
OFFICIAL REPORT

(HANSARD)

CONTENTS

Matters of the Day:

Stevenson and Company, Cullybackey [p1]

Private Members' Business:

Community Use of Schools Premises Bill: First Stage [p2]

Regulation of Private Landlords [p3]

Protection of Children and Vulnerable Adults (POCVA) [p16]

Oral Answers to Questions:

Office of the First Minister and deputy First Minister [p23]

Regional Development [p27]

Culture, Arts And Leisure [p33]

Private Notice Question:

Neighbourhood Renewal Projects in Belfast [p38]

Private Members' Business:

The Protection of Children and Vulnerable Adults (POCVA) [p40]

Suggested amendments or corrections will be considered by the Editor.
They should be sent to:

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

Tel: 028 9052 1135

E-mail: simon.burrowes@niassembly.gov.uk

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

This document is available in a range of alternative formats.

For more information please contact the
Northern Ireland Assembly, Printed Paper Office,
Parliament Buildings, Stormont, Belfast, BT4 3XX
Tel: 028 9052 1078

ASSEMBLY MEMBERS

Adams, Gerry (West Belfast)
Anderson, Ms Martina (Foyle)
Armstrong, Billy (Mid Ulster)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Boylan, Cathal (Newry and Armagh)
Bradley, Dominic (Newry and Armagh)
Bradley, Mrs Mary (Foyle)
Bradley, P J (South Down)
Brady, Mickey (Newry and Armagh)
Bresland, Allan (West Tyrone)
Brolly, Francie (East Londonderry)
Browne, The Lord (East Belfast)
Buchanan, Thomas (West Tyrone)
Burns, Thomas (South Antrim)
Burnside, David (South Antrim)
Butler, Paul (Lagan Valley)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Clarke, Willie (South Down)
Cobain, Fred (North Belfast)
Coulter, Rev Dr Robert (North Antrim)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Deeny, Dr Kieran (West Tyrone)
Dodds, Nigel (North Belfast)
Doherty, Pat (West Tyrone)
Donaldson, Jeffrey (Lagan Valley)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Elliott, Tom (Fermanagh and South Tyrone)
Empey, Sir Reg (East Belfast)
Farry, Dr Stephen (North Down)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Gallagher, Tommy (Fermanagh and South Tyrone)
Gardiner, Samuel (Upper Bann)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Hamilton, Simon (Strangford)
Hanna, Mrs Carmel (South Belfast)
Hay, William (Speaker)
Hilditch, David (East Antrim)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Lo, Ms Anna (South Belfast)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
McCallister, John (South Down)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCarthy, Kieran (Strangford)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McClarty, David (East Londonderry)
McCrea, Basil (Lagan Valley)
McCrea, Ian (Mid Ulster)
McCrea, Dr William (South Antrim)
McDonnell, Dr Alasdair (South Belfast)
McElduff, Barry (West Tyrone)
McFarland, Alan (North Down)
McGill, Mrs Claire (West Tyrone)
McGimpsey, Michael (South Belfast)
McGlone, Patsy (Mid Ulster)
McGuinness, Martin (Mid Ulster)
McHugh, Gerry (Fermanagh and South Tyrone)
McIlveen, Miss Michelle (Strangford)
McKay, Daithí (North Antrim)
McLaughlin, Mitchel (South Antrim)
McNarry, David (Strangford)
McQuillan, Adrian (East Londonderry)
Maginness, Alban (North Belfast)
Maskey, Alex (South Belfast)
Maskey, Paul (West Belfast)
Molloy, Francie (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Moutray, Stephen (Upper Bann)
Murphy, Conor (Newry and Armagh)
Neeson, Sean (East Antrim)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
O'Dowd, John (Upper Bann)
O'Loan, Declan (North Antrim)
O'Neill, Mrs Michelle (Mid Ulster)
Paisley, Rev Dr Ian (North Antrim)
Paisley Jnr, Ian (North Antrim)
Poots, Edwin (Lagan Valley)
Purvis, Ms Dawn (East Belfast)
Ramsey, Pat (Foyle)
Ramsey, Ms Sue (West Belfast)
Ritchie, Ms Margaret (South Down)
Robinson, George (East Londonderry)
Robinson, Mrs Iris (Strangford)
Robinson, Ken (East Antrim)
Robinson, Peter (East Belfast)
Ross, Alastair (East Antrim)
Ruane, Ms Caitriona (South Down)
Savage, George (Upper Bann)
Shannon, Jim (Strangford)
Simpson, David (Upper Bann)
Spratt, Jimmy (South Belfast)
Storey, Mervyn (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)
Wilson, Brian (North Down)
Wilson, Sammy (East Antrim)

NORTHERN IRELAND ASSEMBLY

Monday 13 October 2008

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

Members observed two minutes' silence.

MATTERS OF THE DAY

Stevenson and Company, Cullybackey

Mr Speaker: Mr Mervyn Storey has sought leave to make a statement on a matter that fulfils the criteria set out in Standing Order 24. I shall call Mr Storey to speak for up to three minutes on the subject. I will then call other Members from the constituency of North Antrim, as agreed with party Whips. Those Members will also have up to three minutes in which to speak. There will be no opportunity for interventions, for questions or for a vote on the matter. I will not take any points of order until the item of business has been concluded. If that is clear, we shall proceed.

Mr Storey: Members will have seen on television, or read in news reports over the weekend, of the proposed closure of Stevenson and Company, who are pork processors in Cullybackey in my North Antrim constituency. The business has been in operation since 1850 and has been located at the Cullybackey site since the 1980s. It had previously been located, and had its genesis, in Ballymoney.

