.

3.00 pm

**Mr McCarthy:** Is the Minister aware that she is already six months behind schedule with her programme? Has she given any steer or advice to the area-based planning groups to help them to maximise the potential for outside organisations to use schools after school hours for community activities?

**Mr Deputy Speaker:** I ask the Minister to be very brief as we have moved beyond the 30-minute limit for questions to the Minister of Education.

**The Minister of Education:** As I have stated, I am very pleased with the progress that has been made. I pay tribute to the chairperson and the vice-chairperson of the central group, who are doing tremendous work. While others may have been on holiday, they were working away, and I place my appreciation to them on record.

Schools have an enormous role to play in local communities, and that is part of post-primary area-based planning and the area-based planning process that the Department will introduce. The more that buildings and resources are maximised and the more that Departments work together, the better.

**Mr Deputy Speaker:** I appear to be getting some help on how best to chair the meeting. The 30-minute period ended while the Minister was answering, and I

permitted a further two minutes to allow her to conclude. This is in line with the Speaker's ruling.

## EMPLOYMENT AND LEARNING

### St Mary's University College: Enrolment

1. **Mr Armstrong** asked the Minister for Employment and Learning how many students entered St. Mary's University College in each of the past five years. (AQO 163/09)

**The Minister for Employment and Learning (Sir Reg Empey):** The number of first enrolments at St Mary's University College in each of the past five academic years for which data are available are: 350 in 2002-03; 360 in 2003-04; 295 in 2004-05; 310 in 2005-06; and 365 in 2006-07.

**Mr Armstrong:** Is it true that had previous trends been allowed to continue, teacher training would have ceased to be the main activity at St Mary's University College and Stranmillis University College?

**The Minister for Employment and Learning:** The way that things were going, there was a risk that in two to three years, non-teacher training would have been the main activity at not only St Mary's University College but at Stranmillis University College. Given that both colleges have built significant reputations in initial teacher education, I felt strongly that it was important to ensure that that was the key ethos at not only St Mary's but at Stranmillis. I hope that we can steer things firmly in that direction in the Department's discussions with the college and with the Minister of Education.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. The Minister is aware of a case that arose in my constituency earlier this year regarding the sudden death of Shauna McCann, a student who attended Liverpool Hope University. At the start of this new academic year, have any provisions been made to advise students and to protect them from being tied into payments for accommodation if they have to leave third-level education through illness — mental or physical — or, in the case of Shauna, because of a tragic death? As the Minister knows, the letting agents have pursued her parents relentlessly for outstanding rent.

**The Minister for Employment and Learning:** Although that matter is not specific to the question, the Member asked me about it before the summer recess. He raised it in a debate or through a question, and I believe that we have corresponded on the matter. I am sympathetic to the particular case that he drew to my attention. All Members find it a sad case, and I am



sorry to hear that the family is continuing to be traumatised. However, it was a matter for civil law. I will ask the Department to examine the Member's point, and I will write to him after the record has been reviewed.

**Mr O'Loan:** St Mary's University College has an exceptional profile: it attracts students from lower socio-economic backgrounds, it has high entry requirements, and, despite the recent uncertainty, it succeeded in filling all its student places this year. Given that profile, the history of the college, and the affection in which it is held, how can the Minister credibly argue that the potential expansion of the University of Ulster's York Street campus — as yet unannounced, unfunded and uncertain — would put St Mary's University College, which offers a highly appealing degree in liberal arts, at great risk? He made that argument during an Assembly debate on teacher training on 23 June 2008.

**The Minister for Employment and Learning:** The activities of other institutions are relevant, particularly those that are located nearby. However, no one doubts the excellent record of achievement of St Mary's University College. It has succeeded, and marginally surpassed other institutions, in attracting students from difficult socio-economic backgrounds. Indeed, all Northern Ireland's institutions have a better overall record in that area than most in GB.

No institution is an island, and, therefore, every event is relative. The students' feedback on their experience at St Mary's University College has been extremely positive, and we should concentrate on the positive. In consultation with the Minister of Education, the Department is examining the entire ambit of issues that affect the college, and discussions over the past months have been good. An excellent debate was held in the Assembly, and the issues are rapidly becoming clear. If the issues surrounding particular areas of continuous professional development can be resolved, the college undoubtedly has a very positive future.

### **Hearing-Impaired People: Training Opportunities**

2. **Mr Lunn** asked the Minister for Employment and Learning what steps he is taking to improve access to training for people with hearing impairments.

(AQO 204/09)

**The Minister for Employment and Learning:** I apologise in advance for my rather long answer to the question, but it is important to address the issues fully.

A range of measures and initiatives is in place to provide and improve support for people with disabilities, including those with hearing impairments,

to access training. Among those measures is a register of support providers that is available to all disabled students in higher education and colleges of further education, and through which a range of support services, including sign-language interpreters, can be provided.

The Department secured £1.3 million through the comprehensive spending review to enhance the provision of both British and Irish sign-language tutors and interpreters in Northern Ireland. Moreover, as recommended by the Committee for Employment and Learning when it was scrutinising the Training for Success programme, my Department established a working group, which includes representatives from disability organisations and which carried out a review that focused on the needs of people with disabilities in the context of the provision of Training for Success. The group recently submitted its report to the Department, and to increase access to that training provision for people with disabilities, including those with hearing impairments, I will ensure that all its recommendations are considered.

**Mr Lunn:** I thank the Minister for his comprehensive answer. What measures can be taken to ensure that interpreters who support deaf learners in further and higher education are of an adequate standard, and are monitored?

**The Minister for Employment and Learning:** A range of measures in the further education sector is in place to provide support for students with hearing impairments, depending on the degree of impairment and the nature of the course. Those measures include signers, the provision of hearing induction loops, assistance from note takers and the availability of lecture notes.

To ensure that my Department does everything possible to help learners with disabilities, the Education and Training Inspectorate was asked to review the provision of services and to identify any gaps. I hope that that comprehensive review will be able to identify any weaknesses. The Education and Training Inspectorate is thorough and, in consultation with groups connected with those who have hearing impairments, it is happier now that at least some additional provision is being made. I sound one note of caution: only a finite number of tutors can train the trainers. That bottleneck in training must be addressed, but the Department is fully aware that it exists.

**Mr Shannon:** I, too, thank the Minister for his comprehensive and extremely helpful answer. Earlier today, in the Long Gallery, there was a presentation from the National Deaf Children's Society (NDCS). Those young people, some of whom used sign language, spoke extremely well.

I raise that point because that organisation's knowledge would be helpful for the Minister's proposed review. What discussions has the Department had with the NDCS to ascertain what it feels should be part of the review process? Such discussions would be helpful.

**The Minister for Employment and Learning:** I thank the Member for his contribution. I agree that the people whom we met that day were impressive; they were also keen to point out issues that do not often register with us. For instance, people with hearing impairments who go to see a doctor at a hospital are perhaps unable to point out some obvious mistakes. As we all know, mistakes can happen, so that is a serious issue.

The review will include everyone who is deeply involved in such matters. The Department already provides funding to Belfast Metropolitan College in order to increase the number of fully qualified sign-language interpreters. As I said earlier, one area on which we will concentrate is the question of who trains the trainers. We will consult NDCS. It is essential that the review comes to an early conclusion, given that there has been a backlog; we want to get the outcome of the review to the colleges as quickly as possible.

The previous Minister of Culture, Arts and Leisure was helpful in that our Departments worked together on the issue. The Department's Disablement Advisory Service provides a range of programme support to help people with disabilities, and Access to Work helps them to obtain suitable employment. Therefore, I am confident that a process is in place that will lead to the correct measures being implemented. The fact that we received extra funding through the comprehensive spending review was also helpful.

**Mr K Robison:** I thank the Minister for his comprehensive answer. What steps will the Minister take to ensure that the number of sign-language interpreters will be significantly increased, given the bottleneck to which he referred? What assistance can be provided for people who require extra aid in a job interview?

**The Minister for Employment and Learning:** In my earlier response, I said that my Department had secured an extra £1.3 million in the CSR, specifically to increase the number of people who are trained. Under the communication-support-at-interview process, the Department, through the Disablement Advisory Service, will meet the cost of providing communication support at employment interviews for people who are deaf or who have hearing disabilities. In other words, the Department will send and pay for someone to go to an interview with an applicant so that the applicant has the necessary support and help to conduct a proper interview, which will level the playing field for that individual. I confirm that the

Disablement Advisory Service will do that and will pay for it.

**Mr Deputy Speaker:** The Members who were due to ask questions 3 and 4 are not in their places.

## Global Economic Downturn

5. **Mr Neeson** asked the Minister for Employment and Learning if he has reviewed his strategy for sectors to target in light of the global economic downturn.  
(AQO 203/09)

**The Minister for Employment and Learning:** My Department has commissioned a forecast of future skill needs in Northern Ireland based on short-, medium- and long-term economic predictions. In conjunction with other forms of labour market information, that will inform the Department's decision on whether it will be necessary to review the sectors that it targets for future skill work.

**Mr Neeson:** We all recognise the complexities of the global economy, but will the Minister consider developing skills academies or apprenticeship academies, as has happened in other parts of the UK? Will he consider the development of industrial hubs?

**The Minister for Employment and Learning:** I have no doubt that the Member is aware that the Department has a skills expert group and workforce development forums, which have been established to bring together the providers of education through the colleges and local employers to ascertain the needs in any particular area.

The Department has an agreement with 23 of the 25 sector skills councils in Northern Ireland. They have a key responsibility to ensure that qualifications are of a high standard and meet the needs of local employers.