Such a closure would be a blow at any time, but, in the current economic climate, it will be a major blow, not only for North Antrim but for the entire Northern Ireland pig industry. Recently, the costs of producing food have risen sharply. Trading costs for the Stevenson plant have risen by more than £4,500 a week; electricity costs have risen by around 40%; and the cost of oil has risen by around 37%. Indeed, businesses in Northern Ireland have the highest electricity costs of anywhere in the United Kingdom. Although a larger company may be able to absorb those costs for a longer time, small processors such as Stevenson's simply cannot bear that kind of cost.

I have had discussions today with Mr Hamill and other representatives from the company, and also with the Minister of Enterprise, Trade and Investment,

Arlene Foster. I appreciate the time that she gave to the company this morning to facilitate that meeting.

The Minister has assured me that if her Department can do anything to help the company, it will do so. We, alongside our colleagues in the House and the constituency, will continue to do all that we can to ensure that all the options for the future are considered. I hope that all is not lost, and I am certainly doing all that I can to find an alternative way forward.

I hope that I speak for all sides of the House when I say that our thoughts are with those people who face the prospect of job losses at this particularly worrying time. For families, the situation is immensely stressful. Many of the families affected live in the immediate vicinity of the plant, but others live further afield, too.

We should also be concerned about the wider effects on the pig industry in Northern Ireland. At a time such as this, I would have thought that the Minister of Agriculture and Rural Development would be prepared to meet with her Executive colleagues. Unfortunately, her party's priorities seem to lie elsewhere. The devolution of any other issue, or the consideration of any other political matter, is cold comfort to the families in my North Antrim constituency who face the prospect of job losses. I hope that such events will help to focus everybody's minds, time and talent on the realities that face Northern Ireland.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I thank Mr Storey for bringing this issue to the Assembly's attention. I echo his comment that the news of the proposed closure of Stevenson and Co is devastating, not only for North Antrim, but for the pig industry as a whole. Utmost in our minds are those families who will be so badly affected by its closure, particularly in the run-up to Christmas.

The company has announced that it may close as a result of rising overheads, and we are all well aware of the recent huge increases in the price of electricity and oil. The Ulster Farmers' Union has highlighted the problem that is facing not only producers, but farmers: the cost of producing food is rising dramatically. Farm produce, such as pork, is being sold at a discount in the supermarkets in reaction to the credit crunch that consumers are facing. However, there is not enough revenue to cover the farmers', or, indeed, producers' costs.

The announcement that the company is to close is clearly devastating for those who live in its immediate vicinity. However, it should also sound a warning bell to other players in the pig industry and to farmers in general. We must take cognisance of that fact. I am sure that all Ministers, including the Minister of Enterprise, Trade and Investment and the Minister of Agriculture and Rural Development, will consider the situation and do their utmost to help those affected by it. Go raibh maith agat.

Rev Dr Robert Coulter: I congratulate Mr Storey for bringing this matter to the House. The current credit crunch has taught us a great many lessons that we would perhaps have preferred not to learn; chief among them being the fact that it is nearly always preferable to keep an enterprise open than to close it down. I deeply regret the proposed closure of Stevenson and Co, a very old firm that has done so much for the economy of mid-Antrim for so many years. The company has weathered many an economic storm: there have been many times when it found it difficult to carry on, but it always did so, until now.

I have learnt from conversations with the firm's managers that the business was not brought to crisis point by one single issue; rather many economic pressures have led to this conclusion. I am also very sorry that the closure will happen in the mouth of Christmas, as Mr McKay said. I fully understand the reasons behind the firm's decisions, and the firm and its workers have my deepest sympathy as they face this crisis.

We must all work together — this is not a time for one person or one party to be left to carry the burden. There must be an urgent reassessment of the margins for pig producers because the firm's closure will have a domino effect. In addition to the firm's owners, management and workers, it will affect farm workers, families and local shops.

The standard reaction of people to whom I have spoken in the last few days — in person and on the telephone at my home and office — is a lack of confidence in the Assembly. To put it bluntly, they are asking whether we are going to continue to make a pig or an ass of ourselves while people go to the wall. It is time for us to be realistic and to work together for the benefit of our people.

Some Members: Hear, hear.

Mr O'Loan: I thank Mr Mervyn Storey for bringing this matter to the attention of the Assembly. I assure him that his words about the unfortunate likely total closure of the Stevenson factory in Cullybackey have the support of the entire Assembly. The serious concerns that have been raised are about the 100 jobs that could be lost, the hardship for those individuals and their families, and the economic blow to the local area due to the loss of wages and salaries.

As has been said, among the reasons for the closure is the serious rise in energy costs. Indeed, that is a worry for the entire industrial sector. In addition to the direct consequences of the closure for the factory's workers, management and owners, there are serious consequences for local pig farmers who will not necessarily be able to find alternative outlets for their produce. That is a great worry.

I encourage all the agencies that have a role in the orderly rundown of the Stevenson plant — and all

those who can make a contribution to the economic continuity of the agricultural sector, and other sectors in that area — to do everything that they can to help in a very difficult situation.

Rev Dr Ian Paisley: I am sure that all of us are worried about the proposed closure of the Stevenson plant in the Ballymena area. However, it is a proposed closure. I am glad that representations to the Minister of Enterprise, Trade and Investment are continuing, and it may be that the company can be sustained under a different ownership.

Members should do everything in their power to prevent the closure of the Stevenson factory, and I believe that Members for North Antrim will make that effort. It would be a good victory for us all if the plant were kept open. That would provide encouragement to every part of the constituency and, indeed, to every part of Northern Ireland. There is unity among the representatives of the area and those from outside. I trust that today's short debate will help the situation.

As the Member of Parliament for the area, I will push as hard as I possibly can to achieve the continuation of the factory, albeit under different management. The present management is very keen for the factory to be saved; there is no selfishness in their minds or hearts. That is a good thing, because only a united approach can save the factory. I hope that this debate is heeded by the powers that be, and that the decision will be changed.

12.15 pm

A word of warning — in the present situation there will be more bad news such as this. The economy is bankrupt. Without a change of attitude, all the mending skills in the world will not alter that. Everybody must co-operate as much as possible, in unity, in order to stave off disaster.

PRIVATE MEMBERS' BUSINESS

Community Use of Schools Premises Bill

First Stage

Mr McNarry: I beg to introduce the Community Use of Schools Premises Bill [NIA 1/08], which is a Bill to make provision for community use of school premises.

Bill passed First Stage and ordered to be printed.

Mr Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Regulation of Private Landlords

Mr Speaker: I remind Members of the requirements of Standing Order 69 in relation to the declaration of any interest relevant to a debate.

The Business Committee agreed, at its meeting on Tuesday 7 October, that, where two or more amendments to a motion are selected, an extra 15 minutes will be added to the length of the debate. The basis for that decision was to ensure that other Members who wished to be called were not unduly impacted upon by the time taken to move and wind up multiple amendments. Up to one hour and 45 minutes will, therefore, be allocated for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to wind up. All other Members will have five minutes. Two amendments have been selected and published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes to wind up.

Mr F McCann: I beg to move

That this Assembly calls on the Minister for Social Development to bring forward a proposal for legislation on the regulation of private landlords.

I accept both amendments, because their intent is in keeping with the spirit of the motion.

A Cheann Comhairle agus a chaired. I brought a similar motion on the registration of private landlords to this House more than a year ago. After that motion won Members' support, I firmly believed that the Minister for Social Development would introduce legislation that would make it mandatory for landlords in the private-rented sector to register. However, for reasons that are baffling — and despite the fact that the previous motion was given full support in this Chamber, including the support of the Minister and her party — that has not been the case.

What have been the consequences to tenants of the Minister's failure and her reluctance to legislate for the sentiments of the motion passed in October 2007? Many tenants in the private-rented sector have been illegally evicted from their homes or cheated out of their deposits. Other tenants have been intimidated by landlords who told them that complaining about deplorable living conditions would lead to their being left on the streets.

Sinn Féin has long recognised that many landlords in the private-rented sector play a major role in the provision of decent housing for their tenants. It is accepted that many in the private sector provide excellent accommodation. However, while many in that sector recognise the existence of bad landlords, they disagree about how they should be regulated. Nor is it agreed that there are too many landlords providing poor units of accommodation. The best way forward that was suggested by the private-rented sector was to allow the market to regulate it. In light of recent events in relation to the global credit crisis, surely there are clear indications that the market is not capable of regulating any sector.

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

We have also raised concerns about the role of some estate agents in the private-rented sector. Some agents have changed their charging arrangements from monthly to four-weekly payments so that they can extract an extra four weeks' rent over the calendar year. That is gross manipulation of tenants, many of whom cannot afford to pay the additional money and go into debt to do so. It amounts to an attack on the neediest people in our society.

The continuous problem of landlords charging rent that is substantially higher than the housing benefit rate for particular areas forces many people into debt, and that practice is widespread. There are mechanisms in place for people to make complaints, but most people will not complain because of threats of violence or eviction. For many people it is better to suffer than to sleep on the streets.

In a question for written answer to the Minister for Social Development, the Member for North Belfast Fred Cobain asked how many enforcement orders had been brought against landlords under the Private Tenancies Order 2006. The reply stated that district councils are proactive in carrying out their responsibilities, with one enforcement case in Ards, two in Ballymoney, 13 in Banbridge, 42 in Belfast, 14 in Carrickfergus, five in Castlereagh, three in Craigavon, one in Down, one in Dungannon and three in Newtownabbey. There was no mention of the other councils across the North, but that is the standard under which those councils have operated. Many other

landlords lease houses that are in poor condition but have not been inspected.

Sinn Féin does not distinguish between landlords who provide accommodation in houses in multiple occupation (HMO) and landlords in the private-rented sector. Many landlords supply houses to both sectors, therefore, the whole sector must be regulated by the same legislation.

In a recent consultation document, the Housing Executive said:

“Out of 134 statutory notices served on HMOs in Dungannon 49 (36%) were abated by the landlord moving the tenants ... to unknown destinations.”

The document went on to state that although the Housing (Management of Houses in Multiple Occupation) Regulations 1993 require landlords to provide managers of schemes to pass on relevant information, there is no incentive in the regulations to make them do so.

Some landlords ignore the system; therefore, strong legislation, such as mandatory registration, is required for the entire private-rented sector, as it is the only effective way of dealing with those landlords.

The same document stated that 11% of HMOs in south Belfast were unfit for human habitation, as were 17% in north Belfast, 2% in Coleraine and 13% in Derry. The document further stated that, given that there are thousands of unregistered HMOs, those figures are actually far worse. In my constituency of West Belfast, it is not known how many of those houses exist. In fact, the private-rented sector has grown in West Belfast to such an extent that it is undermining the social fabric of many districts. Many properties are in poor condition, and we have all heard the horror stories about houses in bad states of repair. I am sure that many Members have dealt with such issues as antisocial tenants being forced on local residents, and residents' complaints that have gone unheeded by landlords who do not care because they are getting the high rents demanded.