3.15 pm

We must consider future plans for academies. We have, potentially, an important structure in place, whereby the applicants and the sector skills councils work in conjunction with the colleges and local employers. In the northern region and the Ballymena area, Michelin — one of the large employers — has a training centre in the local college. That could be described as a centre of excellence. However, it is a matter of opinion whether that can be defined as an academy.

Given how international labour markets have changed in the past couple of months, we must examine closely the whole gamut of prioritising skills for the future, because the situation today differs from that of six months ago. I thought, perhaps, that the Member was driving at that point.

**Mr Newton:** The Minister stated previously in the House that he will introduce a demand-led strategy; given that, Mr Neeson's point is well made. Sectors of the Northern Ireland economy are buoyant, yet employers cannot recruit qualified graduates. Those shortages are, generally, in the science, technology, engineering and mathematics (STEM) areas. Will the Minister outline what steps he will take to meet graduate demand from engineering and technology companies?

**The Minister for Employment and Learning:**

Two weeks ago, I attended Queen's University's open day, and I visited the Bernard Crossland Building, which houses engineering and technology activity. In the current year, that university filled its places in the broad STEM areas, although I am unsure of the situation at the University of Ulster. However, I accept entirely the concept of a demand-led process.

At the end of 2007, the Department launched the 'C'Mon Over' initiative, through which we will visit various university campuses — many, in fact, this month — in the United Kingdom, and we will visit Dublin in late 2008 or early 2009. Employers will accompany us to try to convince students who have trained in universities in Glasgow, Edinburgh, Newcastle, Liverpool, Dublin and Dundee to return to employment in Northern Ireland. Those employers will offer real jobs to students. The Department wants to recover skilled students who have left Northern Ireland.

A combination of that process, work in schools and efforts to encourage more children to study STEM subjects, such as Queen's University's decision to offer bursaries — and the University of Ulster is considering that, too — will improve the situation. People take key decisions at the age of 13 that determine which subjects they can learn in future. It is a comprehensive proposal, and I assure the Member that I am focused on ensuring its delivery. As the Member realises, that is the only way to retain a competitive position.

**Mr Savage:** What role do the skills expert group and the workforce development forums play?

**The Minister for Employment and Learning:**

Workforce development forums are based around the six regions in which the principal colleges of further education are located. They provide meeting places for the colleges of further education and local business communities. It is as easy and cost effective for colleges to teach qualifications with positive outcomes to students as it is to teach qualifications for which there are no jobs. Therefore, it makes sense — for the colleges and the students — that people are supplied with the skills that are needed by the local communities and employers.

A further initiative is the all-island skills conference that will focus on border areas, and it will take place in

early October 2008 in the north-west. The conference will be hosted jointly by the Northern Ireland skills expert group and the expert group on future skill needs. It is a joint operation with my counterparts in the Republic — I believe that Tánaiste Mary Coughlan will be one of the Ministers involved. In that context, we are seeking to have the right mix of labour-market intelligence present so that colleges in the border regions can ensure that the skills and qualifications being taught there match the needs of local communities. I encourage all employers to become involved, because they will find it useful.

### Stranmillis University College: Merger

6. **Mrs Hanna** asked the Minister for Employment and Learning if he is satisfied that Stranmillis University College fully considered all options, for its future, prior to the decision of its board of governors to endorse a proposal to merge with Queen's University Belfast. (AQO 149/09)

**The Minister for Employment and Learning:** The governing body of Stranmillis University College made the decision, in principle, to merge with Queen's University, Belfast. That decision was based on the consideration of options arising from the Taylor Report on the long-term strategic options for Stranmillis University College, which was published in July 2007. The governing body voted unanimously for the option.

Any decision to merge will require the consent of my Department. We will conduct a rigorous evaluation process that will include the setting out of all options, and the decision will be subject to the consideration and approval of the Committee for Employment and Learning and the Assembly.

**Mrs Hanna:** The Minister approved two-year conversion funding in respect of student numbers for Stranmillis and St Mary's. As he said, that will create space so that all issues can be explored.

Does the Minister understand why Stranmillis and Queen's told the Committee for Employment and Learning that they plan to make their decision for merger in 2009? Will he confirm that he will not consider accelerated passage for any legislation concerning the matter?

**The Minister for Employment and Learning:** The answer to the Member's second question is yes. In response to the first question, I was promised that the business case would be available in July 2008. I have not received it yet, and I understand that it will be some weeks before it comes into my possession. The Department has not had the opportunity to see the business case yet.

When the business case is received, it will go through a rigorous evaluation process that will include, by definition, consideration of all the options. After that is done, we will consult with other Departments that have a keen interest. We will then come to a view and discuss it with the Committee. It will be a matter for the House to deal with any legislation that flows from that, because the merger cannot take place without legislation.

I already gave an undertaking to the Committee for Employment and Learning that I will not be seeking accelerated passage for the process. I cannot be specific about the timetable, but my view of the process — which I highlighted at a meeting with representatives from the college and the university before the summer break and which I clarified twice in writing — is that it is nearly October and I have not received the report, and that time is rapidly running out. The practicalities dictate that it will not be possible to complete the process within the time available. It is up to the college and the university to submit their case. I will deal with the case when they submit it.

**Mr Spratt:** The Minister will be aware that the day before the Stranmillis University College board of governors made its announcement, its representatives gave a presentation to the Committee for Employment and Learning, and, to say the least, everyone on the Committee was convinced that a deal had been done prior to that meeting.

It is strange that there was only one option on the table. Can the Minister confirm whether the Stranmillis board of governors considered all other options, and is it not the case that the University of Ulster, which was also thought to be a player in the process, pulled out because it knew that a deal had been done with Queen's University's board of governors prior to the meeting at which the decision was supposed to have been made?

**The Minister for Employment and Learning:** I cannot confirm all that the Member said, but he raised questions that I know have exercised his mind and the minds of Committee members.

The Committee took evidence from the University of Ulster's vice chancellor and others, and met Stranmillis University College representatives, about which the Member will form his own opinion. All that I can say is that the college's board must take the initiative. If the college has a proposal, as I have indicated, we will consider all the options, which must be set out in detail.

I make it clear to the Committee — and I repeat for the second or third time — that there will be no attempt by my Department to steamroller anything through the House. It is not my fault if the proposal comes to me late. I have made it clear that there is a

process, and the process will be adhered to. Given that I must review the options that were considered, some matters that the Member raised may emerge when I receive the business case.

The Stranmillis University College board of governors commissioned the Taylor Report, which was published in 2007, and although it was not terribly specific, nevertheless, at that stage, the board was already considering options. However, that is a matter for the college's board. When the Department is asked, it will deal with the matter, and it will seek legislative consent from the Assembly for a full and proper Bill, which must pass through all Stages in the House before any changes to that institution's status can take place. The Assembly will have the final say on the matter, and I hope that that reassures the Member.

**Ms Lo:** Since 2003, a review into teacher education in Northern Ireland has been under way, and I believe that a draft review document was provided for the stakeholders' group in January 2008. For the benefit of all concerned, will the Minister inform Members about the review's progress and clarify the Department for Employment and Learning's position on teacher training?

**The Minister for Employment and Learning:** The Member is correct about the timescale, and that concerns me. As the Member is aware, the review is a joint effort with the Department of Education, and I recently wrote to the Minister of Education to seek clarity on when her Department will conclude its deliberations. My Department has signed off on the latest draft, and I await a response from the Department of Education.

I accept that the review has taken far too long. Nevertheless, during the Christmas holidays last year, I saw an earlier draft, and the final report will be an important piece of work, containing some excellent proposals, which I am sure that Members will be pleased to see on publication. I am conscious of the need to get the report into the public domain as soon as possible, and I await a response from the Minister of Education.

### **Stranmillis University College: Enrolment**

7. **Mr McFarland** asked the Minister for Employment and Learning how many students entered Stranmillis University College in each of the past five years. (AQO 164/09)

**The Minister for Employment and Learning:** The first-year enrolments to Stranmillis University College for each of the past five academic years for which data are available are: 460 in 2002-03; 435 in 2003-04; 480 in 2004-05; 395 in 2005-06; and 385 in 2006-07.

**Mr McFarland:** I thank the Minister for his answer. If the merger goes ahead, what are the implications for Queen's University of having all those extra students? Are there savings implications? When did the Minister first become aware that Queen's University and Stranmillis University College were seeking a merger?

**The Minister for Employment and Learning:** I formally became aware of a merger on 17 April 2008, when a decision was taken. I knew that a merger was an option that was being considered.

The implications are fairly far-reaching. In Northern Ireland, there are five providers of initial teacher education: Queen's University, the two university colleges, the Open University and the University of Ulster. Queen's University and Stranmillis University College tell me that they envisage a centre of international excellence. The absorption of that number of students into Queen's University will be a significant development. Further details will appear in the proposals that will be put to me by Queen's University and Stranmillis University College. That issue will be taken into consideration by the Department in reaching a recommendation on the way ahead. The Committee for Employment and Learning and the Assembly will have the final say on any proposals.

3.30 pm

## ENTERPRISE, TRADE AND INVESTMENT

### Marching Season: Contribution to Tourism

1. **Mr Moutray** asked the Minister of Enterprise, Trade and Investment what her assessment is of the contribution of this year's marching season to tourism. (AQO 191/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** There has been no formal assessment of the impact of the marching season on tourism, but the Northern Ireland Tourist Board and Tourism Ireland are in regular touch with representatives of the Loyal Orders to see how events such as the Twelfth of July parades can be developed as tourist attractions.

The Northern Ireland Tourist Board worked with the Orange Order to help to broaden the appeal of this year's Twelfth of July demonstrations and identified four flagship parades — Belfast, Tandragee, Dromara and Coleraine — as those with the most potential appeal to visitors. The Northern Ireland Tourist Board provided "welcome host" training for stewards at those parades.

Tourism Ireland also helped to raise the profile of this year's parades; for example, its website had a link to the BBC's live coverage of the Twelfth. I understand that considerable interest was generated, and I am optimistic that such events have the potential to make a real contribution to the Northern Ireland tourism product.

**Mr Moutray:** I thank the Minister for her answer. I know that she is a family-oriented person, and I hope that she, like me, enjoyed a family day out at one of the Twelfth spectacles this year.

Will she indicate whether any representative from the Northern Ireland Tourist Board or Tourism Ireland took the opportunity to attend a Twelfth of July celebration in an official capacity?

**The Minister of Enterprise, Trade and Investment:** I thank the Member for his question. I availed of the tremendous family day at Kesh's Twelfth of July celebrations. I met many visitors who had travelled up Lough Erne to be in Kesh for the festivities.

Representatives from the Northern Ireland Tourist Board and Tourism Ireland attended the Twelfth of July parade in Coleraine and will be meeting Orange Order representatives to provide feedback. The Orange Order has expressed its thanks to the tourist authorities for the advice that it has received to date.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. Given the contribution that local historical and cultural events can make to tourism by exploiting the uniqueness of the North, will the Minister detail what plans her Department has to ensure that the Tourist Board will supply funding and resources to local community-based tourism projects that promote such events? I have in mind places such as west Belfast, where such projects have been organised for years. Go raibh maith agat, a LeasCheann Comhairle.

**The Minister of Enterprise, Trade and Investment:** I thank the Member for her question. Indeed, earlier this year, I attended a very good fair day at Irvinestown in Fermanagh. I assume that that is the type of small-scale cultural event to which the Member refers.

A cultural tourism strategy was commissioned by the Tourist Board in March 2005, and it is currently being developed. The draft Northern Ireland Tourist Board corporate plan for 2008-11 also identifies cultural and heritage tourism as a key product development priority.

The Tourist Board is developing a cultural and heritage tourism product framework that covers four broad areas — heritage, living culture, creative and the arts — all of which are further divided into subcategories.

A great wealth of cultural activity exists that can act as a stimulus for the tourism market. I look forward to seeing the plans develop.

**Mr O'Loan:** Although I acknowledge and commend the Orange Order's initial efforts to engage with the Catholic community, does the Minister agree that if the Orange Order is serious about turning the Twelfth and other parades into tourist events, it will have to revise fundamentally what it represents to the Catholic community, including its written principles? Does she also agree that it will have to revise the culture associated with those parades, which includes alcohol and bonfires? I note that DRD has estimated that it costs £60,000 to clean up such bonfires.

**The Minister of Enterprise, Trade and Investment:** I am not here to be a spokesperson for the Orange Order, however it should be noted that that organisation is based on the reformed Protestant faith, and, as such, it is fundamental to that organisation to promote that faith, so I do not see its principles changing any time soon.

With regard to the Member's other comments, particularly the one about alcohol, I know that the Order has been working very closely with the police and I encourage them to keep doing that and to eradicate the abuse of alcohol at the parades. I know that, as well as anything else, such behaviour is a blight on those parades.

### Bed and Breakfasts: Joint Grading System

2. **Mr Armstrong** asked the Minister of Enterprise, Trade and Investment what communication he has had with his counterpart in the Republic of Ireland concerning a joint grading system for bed and breakfasts. (AQO 184/09)

**The Minister of Enterprise, Trade and Investment:** I have not discussed that issue with my counterpart in the Irish Republic. My officials are currently engaged in a review of the certification and classification of tourist accommodation in Northern Ireland. As part of that exercise, they will consider best practice in England, Scotland, Wales and the Republic of Ireland.

**Mr Armstrong:** I presume that the Minister has done some research into the Scottish tourist board's experience of accommodation grading?

**The Minister of Enterprise, Trade and Investment:** The question was in relation to the Republic of Ireland, and I want to cover the differences between here and that jurisdiction. We in Northern Ireland have the only statutory certification for bed and breakfasts — nowhere else in the British Isles has that. Therefore, we have set minimum standards that are very important and that are recognised by people when they visit bed and breakfasts here.

Work has been going on in the rest of the United Kingdom in relation to classification, and a new

voluntary code has been set up. We have been examining such work closely and will continue to do that, because a review of the issue of classification is pending. We hope to be able to publish the consultation about the new classification in January 2009.

**Mrs D Kelly:** The Minister probably approved the recent sale of Northern Ireland's electricity system operator to the system operator in the South. That means that power stations will, ultimately, be controlled from a single control room in Dublin, and there will be one system operator for the island. Does the Minister agree that it is a sign of our growing political maturity that we in the North are now comfortable with having our power switched on and off from a location in Dublin? Will she confirm also that she supports a logical, all-island — *[Interruption.]*

**The Minister of Enterprise, Trade and Investment:** The original question was about bed-and-breakfast classification; I am not sure what the single electricity market has to do with that.

**Mr Hamilton:** There seems to be some confusion in the Chamber — I thought that it was only the Minister's gender that had been confused in the original question. Last week a by-election was held in Enniskillen during which the Ulster Unionist Party tried to gift a seat to Sinn Féin; now it seems that they are wishing to gift our bed-and-breakfast classification system to the Irish Republic as well — I hope that the Minister defends that as stoutly as she defended the seat in Enniskillen.

The majority of tourists who travel to Northern Ireland come from Great Britain. Therefore, does the Minister agree that, if a joint-classification or joint-grading system for bed-and-breakfast accommodation is needed, it would be better to have a system in conjunction with our colleagues in GB, rather than with those in the Irish Republic?

**Some Members:** Hear, hear.

**The Minister of Enterprise, Trade and Investment:** I was quite amused by the fact that Mr Armstrong referred to me as "he" in his question. However, given the Ulster Unionists' role in last week's by-election, I suppose that I should not be surprised.

Both jurisdictions on this island operate from very different starting points. As I have already indicated, we have a statutory system of certification that is very important for our standards, and that system is jealously looked upon by colleagues in the Republic of Ireland.

The Member is correct. Most of our visitor potential for bed and breakfasts comes from GB. Therefore, it makes sense that we should have a similar classification system to the rest of the United Kingdom. I will certainly bear that in mind.

**Mr Deputy Speaker:** I remind Members that supplementary questions should be relevant. I also remind Members that, when the Minister has the Floor, she must be allowed to be heard.

### Marine Renewable Energy

3. **Mr Shannon** asked the Minister of Enterprise, Trade and Investment what action she is taking to support marine renewable energy in coastal areas. (AQO 213/09)

15. **Mr McCarthy** asked the Minister of Enterprise, Trade and Investment for an update on the Strangford Lough wave energy project. (AQO 206/09)

**The Minister of Enterprise, Trade and Investment:** With your permission, Mr Deputy Speaker, I will answer questions 3 and 15 together. Northern Ireland has a significant tidal stream resource, and harnessing that resource is an important element of my Department's ongoing work to increase the use of renewables.

That was recently demonstrated with the 1.2 megawatt marine-current turbine project — SeaGen — which began generating renewable electricity in July 2008. It is the world's first commercial-scale tidal system to be connected to a local grid. The deployment of the system at Strangford has put Northern Ireland on the map for tidal-marine renewables, and that augurs well for the exploitation of tidal resources off our north coast.

The Department of Enterprise, Trade and Investment (DETI) is in the final stages of commissioning a strategic environmental assessment of offshore wind and marine renewable energy in Northern Ireland waters. That will enable DETI to work with the Crown Estate — owner of the seabed — to issue a competitive call for private-sector investors in order to develop commercial projects at certain offshore sites. The strategic environmental assessment, including the consultation phases, will be completed by spring 2010.

In the interim period, DETI, the Northern Ireland Environment Agency and the Crown Estate will continue to work with developers who wish either to deploy pre-commercial or demonstration-stage devices — such as the marine-current turbines at Strangford Lough — or to prepare their proposals before the competitive call for commercial projects in 2010.

**Mr Shannon:** I congratulate the Minister on her recent by-election success. Not only was she able to win the election that day, but she was able to make supper for her wife — sorry; for her husband — and her children. Furthermore, she was able to put them to bed. *[Laughter.]*

**Mr Deputy Speaker:** Order. Mr Shannon, you clearly did not hear a single word that I said a few moments ago.

**Mr Shannon:** The Minister has outlined part of the case for the turbine initiative at Strangford Lough. Does her Department have any intention to encourage other forms of marine renewable-energy production in other coastal areas? Areas such as the Ards Peninsula or the east Antrim coast could perhaps be considered.

**The Minister of Enterprise, Trade and Investment:** As I indicated in my answer to the initial question, the Department is working with the Crown Estate to identify potential sites. The strategic environmental assessment that is under way will allow us to see what potential exists. I believe that such potential does exist, but we obviously need to have that assessment carried out before that can be developed.

**Mr McCarthy:** I also congratulate the Minister on her election success in Enniskillen. Well done.

I thank the Minister for her detailed answer to the initial question. Can the Minister assure the House that, when SeaGen is in full production at Strangford Lough, the residents of Portaferry, Strangford and the Ards Peninsula will benefit from low-energy electricity charges?