I have spoken to many people in the housing sector and in local government who have said that those problems are but a drop in the ocean. Without stronger powers and mandatory registration, their ability to deal with those problems is being seriously undermined. It is difficult to comprehend why the Minister is reluctant to implement the necessary legislation, as tens of millions of pounds in housing benefit is paid to landlords every year.

In the past, it has been intimated that the remit of the private-rented sector is to be widened to allow more people to move into the sector, especially given the lack of social housing. For many people, moving to the private-rented sector is seen as a last resort, and, with no regulation to protect tenants, they will be

condemned to living at the mercy of many unscrupulous landlords. All available information points to mandatory registration as the only weapon available to ensure that tenants are protected.

We ask the Minister to commit to introducing legislation that will allow some control over the private-rented sector and make it mandatory that all landlords be registered. Sinn Féin proposes that, in order to make mandatory registration effective, the legislation must contain measures that ensure compliance and impose strong penalties for non-compliance. We ask the Assembly to support the motion in order that we may send a clear message to the victims of unscrupulous landlords that we are no longer prepared to accept this deplorable situation.

Mr Simpson: I beg to move amendment No 1: Leave out all after “Assembly” and insert

“recognises the intention of the Minister for Social Development to bring forward legislation to regulate private landlords; and calls on the Minister to ensure that these regulations will tackle unfitness in the sector, whilst ensuring that unnecessary bureaucracy is avoided.”

I declare an interest as a very good landlord, in a very small way.

I support the amendment that stands in my name and that of my colleagues. The motion is in need of two things: first, it and its sponsors must be challenged; and, secondly, the motion needs to be amended.

The motion was tabled by three Sinn Féin MLAs. Given the fact that those three Sinn Féin MLAs felt so exercised about the issue that they tabled the motion, I imagine that they want people to believe that the matter is of pressing importance to them and that it is one of their priorities. That is interesting, given where we are as an Assembly at present, and given their party leader's recent foot-stamping as he desperately tries to appear relevant to a world that has passed him by.

The following question must be asked: if the Minister for Social Development were to introduce legislation tomorrow, would the three Sinn Féin MLAs' attachment to the issue be enough for them to urge their colleagues to attend an Executive meeting to approve its introduction? There is absolutely no point in Members tabling motion after motion, calling for Minister after Minister to take action after action, only for them to then say that they will not go along to discuss the possible introduction of legislation on the subject.

For a community that is well used to Sinn Féin hypocrisy and double standards, to say that this is one of that party's more obvious and less convincing motions is really saying something. Then again, I may be being unkind to the three MLAs. Perhaps the new Sinn Féin policy is government by urgent procedure. Perhaps that is the brave new world into which Mr Adams is leading his party — time will tell. Either way, the real question

that hangs over the motion is not one for the Minister or any other party in the Chamber to answer but one for the three Members who tabled it and their party to answer.

It is clear that the motion should be amended. Our amendment embraces all the essential ingredients needed for a debate on the regulation of private landlords. The Minister for Social Development is to introduce legislation. Draft proposals are to be put out for consultation by March 2009. We welcome that commitment. Of course, the three Sinn Féin Members in whose name the motion stands already know that, or, at least, they should know it, which again —

Mr F McCann: Will the Member give way?

Mr Simpson: No, I will not give way. Serious doubt is cast over the motion's real intent. Our amendment also highlights two pressing requirements: the legislation must incorporate a way in which to tackle landlords' responsibilities for housing unfitness; and it must ensure that unnecessary bureaucracy is avoided.

12.30 pm

Some issues of concern are the registration of private landlords; the general fitness of a premises for human habitation; the resolution of tenancy disputes; prompt repairs; how, when, and how often rents can be increased; the length of contract; notice to quit; and the protection of tenancy deposits. There are also issues to do with training landlords on their rights and on those of tenants. Those matters are all of huge importance to anyone who has entered into a private-rented agreement, or who is about to do so.

There are also issues regarding landlords' rights in dealing with the small minority of problem tenants; however, time will not allow for a full discussion of those matters. At the beginning of my contribution, I declared an interest as a landlord, so I speak from experience. It is a serious issue for a landlord when a tenant stops paying rent, then disappears after trashing an apartment; I am sure that I am not alone in experiencing that. Just as the majority of tenants are ordinary, hard-working, civic-minded people, so many private landlords do the right thing. Such people should not be overburdened by bureaucracy.

This is an important issue, despite the obvious hypocrisy that lies at the heart of Sinn Féin's motion and in that Assembly group's game-playing. Our amendment deals with the entirety of the issue, and I commend it to the House.

Ms Purvis: I beg to move amendment No 2: At end insert

“to include provision for the mandatory registration of, and establishment of service standards for, private landlords.”

Although I support Sinn Féin's motion in principle, it needs to go further by calling for the mandatory registration of landlords. On 1 October 2007, the House

debated and agreed to a motion that Fra McCann moved that called for the mandatory registration of all private-sector landlords. I have some sympathy with amendment No 1, but the issues facing those in the private-rented sector go beyond unfitness. This is a critical issue. More than a year ago, the House agreed to Fra McCann's motion, which called for legislation in that area. However, the Minister for Social Development has not introduced any legislation on the matter. In the meantime, the shortage of social housing and still-inflated house prices mean that many more people rely on the private-rented market for housing. Buy-to-let mortgages have increased the number of private-rented homes that are available, and renting privately is increasingly the tenancy agreement of choice for many young people.

Legislation to improve the sector is not about unnecessary bureaucracy. The mandatory registration of private landlords and the establishment of service standards should improve the quality of properties, improve standards for landlords' management of properties and tenancies, and improve the service for tenants. Housing is the number one issue that I deal with in my constituency office, and I do so regularly. Indeed, I would hazard a guess that that is the case for the majority of MLAs. In my office, many of the housing-related issues that we help people with are simply consequences of the absence of mandatory registration of private landlords.

Some tenants living in private housing that is in a state of disrepair cannot locate their landlords to request necessary repairs. That is a common problem that occurs daily. According to the 2006 house conditions survey, 64% of private-rented dwellings were classed as being in need of repairs. Some 27% of private-rented dwellings failed to meet the decent homes standard, the criteria for which state that a home must be in a reasonable state of repair, have reasonable modern facilities and services, and provide a reasonable degree of thermal comfort. Most of the tenants in such homes are elderly and on low incomes.

Neighbours who are affected by antisocial behaviour are sometimes unable to locate the owners of a dwelling in order to speak to them about the behaviour of their tenants. That is an issue. Sometimes, in my constituency, even the police have had difficulty in tracking down landlords to deal with issues of antisocial behaviour.

The inappropriate and, sometimes, illegal retention of a tenant's deposit by a landlord is also a problem. Recently, I was visited by a tenant who paid a £1,200 deposit for his or her flat, and the landlord refused to repay it when the contract ended, because a door handle had been broken. Furthermore, landlords are issuing 28-day notices to quit, or eviction notices, without even talking to the tenants concerned.

Most landlords are good citizens and respectable businesspeople, who meet their legal obligations, maintain their properties and look after their tenants. However, that is not always the case, and the consequences can be significant. Shelter is a basic human requirement; therefore, it is critical that those who provide that service, in either the public or private sector, adhere to reasonable standards for conduct and the quality of service that they provide. When that does not happen — as we now debate — we must legislate to make it happen.

Experience from other systems has shown that efforts to register landlords are most successful when compliance is mandatory. In Scotland, the attempted light touch has proved ineffective when trying to enforce standards, particularly with those landlords who do not register for whatever reason. Landlords should be required to provide their contact details and details of all their properties, and that information must be regularly updated. Therefore, registration must be mandatory, and a failure to register should result in a prosecution or a fine. There should be a system of sanctions for serious misconduct. The Department or office that is responsible for registration should have the authority to deregister landlords who fail to comply with legal requirements.

Registration can also be used to educate landlords about their legal obligations. The Housing Rights Service supports mandatory registration and suggests that registered landlords be provided with a licence on condition that they follow guidelines set down in an approved code of practice. Registered landlords would also have access to a dispute-resolution service. Tenants should have access to the register and should be able to retrieve, without charge, their landlord's current contact information. Moreover, there should be provision for a custodial-deposit scheme to ensure that deposits are managed safely and are not withheld by landlords, unreasonably or illegally. If there is a dispute over a deposit, tenants have access only to small claims courts, which are prohibitively expensive and time-consuming for most. Instead, landlords should be required to pay those deposits into a custodial system so that, if there is a disagreement over a deposit at the end of a tenancy, landlords and tenants will have access to the same dispute-resolution service, and a third party will oversee the process.

Although I welcome the Minister's commitment to bring forward proposals for legislation at the end of this session, it is not soon enough. I hear daily about the problem from constituents who come into my office. Proposals must be brought forward sooner and must include mandatory registration and the establishment of service standards for all private landlords. I am pleased to move the amendment.

Mr Cobain: I welcome the motion and support amendment No 1. Although I recognise the work that the Minister has undertaken, we still do not have sufficient social housing in Northern Ireland to meet the need. Therefore, the private-rented sector is crucial in housing some of the most vulnerable people in our society. Eleven per cent of Northern Ireland's housing stock is privately rented, and 44% of households in the private-rented sector live in fuel poverty.

In 2006, 27% of dwellings in the private-rented sector failed to meet the decent homes standards, and, over the past five years, there has been a 50% increase in the number of households presenting as homeless to the Northern Ireland Housing Executive, due to a loss of rented accommodation. It is crucial that people who rent in both multiple-occupancy homes and alone are protected by legislation from the minority of rogue and complacent landlords.

I welcomed the introduction of the Private Tenancies (Northern Ireland) Order 2006, which provides a new structure for the private-rented sector in Northern Ireland. Although the Order covers other tenancy issues, it does not go far enough on unfitness and disrepair, rent controls and certificates of fitness.

It does not require landlords to register but relies on their co-operation, and that is the Order's weakness. I recognise that during the last debate on the issue, the Minister stated her desire to examine the success of the Order, looking at what has gone well, where the problems lie, and what more needs to be done.

I am sure that the Minister will inform the Assembly what difference the Order has made. However, I consider it a matter of practical necessity that the private-rented sector should be open and transparent, and in order for that to be guaranteed, the registration of private landlords and regulations that tackle unfitness in the sector are a must. If such measures are introduced, the room for complacency, bending the system and blatantly breaking the law would be removed. That would also benefit landlords as it would create a level playing field for business.

This is not an anti-private-rented sector motion in any way. The sector provides an excellent service for the majority of the time, and the DUP amendment recognises some of the fears that may exist in the sector with regard to increased bureaucracy.