**The Minister of Enterprise, Trade and Investment:** As the Member knows, the technology is most innovative, and that is something of which he and the people of that area are very proud. Whether only the residents of Portaferry will be able to benefit from lower energy costs is another matter. I hope that it will add to our renewable energy and will help us to meet our targets for the coming years. The Department will work closely with SeaGen and will look for other potential renewables. As I have said, we have the potential to develop offshore wind and marine renewable energy.

3.45 pm

**Mr Butler:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhúiochas a thabhairt don Aire as an fhreagra sin.

Given the recent gas and electricity price rises — of which the Minister is aware — and the sustainable energy market on the island of Ireland, has she any plans to develop an all-Ireland energy market for renewables?

**The Minister of Enterprise, Trade and Investment:** My Department is always looking for opportunities to develop the renewable sector in Northern Ireland, and it will continue to do so. However, there are difficulties with the cross-border energy market, as the renewable support systems that are available in the United Kingdom — and hence in Northern Ireland — are different from those in the Republic of Ireland. The

United Kingdom has levy-exemption certificates, while the Republic of Ireland has a feed-in tariff. There are different circumstances, and, therefore, cross-border working becomes increasingly difficult.

However, we are working with the Scottish Executive on offshore wind and marine renewable energy, and I see great potential for harnessing that renewable energy and making Northern Ireland a leader in that field.

### Consumerline

4. **Mr B McCrea** asked the Minister of Enterprise, Trade and Investment what efforts have been made to promote Consumerline. (AQO 177/09)

**The Minister of Enterprise, Trade and Investment:** My Department has undertaken a wide range of marketing and promotional activities to raise awareness of Consumerline, which encompasses the consumer telephone helpline and the website. Those activities have included advertising on television, on radio and in newspapers as well as more locally based awareness initiatives. Calls to Consumerline have increased by 30% over the past three years, and hits on the website have increased by 65% in the same period. In addition, customer satisfaction levels with the helpline are, on average, 92%, and the estimated saving made by Northern Ireland consumers as a result of contacting Consumerline is £2 million per annum.

**Mr B McCrea:** Does the Minister agree that in the current dire economic climate the elderly in our society are particularly vulnerable? It is particularly important to find ways of making consumer information readily available to them, given the fact that they may not be au fait with the Internet and such technologies.

**The Minister of Enterprise, Trade and Investment:** I could not agree with the Member more. He will know that a wide range of advice networks are available. I have a long list here, although I am sure that the Member does not want me to read it out. However, it is right to target the advice, and I will ask my officials to reply to him on that subject.

**Mr Newton:** I also congratulate the Minister on her by-election victory. In this dire economic climate, that by-election — the result of which was inevitable — should not have been called, and the expenses should not have been borne by the ratepayers.

In the House last week, the Sinn Féin Member Mr John O'Dowd said:

"I am led to understand that the Utility Regulator brought a report on fuel price increases to the Minister of Enterprise, Trade and Investment, and the Minister signed-off on that. Why did the Minister not block those increases?" — [*Official Report, Vol 33, No 2, p81, col 2*].

Mr O'Dowd was speaking from a position of political ignorance. Will the Minister comment on his misleading and inaccurate statements?

**The Minister of Enterprise, Trade and Investment:** It was ignorance, and not the sort of ignorance that I expect from Members. Everybody knows that the regulator is independent. Therefore, I cannot direct or tell him what to do, nor can I demand that he do x, y or z. However, I asked him whether he would consider having a review of those price rises. I recognise that people outside, and inside, the Chamber are worried about the price rises — particularly those for electricity.

My Department has no role in determining energy prices. The Department strives, in co-operation with the Utility Regulator, to create market conditions that will drive down energy prices over the long term. In light of concerns about the scale of the increase in electricity prices, I have read the regulator's proposals about how best to ensure full public confidence in the tariff-setting process. I am very pleased that the regulator responded positively and that he has commissioned an independent review by the former regulator Douglas McIlldoon. Independence means no political interference and, therefore, Mr McIlldoon is independent.

**Mr Gallagher:** I am sure that Consumerline has been very busy since the announcement of the 33% hike in electricity prices. The Minister acknowledged public anxiety and alarm since that announcement. Does she agree that public confidence in the regulator has evaporated since the announcement? Does she also agree that her Department has been deafeningly silent on the matter? Is it not the case that the decision to appoint the previous regulator, Mr McIlldoon, to review the present incumbent, Mr Osborne, is a sign that, like the public, her Department has no confidence in the current regulator?

**The Minister of Enterprise, Trade and Investment:** The Member cannot have it both ways — either I have been proactive in asking for a review or I have been silent. Which is it to be? I have accepted that there is an issue of public confidence, and that is why I asked the regulator to consider a review, which he has done. I am satisfied with the terms of reference of the review and with the person who the regulator has asked to carry it out. I, along with most — if not all — commentators acknowledge the independence of the gentleman who has been appointed to carry out the review. That is vitally important, and I look forward to the outcome of the review in due course.



## Renewable Energy Sources

5. **Mr Ford** asked the Minister of Enterprise, Trade and Investment for her assessment of the proportion of electricity that will be produced by renewable energy sources by (i) 2010; and (ii) 2020. (AQO 209/09)

**The Minister of Enterprise, Trade and Investment:** Northern Ireland has around 6% renewable electricity generated from indigenous sources. Our renewable electricity target is for 12% renewable electricity by 2012. I fully expect that target to be met. I am assessing the potential for renewable energy to make a greater contribution to the generation mix, and I will consider an appropriate target for Northern Ireland's renewable electricity for 2020. I plan to consult on such a target next year, when the proposed EU directive on renewable energy — including renewable energy consumption targets — is in its final form.

**Mr Ford:** I thank the Minister for her response, although it did not entirely cover the points that I was seeking to raise. I understand that experts assess the potential limit for electricity generation from renewable energy sources in Northern Ireland to be 42%. In the face of that, achieving 12% by 2012 is a low target. Will the Minister indicate what she will do to promote micro-generation and enhance infrastructure to ensure that the maximum possible benefits can be gained from renewable energy, wherever it is generated in Northern Ireland?

**The Minister of Enterprise, Trade and Investment:** There has been some confusion; I am not sure whether it is my confusion or the Member's. The 42% figure is the amount of renewable energy that the grid can cope with in its current state. A report on the grid was completed at the end of last year, and we must examine how the infrastructure can be improved.

Northern Ireland has around 6% renewable electricity generated from indigenous sources. Our renewable electricity generation target is 12% for 2012, and I believe that we will meet that target. I think that the Member understood that 42% is the potential limit for electricity generation from renewable energy but, rather, that figure refers to the amount of renewable energy that the grid can take. However, whether we need to upgrade the grid is a different story.

**Ms Anderson:** Go raibh maith agat. The Minister issued only a brief statement after meeting the regulator, and she was not available to come to the Chamber when a Member tried to put a priority written question to her. Does she not think that that sent a signal to people in the North that she agreed with the regulator's increase in electricity costs and that that led to a lot of questions? Although the Minister cannot instruct or direct the regulator, could she not have sent

out a signal that she absolutely disagrees with a 33% rise in electricity costs?

**The Minister of Enterprise, Trade and Investment:** If the Member is referring to the questions for priority written answer that the Deputy Chairperson of the Committee for Enterprise, Trade and Investment submitted, let me point out that the answers were returned within the time frame. I was very disappointed to hear the comments that were made about that matter. The questions were tabled on 15 September, and the responses were to be back with the Business Office by 2.00 pm on 18 September. The answers were sent to the Business Office at 11.27 am on 18 September. Therefore, I am not sure what —

**Ms Anderson:** It was a private Member's question.

**The Minister of Enterprise, Trade and Investment:** I was not made aware of any private Member's question. It never came to me; therefore, I do not see how I can come to the House to answer a question that was never given to me.

**Some Members:** Hear, hear.

**Mr Deputy Speaker:** For the umpteenth time, I ask Members to be quiet, please, particularly when the Minister is speaking, and to direct their remarks through the Chair. There has been a constant din this afternoon.

**Mr K Robinson:** Lest I forget, I also congratulate the Minister on her elevation to the role and status of district councillor. *[Laughter.]*

Is the Minister aware of the problems being experienced by the operators of wind turbines, many of whom operate as individuals, in getting competitive rates for their electricity when they supply it to the national grid?

**The Minister of Enterprise, Trade and Investment:** I am aware of some difficulties around competition in the single electricity market. I have already raised that issue with the regulator, and I intend to pursue it with him. As the Member knows, the single electricity market has been in existence only since November 2007, and it has always been the case that the benefits would accrue in the long term. However, I am a little concerned about some of the competitive aspects of the market, and, as I said, I intend to pursue that issue with the regulator.

## Single Natural Gas Market

6. **Mr Neeson** asked the Minister of Enterprise, Trade and Investment what plans she has to develop a single natural gas market following the development of the single electricity market. (AQO 211/09)

**The Minister of Enterprise, Trade and Investment:** My Department is working with the Republic of Ireland's Department of Communications, Energy and Natural Resources and with the two regulatory authorities to assess the economic benefits of having common operating arrangements for the two gas transmission networks. However, before any decision to proceed is taken, there will need to be clear evidence that having common operating arrangements will bring tangible benefits to consumers in Northern Ireland and the Irish Republic.

The project under consideration is not the creation of a wholesale trading market similar to the single electricity market. The aim is to examine whether gas, the vast majority of which is piped from Great Britain, can be bought and sold using common market conditions and signals such as a single transmission tariff. That has the potential to bring more efficient operation and open and transparent competition, and it could help to drive down costs. It would be in line with EU objectives for the development of regional gas markets.

**Mr Neeson:** I thank the Minister for that positive answer. However, I seek clarification on one point, which follows on from Mr O'Dowd's comment. The Committee for Enterprise, Trade and Investment has already held two long meetings to discuss the current crisis that consumers are facing owing to rising energy prices. The Committee will continue to deal with that issue, and Sinn Féin members of that Committee are working closely with the other Committee members.

As the Minister is aware, the single electricity market has recently been established. In fact, earlier today, David Ford and I met representatives of Northern Ireland Electricity to discuss the proposed North/South interconnector. Does she agree that there is a need to develop greater competition, particularly in the gas and electricity markets, in order to benefit consumers in Northern Ireland?

**The Minister of Enterprise, Trade and Investment:** I agree that greater competition is needed. I will continue to keep a close eye on the matter, and that is why I will continue to meet the regulator to express concerns. As the Member will understand, that is all that I can do, because the regulator is independent. However, the regulator is aware of that issue, and I know that he will raise it with his counterpart in the Republic of Ireland.

**Mr Weir:** I, too, congratulate the Minister on her convincing victory in Fermanagh. However, I am yet to be convinced about the benefits of the single electricity market. Can the Minister tell me whether there will be any common arrangement for gas?

4.00 pm

**The Minister of Enterprise, Trade and Investment:** As I said, the plan is to have common arrangements for

gas that will potentially improve the flow of gas around the two systems. The idea is to have — and to benefit from — operational efficiencies. Therefore, we will not have a single market for wholesale gas. We intend to have common arrangements that will benefit consumers in Northern Ireland and the Republic of Ireland.

## Renewable Energy

7. **Mr McGlone** asked the Minister of Enterprise, Trade and Investment to outline what incentives are available to encourage or enable the generation, purchase and supply of renewable energy on a cross-border basis. (AQO 220/09)

**The Minister of Enterprise, Trade and Investment:** Current incentives for renewable energy development focus on electricity generation. In Northern Ireland, the renewables obligation, which is known as NIRO, is the main support mechanism, while the Irish Republic operates a feed-in tariff. Both incentives require the electricity that is generated to be supplied in the jurisdiction that provides the support — there is no cross-border dimension. However, there is no indication that the issue of different support systems is a constraint on the development of renewables across the island.

Northern Ireland is on target to meet its 2012 renewables target. The key constraints beyond 2012 will be the limitations of our existing grid infrastructure, which is a shared concern for Northern Ireland and the Irish Republic.

**Mr McGlone:** I thank the Minister for her answer. If there is no viable single market for electricity that is generated from renewable sources on the island, there will be a requirement for cross-border subvention arrangements to be put in place in order to create such a market. That is particularly important to us here. The greatest source of renewable energy is based on the west coast of Ireland, which is in the Republic. What will the Minister do to take full advantage of that?

**The Minister of Enterprise, Trade and Investment:** As I said in my initial answer, the different support systems do not seem to be having a detrimental impact on renewable electricity. Therefore, I do not see the need to interfere if there is no detriment to the electricity market.

The different approaches to incentivising renewables in Northern Ireland and in the Republic of Ireland reflect the Republic of Ireland's status as a separate member state with different renewable targets. The Republic of Ireland has different targets to the UK. Therefore, it has decided to move to a feed-in tariff, whereas we have decided against that, and, so far, that has caused no difficulties. The development of

renewable energy has grown in Northern Ireland and in the Republic of Ireland, and we are on target to meet our renewables targets for 2012.

**Mr Deputy Speaker:** Order. Time is up. That concludes Question Time.

**Ms J McCann:** On a point of order, Mr Deputy Speaker. For clarification, I submitted a private notice question to the Business Office on Monday, and at 5.00 pm that evening, I was told that the Minister would not be available the following day.

**Mr Deputy Speaker:** That has been noted.

**The Minister of Enterprise, Trade and Investment:** I was not informed of the private notice question, and, quite frankly, I should have been. I will take up the matter with the Business Office.

## PRIVATE MEMBERS' BUSINESS

### Foetal Alcohol Spectrum Disorder

#### *Debate resumed on motion:*

That this Assembly calls on the Minister of Health, Social Services and Public Safety to introduce policies to reduce the level of Foetal Alcohol Spectrum Disorder; where necessary co-operating with other agencies and Departments; and to introduce dedicated teams to assist families affected by Foetal Alcohol Spectrum Disorder. — [*Mr G Robinson.*]

**Mr Gardiner:** I have gone on record many times warning of the hidden costs of alcohol for the National Health Service. Normally, those costs are associated with underage drinking and the effects that that will have on the National Health Service in the future. However, on this occasion, I am drawing attention to a disorder that is also caused by alcohol, but that is often caused unwittingly and without intent. I refer, of course, to the dangers that are posed by drinking during pregnancy and to foetal alcohol spectrum disorder (FASD), which is a lifelong condition affecting one in 100 people in this country.

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

That spectrum of disorder includes: foetal alcohol syndrome, the symptoms of which include a small head or body, distinctive facial characteristics and brain damage; foetal alcohol effects, including symptoms such as behavioural disorders and attention deficits; alcohol-related birth defects, which can include heart defects, sight and hearing problems and joint anomalies; and alcohol-related neurodevelopmental disorders, including attention deficits, behavioural disorders and obsessive-compulsive disorder.

It is clear that that range of disorders creates lifelong difficulties for sufferers and lifelong costs for the National Health Service. I add my voice to those who have commended the work of the National Organisation on Fetal Alcohol Syndrome-UK (NOFAS-UK), which has done so much good work in support of FASD sufferers. Our role as an Assembly must be to highlight the disorder and to tease out the issues that surround it.

For instance, some geneticists who specialise in diagnosing FASD believe that the rise in young children being diagnosed with attention deficit hyperactivity disorder (ADHD) is because they are, in fact, suffering from FASD. That misdiagnosis has a serious impact on the treatment and assistance that are available to sufferers and their families. Most of those children end up in foster care or are adopted. Often, they have behavioural problems and can sometimes end up with criminal records.

There is also a risk of recurrence of the condition in the same family. One geneticist had reported seeing a family in which three of the siblings showed symptoms

of the condition. Identification of those symptoms is already included in the training of doctors and midwives.

The Minister of Health, Social Services and Public Safety has already signalled his positive intentions with regard to improving the management of FASD. He has entered into discussions with the drinks industry about the sale of alcohol at discount prices, which has helped to create the problem of expectant mothers drinking at home. We should welcome his proactive and sympathetic response.

**Mrs Hanna:** As other Members said, foetal alcohol spectrum disorder is the term that is used to describe a range of totally avoidable mental and physical birth defects that are the result of maternal alcohol exposure during pregnancy. They are conditions for life that can have an adverse impact on the lives of the individuals concerned and their carers. The disorders can have serious consequences for infants and children, such as learning difficulties, attention disorders, physical abnormalities and physical difficulties.

The advice for women who are trying to conceive and for those who are pregnant has recently become clearer and more consistent across Ireland and the United Kingdom. The message for women is now to avoid alcohol completely. Indeed, for years, the message was mixed. We know that the message about drinking a little — a small glass of wine, perhaps — was very subjective. Unfortunately, many women did not know how much was too much, and that resulted in many babies being born with FASD. The National Institute for Health and Clinical Excellence guidelines are unambiguous: women should not drink at all during pregnancy, and particularly not during the first three months, which is the time when most of the baby's organs are being formed. It is at that stage that the unborn child is most sensitive to the drugs and alcohol that can cause birth defects.

Given our binge-drinking culture, it is important that the message not to drink is presented clearly to all women. There is a real risk that women could deliver babies with FASD if they keep up their usual drinking habits during pregnancy. Even low levels of alcohol can affect a child's development and can damage a child's nervous system. Education and communication are vital if we are to reduce the number of women drinking while trying to have a baby or when pregnant.

It is also important to stress to women that if they have been drinking alcohol before their pregnancy has been confirmed, they must stop. Indeed, the area of health professionalism that diagnoses, manages, and reduces the incidence of those disorders needs to be built upon. Although the numbers affected are relatively low, there is a possibility that cases are going undiagnosed, due to the wide range of symptoms, and

there is also a chance that some of the symptoms could be indicative of another disorder.

There must be a raising of the awareness and training of paediatricians, midwives and other health professionals, such as social workers, who may come across this type of disorder in children. Support must be given to women who have a problem with alcohol and who find it difficult to stop drinking when pregnant. As with all excessive alcohol use, it is important to address it before becoming pregnant. We should consider providing education in schools on alcohol abuse during pregnancy, because so many young women are becoming pregnant.

The health and well-being of babies is a very serious issue. Women want the best for their unborn children, and abstaining from alcohol is essential in preventing the unnecessary adverse effects of the disorder. We do not want to have to pick up the pieces when the damage is done. The important thing is prevention.

**Mr McCarthy:** I welcome the motion and thank George Robinson for bringing it to the House. The effects of this very serious disorder can and should be avoided. It is essential that every effort continues to impress upon young women the consequences to their new-born babies if they continue to abuse alcohol while pregnant.

As has been said, the effects of excessive drinking during pregnancy can be horrendous. I know of a case, which is probably typical, of a mother who, unfortunately, had succumbed to the evils of alcohol and was recognised as an alcoholic in her community. Both she and her partner were long-term unemployed. The baby was born with severe learning difficulties. That family had little knowledge of foetal alcohol spectrum disorder and had little understanding of how to access services for the new-born baby and the rest of the family. It goes without saying that that new-born baby got off to a very poor start in life.