It is crucial that the sector is given the freedom to maintain healthy competition and business practices while protecting the basic needs of its customers. The motion is not about excessive regulation but about creating good regulation that will benefit tenants and landlords. In the current global conditions, we are all beginning to recognise the benefits of good regulation. I, therefore, urge the Minister to look at practices in

Scotland and decipher what has worked and on what we in Northern Ireland can improve.

The credit crunch has crippled the first-time-buyers' market, and that will mean that in coming years, the private-rented sector will become even more important as people cannot afford to buy their own homes. Although I welcome the recent investment in the co-ownership scheme, the housing sector will face severe difficulties for the short term at least. It is, therefore, crucial that the correct regulation is in place in order to ensure that people can live in accommodation that is of an acceptable standard.

It has been almost six months since Sir John Semple referred to the matter in his review of affordable housing when he called for the registration of all landlords. However, despite unanimous support from all parties in the Assembly, the Minister has still not made a categorical move in that direction.

I recognise the pro-active work so far undertaken by the Minister. I urge her to introduce legislation that will adequately regulate private landlords, including registration, and tackle unfitness in the sector.

I support the motion as amended by amendment No 1.

Mr A Maginness: I advise any prospective football manager not to recruit Mr McCann to his team. Mr McCann is the master of own goals, and today he shows his mastery with regard to own goals. He moves a motion that has been exposed, including through remarks made by the Chairperson of the Committee for Social Development, Mr Simpson, as bogus. The motion has also been exposed as opening up a very simple line of attack on Sinn Féin, which is this: if the Minister were to produce legislation today on the regulation of private landlords, she could do nothing about it because the Executive are not meeting, and the reason for that is because Sinn Féin is boycotting Executive meetings.

Therefore, when Mr McCann hypocritically comes to this Chamber and cries about there having been a delay in legislation, he refuses to answer the fundamental question, namely, why is Sinn Féin blocking vital social policy legislation?

Mr F McCann: On a point of order. Mr Maginness is misleading the Assembly, because I have been consistent on the issue of mandatory registration.

12.45 pm

Mr Deputy Speaker: Order. The term "misleading" is not parliamentary language, Mr McCann. That was not a point of order. Your remark was unparliamentary; therefore, I ask you to withdraw it.

Mr F McCann: I withdraw the remark. However, I must say that when Mr Maginness and Members from

other parties are particularly vocal against Members of the House —

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

Mr A Maginness: I am happy to take an intervention from Mr McCann so that he can explain why, on the one hand, he supports Sinn Féin's boycott of the Executive, yet, on the other hand, he insists that legislation on that particular area of social policy be brought before the House immediately. If he wants to take the opportunity to explain that contradiction to the House, I am prepared to give way.

Mr F McCann: On 1 October 2007, I brought a motion on the mandatory regulation of landlords before the House. The new Chairperson of the Committee for Social Development will not be aware that I have also raised the matter on several occasions in Committee. Sinn Féin has taken a principled stand against the DUP's refusal to accept the fundamentals of the Good Friday Agreement and the St Andrews Agreement, which take in equality and the very foundations on which the Assembly currently sits.

Mr A Maginness: I understand Sinn Féin's principled approach. However, the fact is that that principled approach is blocking vital legislation from coming before the House, not only on the mandatory registration of landlords but on a whole range of other issues. Fuel poverty, for example, is a pressing concern.

The country is in economic meltdown. Finances are in chaos, yet Sinn Féin insists on boycotting the Executive.

Mr A Maskey: Will the Member give way?

Mr A Maginness: No, I will not give way, because I do not have much time left.

The SDLP accepts the motion's substance. It also accepts the proposed amendments. There is certainly a necessity for legislation to regulate private landlords. The Minister has committed to that as an objective of her term of office. As soon as she can, she will introduce legislation to deal with the issue. She cannot, however, simply introduce legislation without working out carefully its shape and form.

In Northern Ireland, 66% of the public money that is distributed through housing benefit is paid to private landlords. The private-rented sector accounts for around 12% of all housing stock. The SDLP fully supports good regulation, but any measures that are introduced must be carefully thought through. I am certain that the Minister will expedite the legislation that she sees fit to introduce.

As I said, I support the motion's substance. However, I must highlight its motivation. It appears that it has been designed to be a political attack on the

Minister, not on the social problems that arise from the private-rented sector.

Ms Lo: I thank Mr McCann for proposing the motion. I support it and the two proposed amendments. All add to the call for the regulation of private landlords.

Undoubtedly, the private-rented sector will expand in the coming months and years owing to current economic trends and the pattern of inward migration. All Members have heard of good and bad landlords.

In a recent case in South Belfast, the agency found three houses occupied by some 80 Roma — one house was found to have 30 people crammed into it. That is sheer exploitation of people by landlords.

With respect to public housing, the Housing Executive is responsible for the provision of decent homes and their maintenance in accordance with rules and regulations. The private-rented sector receives £1.4 million each year in housing benefit. Why should it not be held accountable for good management practice and standards of repair? The Housing Rights Service's briefing paper on the Bill makes good sense on that issue. We need a holistic approach to address a range of issues to make the sector fit for purpose. On the one hand, we must ask landlords to improve their practices; on the other, it is good to offer incentives for them to do so. On that, the briefing paper makes some useful suggestions.

The Assembly last debated mandatory registration of landlords in October 2007, and all Members agreed on the need for the registration of landlords. A register of landlords would make it much easier for councils and tenants to contact landlords when problems arise. In South Belfast, a tenant has been trying to contact his landlord for years so that repairs can be made. The building is now in a shocking state: a disused bath has been lying in the front garden for 10 years. Neighbours have written to my party asking for help in tracking down the landlord. They are understandably worried. Not only is the house an eyesore but, more importantly, the structural problems of that house may spread to adjoining properties.