A recent study showed that some 55% of women consumed alcohol during pregnancy, against the advice of professionals, who continually advise that no alcohol should be taken during that time. It is widely recognised that heavy alcohol consumption during pregnancy leads to growth retardation, abnormality of the features, intellectual impairment, memory deficits and other defects. Surely, no mother would wish to ignore all the medical advice on the subject when she knows exactly what the outcome of her actions will be.

I know of the excellent work of the Health Promotion Agency, the Health Department and other organisations, and I hope that they will continue to appeal to women who are pregnant or who plan to have a family to avoid excessive alcohol consumption at all costs, explaining time and time again what the results may be.

The motion requests that the Minister introduce dedicated teams to assist families affected by FASD, and that must be of high priority. However, the main emphasis must be on prevention, and I concur with Carmel Hanna's closing remarks on that issue. That is the main message that must be put across. I support the motion.

**Mrs I Robinson:** I congratulate my colleague for securing this important debate. Foetal alcohol spectrum disorder has been described by the Salvation Army as:

“the most common and preventable cause of birth defects and brain damage in children.”

4.15 pm

It has been reported that almost one million children in the United Kingdom live with a parent who has an alcohol dependency. A survey published this morning by Tommy's the baby charity states that one third of pregnant mothers drink alcohol during their pregnancy. Given that 70% of women in Northern Ireland drink alcohol, and that there has been a recent increase in binge drinking among younger females, there is a danger that, without education and information, pregnant young women will be unaware of the dangers of drinking alcohol and will place their unborn child — or children — at risk of FASD.

Some 6,000 children a year are born in the United Kingdom with FASD. FASD is not a diagnosis, but it describes a full spectrum of disabilities — from birth anomalies, such as low birth weight, to neurological problems that have the potential to leave lasting physiological and psychological damage. FASD has the potential to create lasting physical, cognitive and behavioural problems. I welcome the Minister's speaking to the manufacturers of alcoholic drinks about the issue, because they, along with publicans and the Government — who do very well from the tax on alcohol — have an important role. I hope that a holistic approach is adopted to deal with the problem.

In small children, FASD leads to irregular sleep patterns; a failure to thrive through a height and weight deficiency; an inability to make and keep friends; a lack of the normal ability to distinguish friends from enemies; difficult-to-manage public behaviour; danger to the affected children, and to others, because they do not grasp the universal laws of cause and effect; deficiency in the normal sequential learning abilities of reasoning, judgement and memory; highly manipulative behaviour; and, sometimes, medical fragility. Such problems in development are likely to be amplified as a child grows older.

Research shows that if FASD is not diagnosed correctly, children and adolescents are likely to experience mental-health problems; drop out of school early; experience homelessness; engage in

inappropriate sexual behaviour; develop alcohol and drug problems; have regular employment problems; and be unable to handle independent living. Some children may not experience such obvious forms of abuse and disadvantage, but they are likely to suffer from neglect or a chronic lack of the little things that are crucial to their overall well-being. Where affected children live with parents who continue to experience difficulties with alcohol, they can be exposed daily to rage, violence and abuse, which become part of the unpredictable and inconsistent environment in which they live.

The lack of a diagnosis of FASD often means the adoption of inappropriate and ineffective traditional interventions that can lead to the development of secondary disabilities. A child who receives a correct diagnosis is in a much better position to benefit from intervention than one who is not diagnosed, or one who is misdiagnosed and receives only partial treatment.

I call on the Minister to use the resources available to him to provide better education for young mothers. Young women must be better informed of the evident risks of drinking alcohol during pregnancy. Guidelines published by the National Institute for Health and Clinical Excellence recommend that women not drink alcohol during the first three months of pregnancy — my personal view is that they should not drink at all. We must do everything possible to further protect unborn children from such unnecessary abuse. FASD is preventable. I support the motion.

**Mr Easton:** Members are aware that we live in a society that abuses alcohol at a level that impacts seriously and detrimentally on every aspect of the lives of individual citizens and on wider society.

Tens of thousands of households in Northern Ireland spend more money each week on alcohol than on food. Even during the current credit crisis, some alcoholic beverages are cheaper to buy than bottled water and soft drinks. Daily, newspapers are filled with reports of alcohol-related violence, mayhem and murder. Children as young as 10 years of age are admitted to hospital with alcohol poisoning. The binge-drinking mentality has become pervasive in society. Fifty per cent of weekend admissions to accident and emergency departments involve alcohol abuse. Youth is being corrupted by the availability of cheap, potent, alcoholic drinks. In many parts of the Province, the situation at weekends and holiday periods seems to be out of control and well beyond the police's ability to deal with effectively. A sad feature of the problem is that an increasing number of valuable and scarce resources are expended on dealing with incidents and illnesses that result from alcohol abuse.

With the debate, the Assembly has turned its collective attention towards the need for the introduction and

development of policies to tackle the increasing incidence of children being born with foetal alcohol spectrum disorder. It is the single biggest cause of non-genetic mental handicap in the Western World, yet the condition is 100% preventable. In young children, it causes serious growth deficiencies, major neurological damage to the brain and the central nervous system. The condition is caused when expectant mothers consume large amounts of alcohol during their pregnancy. One episode of binge drinking during pregnancy is one too many.

The National Organisation on Fetal Alcohol Syndrome-UK estimates that more than 6,000 children are born with FASD each year in the whole of the UK. Excessive alcohol can damage unborn babies at all stages of pregnancy. As mothers can often be unaware that they are pregnant for some weeks or months, those who wish to conceive and bear children should adopt a zero-tolerance attitude to alcohol. There are no safe limits.

The Assembly cannot ignore a tragedy of that dimension; it must take decisive and determined action. Children who are damaged by alcohol in the womb suffer throughout their lives from behavioural and learning difficulties, poor memory skills and attention problems. Often, they have noticeable physical deformities and are at greater risk of sudden infant death. The Assembly must acknowledge the part that is already played by primary- and community-care workers to develop selective prevention strategies that include screening and referral procedures to identify and target women who are most at risk and to minimise the risk to their unborn children. However, no child should be born to suffer in that way. Prevention has always been better than cure.

I support the call on the Health Minister to introduce well-researched and well-resourced multi-agency policies that involve various Departments in order to tackle the increase in FASD. Special emphasis must be put on assisting families who are affected by FASD. However, on a wider front, there is a pressing need for the Assembly to tackle, as a priority, the scourge of alcohol abuse in society. People must change their attitude to the dangers of alcohol. Alcohol abuse must be given the urgent and critical attention that it deserves.

**Mr Elliott:** I add my thanks and congratulations to Mr Robinson for securing this important debate. I also want to pass on the apologies of my party colleague Mr John McCallister, who, unfortunately, cannot be present. Mr McCallister and his staff have worked for considerable time on the issue, which he has raised in the Health Committee. He has worked with NOFAS-UK to raise awareness of the condition in Northern Ireland. He is the sponsor of a training day that will be held in Stormont on 14 October 2008. It has been organised by NOFAS-UK and is an opportunity to highlight this

avoidable condition among relevant bodies. I hope that Members will support that event.

Foetal alcohol spectrum disorder is an umbrella term that describes the range of disabilities that are caused entirely by a woman's drinking alcohol at any time during her pregnancy.

Disabilities can often occur even before she knows that she is pregnant. Foetal alcohol spectrum disorder symptoms include the baby's having a small head and body, facial abnormalities and brain damage. Symptoms that are not visible may include behavioural and attention-deficit disorders. Organ dysfunction, epilepsy and learning difficulties — in addition to other conditions — can all derive from the mother's consumption of alcohol during pregnancy. All those conditions are permanent and irreversible but, as has been said in the debate, totally avoidable.

Drinking alcohol during pregnancy is a serious problem that affects the most innocent and vulnerable even before they are born. The decision that expectant mothers take can destroy the rest of their children's lives. We need a two-pronged approach to tackle the issue.

First, we must take steps to reduce the number of women drinking alcohol while pregnant. Unfortunately, there is an increase in the numbers of teenage girls who engage in sexual activity but continue to drink. However, that group does not account for all the cases of this avoidable disorder. Last year, the British Medical Association (BMA) published a paper on the syndrome as a guide to healthcare professionals. The document includes a number of recommendations that we should consider. The BMA recommends that, as part of routine clinical care, all healthcare professionals should provide ongoing advice and support to expectant mothers at every stage of pregnancy. That should include information on the risks of maternal alcohol consumption. All health promotion and advice should be supplemented with take-home printed information on the risks of consuming alcohol during pregnancy. During antenatal care, alcohol use should be monitored and recorded appropriately. Any pregnant woman who has a known history of alcohol consumption should be offered brief intervention counselling. Any expectant mother who is identified as being a high-risk case should be referred to specialist alcohol services for appropriate treatment.

I recognise that training is in place in the Health Service in Northern Ireland. The steps outlined may not be entirely appropriate, but most reasonable people will agree that more steps should be taken to educate and support pregnant women and to help them not to drink alcohol. I am aware of the UK Chief Medical Officer's position on the issue, and he has issued advice. An agreement between the Government and

the drinks industry has ensured that alcohol units and health information will be included on labels. However, more can be done to prevent drinking during pregnancy.

Secondly, we must consider how to deal with the conditions that result from mothers drinking during pregnancy. That has already been partly touched on in the discussion on misdiagnosis. I agree with Mrs Hanna that the key to dealing with the disorder is prevention. However, that must not detract from the need to care for those children and families whom the disorder already affects. Its effects on them are devastating. One has to live through it to see how it affects them. We cannot ignore those people. Serious measures must be put in place to deal with the condition, and to support the families and children affected.