Once registered, a landlord should be required to comply with an approved code of practice recognised by the courts. Failure to abide by that code should bring penalties — fines, or even deregistration.

I also support the suggestion of a deposit-protection scheme, whereby the landlords have to pay deposits that they receive from tenants into a custodial fund. We have seen examples whereby tenants — particularly students — pay a deposit to a letting agent, but cannot retrieve it from the landlord some years later. Landlords put up all sorts of excuses for refusing to return deposits. So often, people are reluctant to seek redress from the small claims court. Students who are preparing to

move on to other parts of the Province or to other parts of the UK or who are leaving Northern Ireland to take up jobs cannot wait for court procedure to take its course.

We need a comprehensive approach to rein in the private-rented sector through legislation that sets acceptable standards and provision of information and advice to landlords and tenants. I am sure that that will be welcomed, not only by tenants, but by the majority of landlords.

Mr Craig: I support amendment No 1.

One Member has commented that housing is the number one issue in her constituency. However, lack of housing is the number one priority in my constituency — and that applies to both public and private sectors. As has been said, examples of good and bad landlords exist in both private and public sectors.

Like other Members, I have received complaints from tenants about rented housing. Some of the worst examples of unfit housing that I have seen have been in the public sector, not in the private sector.

There are examples of good private landlords who take the issues seriously, but there are also examples of the worst kind. I presume that a lot of these landlords have come into the market because of the property boom that we have witnessed over the past couple of years. There are major issues surrounding private individuals who are renting out properties — they do not understand their obligations as landlords. They do not understand the issues. If landlords find themselves with tenants who are not behaving properly, or have to deal with evictions, they do not understand the laws, or how to get rid of those tenants and deal with the issues.

I support registration. I also support the Minister's moving forward with this legislation in March 2009. I look forward to seeing what is proposed in the Bill. We need to raise the standards of those who have moved into private landlordism and how they deal with their tenants.

We have all seen examples of tenants who are outrageous in their behaviour for whatever reason. We have all witnessed those who are either dealing in drugs or playing music until all hours of the night. Getting those people out of the property is a very complex issue. It is extremely complicated — even the Housing Executive has issues with moving out tenants like that.

An awareness scheme must be built into any proposed legislation. There are examples where legislation has been tried. If we look at the legislation that was introduced in Scotland in 2006, we can see the basis on which we could move this situation forward.

I commend the Minister for working on the issue. It is only right that she take her time to get the issue

right, because the rights of landlords and tenants are a legally complex issue. There is always a war going on between the two. The Minister must look long and hard at the serious issues, and get it right. I commend the Minister for continuing to work on the issues, and look forward to seeing the tentative legislation. As some of my party members have said, there is more chance of the legislation being introduced to the Social Development Committee than there is of seeing a meeting of the Executive.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. It is disappointing that Mr Simpson did not spend more time dealing with his amendment than he did attacking Sinn Féin. He initially spoke about being a good landlord in a small way. I am not sure if that means that he is good in a small way or that he is a landlord in a small way. That was not satisfactorily explained to me. I am sure that he will explain at some point.

Alban Maginness spoke about own goals, a subject in which he is well versed. If he is speaking about impending legislation from the Minister, he is getting into the realms of fantasy football. Maybe he should keep that in mind.

I will now try to deal with the motion —

Lord Morrow: I hope that you are not going to attack anybody?

Mr Brady: Hopefully not, but if I do, it is an education being here anyway.

Mr Deputy Speaker: Order. Refer all your remarks through the Chair, and do not bat-and-ball them across the Chamber.

Mr Brady: If the remarks from across the way were, with respect —

Mr Deputy Speaker: Order, order. All remarks must be made from a standing position and not from a seated position.

1.00 pm

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. For many people, the private-rented sector is their only avenue for accommodation, and any new strategy should promote the sector as a suitable option. As the sector is playing an increasingly important role, a strategic framework is needed to ensure responsible letting. New legislation should ensure that management standards and physical conditions are improved. The registration of landlords will mean that there is a more consistent and stronger approach to addressing the issues of bad management practices and poor fitness standards. A register will better enable local councils to progress enforcement action more effectively. When landlords are registered, they can be issued with a licence enabling them to follow guidelines laid down

by an approved code of practice. Landlords will have to abide by the legal obligations laid down in the relevant legislation; to ensure effectiveness, any registration scheme must be mandatory.

After the imposition of a register, a number of issues will have to be addressed. Relevant information on rights and responsibilities should be made available to landlords and tenants. The legislation must include powers to modify the inclusion and exclusion of those who must register. The enforcement body will have the power to deregister landlords who fail to comply with legal requirements. A tenant/landlord dispute-resolution service should also be included. As the registration scheme is being developed, interested stakeholders must be widely consulted.

A major source of dispute in the private-rented sector is the retention of tenancy deposits by landlords. In the legislation, a tenancy deposit protection scheme must be included so that deposits are safely managed and not, as happens in many cases, unreasonably withheld. Landlords appear to have a distinct lack of knowledge on the key issues affecting tenants, so it is essential that any new legislation gives landlords maximum access to information pertaining to them and their responsibilities.