**Mr Shannon:** A'hm fer the motion. A houl at a wean bes a gift fae God. An ivry wean bes a wee miracle. A houl forebye at thair bes an onus oan iz tae leuk about the weans an' the mither tae the bes' o' oor ability tae dae sae an' thon's fer wie A congratulate mae colleague fer bringin the matther tae public attention.

I support the motion. A baby is a gift from God, and each and every child is a little miracle. Furthermore, there is an onus on us to protect babies and mothers to the best of our ability. It is for that reason that I congratulate my colleague on bringing the matter to public attention. I was shocked when I read the reports of the damage done to babies when their mothers drink alcohol during pregnancy. It is not necessary to repeat what my colleagues have said already on that subject. However, it is important that, although the number of births affected in the Province is some 10 a year, the number of people affected by the symptoms is much greater.

Symptoms can range from learning difficulties and ADHD to facial abnormalities. Given the number of children in the Province who suffer from behavioural issues, flags are definitely being raised.

4.30 pm

I will not go over everything that we have already heard. However, midwives say that the mothers who admit to drinking while pregnant often fib about the amount that they actually consume. That is where the problem lies. Mothers and fathers are unaware of the severe nature of the problem and feel that a fib is enough to cover themselves, or perhaps they do not see the danger in it. They do not understand the issue, and it is little wonder.

When my colleague asked the Minister how widespread information was on the issue, the answer was that it was not very widespread. Some midwives are trained in dealing with those issues, some are not. No leaflets are given out, and no posters are posted. Although legislation concerning labelling on products is changing, the Minister said that the Department will

voluntarily put information on the labels at some stage. However, it will take more than that. I ask the Minister to label alcohol in the same way as cigarette packets, which carry the easy-to-understand warning, "Smoking kills" in big, black letters.

In the United States, wording on alcohol labels advises pregnant women, or those trying to get pregnant, against drinking any alcohol. Like my colleague Iris Robinson, I want to see that approach employed here. It is all well and good to tell pregnant women to limit their drinking, but to do so allows certain people to think that they can drink just a little bit more without doing any harm. The fact is this: it can and does make a difference to the life of child. I urge the Minister to make the right, and clear, statement about that.

The last survey on this issue that was carried out by the Department of Health, Social Services and Public Safety found that 6,000 children a year are born with FASD and that some 9% of pregnant women are still drinking more than is recommended. Those statistics are based on the women who are not telling fibs, so who knows what the real figures are. More than 50% of women admit to drinking during pregnancy. I am sure that the Department wants to lessen that number. The answer should be to tell women that no alcohol should be consumed during pregnancy — full stop.

All pregnancy-related appointments with GPs, midwives and in hospital must be supplemented with take-home information highlighting the risks of drinking while pregnant and advising a no-alcohol policy. That is also the recommendation of those involved in highlighting the disorder. If a child is born with problems, his or her mother always wonders what she could have done differently. Some of those problems may be preventable, because the disorder is completely preventable, so let us help to prevent it today.

There must be wide understanding of the difficulties associated with alcohol. Mothers must understand that their children's bodies do not have the ability to process alcohol in the way that their bodies do. Alcohol immediately affects a child in the womb. Some ideas have been proposed, and a complete ban on alcohol during pregnancy has been advocated. Can we, in good conscience, do any less? The health and social life of a mother is not adversely affected by not drinking, whereas the life of a child can be affected through his or her mother's drinking, so let us make clear — through widespread labelling of alcohol — that mothers-to-be must not drink. Let us have posters on the walls of health centres, leaflets distributed at anti-natal classes, and a publicised campaign to let prospective parents realise the dangers —

**Mrs M Bradley:** I thank the Member for giving way. Does he agree that education in schools is one of

the most important ways in which to highlight the dangers of drinking while pregnant? Does he also agree the Department of Education should adopt the role of providing such information?

**Mr Shannon:** I thank the Member for her intervention and for her comments.

That is certainly one of the issues that we must address. There is a role not only for the Minister of Health, but for the Minister of Education also.

I fully support the motion, and I ask that Members do the same. We must protect the family unit and the health of unborn children in the Province.

**Mr Deputy Speaker:** The Member's time is up.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** Alcohol misuse is a major public-health issue in Northern Ireland. The Department estimates that the total cost of alcohol misuse is more than £700 million a year and that the cost to the Health Service of treating addiction alone is some £12 million a year. A wide range of physical and mental harm is associated with the misuse of alcohol, including sclerosis of the liver, several cancers, increased blood pressure, stroke and heart disease. It is also associated with harm to the community in the form of antisocial behaviour. It is linked with accidents in and outside the home; and we are becoming increasingly aware of alcohol's association with suicide.

Alcohol is clearly an issue that we need to address. Today's motion concerns one impact of alcohol misuse — the effect that it has on the unborn child.

The term "foetal alcohol spectrum disorder" is used to describe the many problems that are associated with exposure to alcohol before birth. The most severe of these disorders is foetal alcohol syndrome, a combination of physical and mental birth defects. These defects occur when babies are exposed to maternal drinking during pregnancy. Only a minority of pregnant women with alcohol problems have babies with the more severe foetal alcohol syndrome. The severity appears to relate to the frequency of high doses of alcohol during pregnancy.

One of the difficulties of FASD is that it is sometimes a hidden issue. Diagnosis is complex and open to interpretation. It is, therefore, difficult to state confidently the prevalence of the condition in Northern Ireland. Based on international estimates, it is likely that between seven and 10 births a year here could be described as exhibiting foetal alcohol syndrome.

The latest figures available show that, over the past six years, there have been 20 hospital admissions involving 11 patients requiring treatment because of foetal alcohol syndrome. It is likely that more people did not have the condition diagnosed or did not require hospital care. It is also important to note that the

condition does not affect the individual only as a baby or as a child; it is a lifelong condition. Although the number of recorded cases in Northern Ireland is small, each case concerns a unique individual who has real needs that must be met.

The first part of the motion states that we should reduce the level of foetal alcohol spectrum disorder. That means that we should address the entire issue of alcohol and the full range of problems that its misuse causes in our society. Although the focus for this debate is FASD, I am sure that Members will agree that alcohol misuse causes other significant health and social problems. As I have stated previously, excessive use of alcohol can increase the risk of liver damage, heart disease and cancer, including breast cancer. The emotional and mental health consequences of alcohol misuse are also considerable.

Alcohol is involved in one third of all suicides and too often is a factor in antisocial behaviour and violence. Domestic violence is often fuelled by alcohol, and, shockingly, one third of all domestic violence incidents occur when a woman is pregnant. Tragically, alcohol is too often the common link for physical, emotional and mental-health problems.

In Northern Ireland, the main problem with alcohol is our unhealthy attitude towards its use. That attitude is deeply embedded in our culture and is difficult to change. I am determined to continue the work in addressing the issue.

In May 2006, the Department launched its 'New Strategic Direction for Alcohol and Drugs 2006-11'. The aim of the strategy is to reduce the amount of alcohol- and drug-related harm in Northern Ireland. There is a clear focus on the need to reduce the level of excessive binge drinking and increase public awareness of the real harms associated with alcohol misuse.

The strategy is supported by a range of Departments, including those of Education, Social Development, Culture, Arts and Leisure, and Employment and Learning. It contains regional and local outcomes that depend on cross-sectoral co-operation in order to achieve them.

I am encouraged by the wide support for our efforts to combat alcohol misuse. I have had discussions with each of the major supermarkets, representatives from the alcohol and drinks industry, and the PSNI on the availability of alcohol, especially to our children and young people.

The debate also presents an opportunity to highlight our growing concern about the level and pattern of female drinking in Northern Ireland, where 67% of women choose to drink. Of those, one third are binge drinkers; in the 18 to 20 age range, 50% of drinkers binge drink.



The occurrence of foetal alcohol syndrome is associated with the frequency of binge drinking. Over the past 20 years, Northern Ireland, in common with the rest of the UK and other countries, has seen a rise in the proportion of women — especially young women — who drink, and hidden within that increase is a growing trend towards excessive drinking.

All our campaigns, literature and websites ensure that the risks to women from alcohol misuse are made clear. That will be further strengthened by a specific leaflet — which I have instructed the Health Promotion Agency to publish — in support of the next phase of the binge-drinking campaign. Education work is ongoing in schools and youth clubs across Northern Ireland, and we will continue to support such work.

We have a clear message for women about the effects of alcohol consumption during pregnancy and its relation to foetal alcohol spectrum disorder. The current advice, which is common across the UK, is that alcohol can damage an unborn baby, so women who are pregnant should avoid alcohol or at least cut down to a couple of drinks a week. Couples who are trying to get pregnant should also cut down as alcohol can affect both the egg and the cells that produce the sperm. Many of us feel that that message could be toughened up.

Excessive alcohol consumption can not only harm an unborn child but it may result in couples having difficulty conceiving. That advice will be found in all our literature on alcohol. It will also be found in the recently revised copy of 'The Pregnancy Book', which is available to first-time expectant mothers through antenatal clinics, GPs or health visitors. I assure Members that the real risks of alcohol to the unborn child are made clear to expectant mothers by health and social care professionals.

Just as we have seen improvements in the screening of pregnant women when cases of domestic violence are suspected, so too there are clear procedures in place when it is thought that a particular risk has been identified in relation to alcohol misuse. That involves liaison between health and social care colleagues to advise and monitor the health and well-being of the expectant woman and the unborn child. Members should be reassured that this issue is one that all health and social care professionals receive training on. The 'Hidden Harm' action plan, which my Department will issue later in the autumn, places particular emphasis on inter-agency collaboration and training in addressing the needs of those young people who are problem alcohol and drug users and who are being cared for by parents or carers.

That leads me on to the other point of the motion — the introduction of dedicated teams to assist families affected by foetal alcohol spectrum disorder. I fully

understand and appreciate the issues and challenges for those families, however, the consistent view of health and social care professionals who work in that area is that dedicated services are not always appropriate and, in fact, may not be beneficial. That is because children with the disorder require access to a wide and often different range of services. The complex nature and broad range of diagnosed conditions associated with FASD means that the management of individuals diagnosed as having that disorder should be tailored to their individual needs, circumstances, the severity of their condition and their responsiveness to interventions.

For example, the specific needs of children who have suffered a learning disability as a result of the disorder are met through a range of services funded by my Department. Those services are provided for all children with a learning disability and will vary to meet the specific needs of the individual child. Services for children include allied health professional provision such as occupational therapy, physiotherapy, speech and language therapy, respite provision and day-care provision.

Respite care is an important part of the wide range of health and social care services provided. Such care takes many different forms and is delivered in care settings that range from people's homes to day facilities or residential care homes. I have secured extra funding for respite care amounting to a total of 400 additional packages, which will be available to those people diagnosed as having FASD. I have secured £4 million to provide a total of nine early-intervention support teams across the five health trusts. Those teams, which operate in early-years settings, comprise speech and language therapists, community and paediatric nurses, paediatricians, occupational therapists and physiotherapists. These multidisciplinary teams focus on diagnosis, assessment and early intervention.

4.45 pm

Improving and safeguarding the well-being of all children and young people in Northern Ireland are primary aims of Government policy. Improving the assessment process is essential, which is why my Department has developed a new assessment framework for understanding the needs of children in Northern Ireland (UNOCINI). The framework is in the process of being introduced in all health and social care trusts.

I mentioned my meetings with the alcohol and drinks industry. An agreement was reached with the industry to introduce health information on drinks labels, including information about alcohol and pregnancy. That was a voluntary arrangement. However, consultation is taking place in order to see whether health messages on such labels should be

made mandatory. I am determined to pursue as a matter of urgency, at all levels, the clear labelling of alcoholic drinks with health messages, including responsible drinking in pregnancy.

The drinks industry has a clear, corporate, social responsibility in respect of the products that it manufactures, sells and markets. That is just one element of the new strategic direction for alcohol and drugs which is aimed at tackling alcohol misuse across Northern Ireland. As part of the strategy, there will be further phases of the binge drinking public information campaign next year, and the young people and alcohol action plan will be published later this year.

I am, and will be, taking measures in order to prevent or reduce the level of foetal alcohol spectrum disorder by targeting the level of alcohol consumption in Northern Ireland, obviously including among women. There are a range of services for children with special needs, including FASD.

It is important that individuals can be treated based on their unique individual needs and circumstances. However, we do not necessarily have a total picture of the scale of FASD in Northern Ireland, and that is an issue that I am discussing with my departmental officials in order to get a more complete picture, which would enable better planning of services.

In the meantime, we will all take responsibility for helping to reduce the levels of alcohol misuse in society. Tackling drinking habits that are almost culturally ingrained is a major challenge. My Department will continue to target the level and pattern of drinking by young women, and continue to address the issue of alcohol and pregnancy, and to provide information and appropriate advice. To those women who drink excessively during pregnancy, the message is simple: alcohol and pregnancy do not mix. The stark fact is that every case of foetal alcohol spectrum disorder is preventable, and I will ensure that all efforts are made in order to achieve that.

**Mr Buchanan:** I support this motion in the name of my colleague Mr George Robinson. It is not a motion to judge, but to produce a positive debate on the way forward for those suffering from and affected by FASD.

Alcohol misuse and problem drinking can severely affect the well-being of families through its association with child abuse and neglect, domestic violence and sudden infant deaths. I was shocked to learn that there are no accurate figures available for the number of people in families with FASD. That, surely, must be the basic starting point for the Minister in order to begin to resolve the problem.

How can this Assembly improve the situation of those affected by FASD, whether individuals or families, when there is no accurate database from which to work? In order to establish such a database,

we must, first, have accurate diagnosis of cases of FASD. That is the foundation stone for everything that this motion seeks to achieve.

My colleague George Robinson listed some of the characteristics associated with FASD, and I will not repeat them. However, Members must recognise that FASD is entirely preventable and we must remain focused on establishing the services that we seek to provide. A concentrated and targeted approach is required, not only to assist those families who are living with FASD, but to reduce the number of future cases.

It makes no sense, morally or economically, not to tackle the problem head-on. The prevention of the adverse impact of alcohol consumption during pregnancy remains a significant challenge, not least because of the poor levels of awareness and understanding of FASD among healthcare professionals and the public.

Health promotion and educational programmes have been shown to be ineffective in altering drinking behaviour, and therefore FASD must be considered as part of a wider strategy to reduce the harm caused by alcohol. Primary and community care settings provide the ideal opportunity to deliver active prevention strategies, including screening for maternal alcohol consumption. It is essential that young people are given the starkest possible message about the effects that alcohol or drugs can have on them years ahead when they wish to start a family.

Not every child who is born with FASD will need a great amount of care and support, but it must be available to those who do. Every child in Northern Ireland should have the opportunity to develop his or her skills and abilities to their full potential. For some, that means that a care package must be easily accessible, and the Assembly must ensure that that is exactly what is provided.

Today's debate highlights the need for packages of specialist services to be available to those affected by FASD, whether for individuals, families, or a combination of the two. The need for young people to be aware of the dangers to the next generation from alcohol consumption is abundantly clear. The only effective way to achieve such awareness is through co-operation between Departments and specialist outside bodies. Some people might think that the Minister of Health, Social Services and Public Safety is unfortunate in having to take the lead departmental role. However, the crucial issue is the achievement of accurate diagnostics of FASD, and the services and benefits that other Departments will subsequently provide depend on that. Only an inter-agency approach can provide the support that the families concerned need. I repeat that the achievement of accurate

diagnostics is the foundation stone of what the motion aims to achieve.

I recently read an article that appeared in 'The Irish News' on 25 May 2006:

"Excessive alcohol consumption in pregnant women has led to 50 babies being born with serious mental and physical birth defects in the last five years ... A consultant with Belfast City Hospital has warned that the amount of babies with Foetal Alcohol Syndrome (FAS) is likely to be much higher, as many are not diagnosed until pre-school age. FAS causes disfiguring facial abnormalities, small body weight, mental development delays and other behavioural problems. Many children born with this syndrome require lifelong care."

Today, I urge the Minister to ensure that the services required by FASD-affected families and individuals will be available as soon as possible. If the Assembly lays the proper foundation stone, all that is built on top of it will provide the safety and security that is so desperately required. I apologise for not being present when George Robinson started today's debate; I was chairing an all-party Assembly group meeting on cancer. However, as I listened to the rest of the debate, three or four key issues emerged: awareness, prevention, education, and support. That really sums up the content of the motion.

Mr Gardiner spoke of the hidden cost to the Department of Health, Social Services and Public Safety on account of those who consume too much alcohol. The Minister's comments about the amount of money that is spent on treating alcoholics and those who misuse alcohol illustrate the fact that a staggering amount of money comes out of the Department's budget to tackle the misuse of alcohol. That issue must be urgently tackled head on.

Carmel Hanna said that people must be made aware of the problem, and she mentioned the awareness campaign. The clear message must go out that, as the Minister said, alcohol and pregnancy do not mix. It would be wrong to send out a message that it is OK to have a few drinks a week. There must be no ambiguity on the matter; we must be clear and concise in saying that alcohol and pregnancy do not mix. No alcohol should be consumed during pregnancy.

Kieran McCarthy spoke about the horrendous effects that the syndrome can have on children after they are born, such as lack of growth, and other disabilities. My colleague Iris Robinson spoke about the educational needs of young mothers and the need for early intervention, which is essential for children who, through no fault of their own, may be affected by the condition. It is vital that the correct procedures be put in place to ensure early intervention.

Alex Easton spoke about the need for prevention, and the misuse of alcohol among young women. That issue must be tackled. Tom Elliott spoke about the measures that must be taken on prevention, and he said

that those who are already suffering as a result of the disease must not be forgotten. Along with a focus on prevention, that point must be taken on board so that measures are also in place to help people who are already afflicted.

Jim Shannon said that life is precious, and we must remember that life is a gift from God. Therefore, it is important that the proper facilities are in place to treat anyone who is affected by such a terrible disease.

I commend the Minister on the strategies that are already in place, and on the action plans that he proposes to put in place. I hope that the necessary measures will be introduced, and I support the motion.

*Question put and agreed to.*

*Resolved:*

That this Assembly calls on the Minister of Health, Social Services and Public Safety to introduce policies to reduce the level of Foetal Alcohol Spectrum Disorder; where necessary co-operating with other agencies and Departments; and to introduce dedicated teams to assist families affected by Foetal Alcohol Spectrum Disorder.

*Adjourned at 4.59 pm.*



## **CORRIGENDUM**

Official Report (Hansard) of 15 September 2008 (Volume 33, No 1)

Page 1, col 2, line 2, delete first item of Executive Committee Business and replace with:

### **MESOTHELIOMA, ETC., BILL**

#### **Royal Assent**

**Mr Speaker:** I inform Members that the Mesothelioma, etc., Bill has received Royal Assent. The Mesothelioma, etc., Act (Northern Ireland) 2008 became law on 2 July 2008.





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