In my constituency, there are private estates, 90% of which are owned by private landlords. That has led to considerable problems in the state of the houses and how tenants are treated, which contributes to a lack of community in those estates. I support the motion, and I wish to make a point concerning students, which has already been raised with the Minister for Employment and Learning. I have raised a certain case on several occasions, in which a student died and the money owed is still being pursued by the landlord, causing trauma and stress for that student's parents and family. Go raibh maith agat.

Miss McIlveen: I declare an interest, not as a good landlord but as an excellent landlord; I support amendment No 1.

The debate is perhaps asking more questions of Sinn Féin than of the Minister for Social Development. We are used to *déjà vu* in the Chamber, so I will restate some of the comments that have been made. Along with other Members, I am struck by the irony — or, more accurately, the hypocrisy — of Sinn Féin Members calling on the Minister for Social Development to act but not calling on its own Ministers, who are still refusing to fulfill their ministerial duties.

When the issue of private landlords was last debated, there was consensus that a registration scheme was, in principle, a good idea. My views have not changed; although I support the principle, I reserve final judgement until I see those firm proposals. No firm proposals have yet been produced; however, I

believe that we only have to wait for them until March 2009. At least we have a date for those proposals, unlike the next Executive meeting. Nevertheless, by that time, we will have a further year's experience of the Private Tenancies (Northern Ireland) Order 2006.

Although that Order has been effective in some areas, it was criticised for not going far enough when it first came into force. The Housing Rights Service, in its recent briefing to the Committee for Social Development, alleged that many local councils' enforcement of the Order has been almost non-existent. The evidence for that is contained, purportedly, in a response to a question for written answer from the Member for North Belfast Mr Cobain. The response suggested that mandatory registration may assist enforcement, because local councils may not know the landlords' identity.

Without further investigation of the figures, it is a bit of a leap to level criticism at councils or to suggest that mandatory registration would have any impact. In its briefing to the Committee, the Housing Rights Service provided no evidence of further questions to the councils asking them to account for the ostensibly low figures.

The Housing Rights Service made several suggestions: the inclusion of a landlord licence in the mandatory registration scheme of private landlords; access to a dispute-resolution service for the landlord and the tenant; an assessment by councils of the fitness of properties built before 6 November 1956; the provision of information on rights and responsibilities to landlords and tenants; prosecution for failure to register; and deregistration for those who fail to comply with their responsibilities. Finally, it suggested that the scheme be phased in.

In general, there is not much to disagree with in those proposals, other than whether the power to deregister a landlord would assist a tenant residing in one of his or her houses. However, the details of such a proposal would, no doubt, be ironed out during consultation with stakeholders.

The Minister previously stated that she was investigating various registration schemes. Given that she responded to Mr McCann and Mr O'Dowd to that effect in May 2008, and advised the former that any legislation would be introduced in the final session of this Assembly's mandate, it is wholly premature to debate the matter yet again.

However, the amendment that my colleagues tabled provides a welcome addition to the debate. For the sake of completeness, I will again set out, as I did in October 2007, my thoughts on the overall issue. I agree with the concept of mandatory registration to provide a level of security to tenants that the rented property is of an appropriate standard and that the landlord is reputable. Any proposed register must

allow for access to required information only and should not be a means to facilitate prying into the affairs of individuals.

Members should be concerned by the cost of administering and enforcing the scheme. We must ensure that bureaucracy be kept to a minimum to facilitate the smooth running of an effective system that safeguards tenants but does not become so onerous for landlords that it becomes unworkable. I support amendment No 1.

Mr Armstrong: I welcome the motion, and I support the DUP amendment. It is crucial to protect vulnerable people from bad landlords. It should be recognised that the private-rented sector is essential to the housing stock and that the vast majority of landlords follows best practice. However, those landlords who do not respect their tenants have a damaging effect on their quality of life, be that through demands for excessive rent, disputes about deposits or the provision of accommodation that does not meet the required standard. Many people who have limited housing options are at the mercy of unprincipled landlords. Therefore, it is crucial that the Assembly introduce legislation to ensure that landlords meet required standards.

The DUP's amendment, as my colleague noted, recognises landlords' potential concerns about the increasing bureaucracy that will affect the sector. New legislation should be regarded as a way in which to ensure a level playing field for landlords, in order that some do not gain an unfair advantage over others or at the expense of their tenants. It is important not to damage the supply of private-rented accommodation.

I draw Members' attention to regulations that were introduced in Scotland in 2006. They include several rational exemptions from registration and ensure that judgments are based on adopting a sensible and practical approach before deciding that sanctions are necessary. Landlords have a duty of care to the buildings that they own and to the people who live in them. In the coming months, Sinn Féin has a duty of care to this Building and to the people whom it was elected to represent.

In the coming months, the private-rented sector will become increasingly important because the first-time-buyers' market is stagnant and people will, potentially, fail to renew their mortgages. Therefore, it is vital that legislation is in place to regulate the system properly. People should feel safe and secure in rented accommodation and in their homes, and the Assembly must ensure that the important amendment is noted.

Mr G Robinson: I appreciate that the majority of private landlords are responsible and can manage their tenants without difficulty. It is essential that all responsible landlords understand that message. The

motion targets landlords who do not fulfil their responsibilities. Not all tenants are saints, and we must be mindful of the vital role that private-sector lettings play in accommodating our population. Therefore, there must be a balance in any registration programme that is produced. We cannot allow a black market in substandard accommodation to develop — that may be a consequence of ill-judged or rushed regulation.

I represent a constituency that — because of the University of Ulster at Coleraine and high tourist levels — has a large number of private-sector landlords. I have heard nightmare stories from constituents who have — and I use the word advisedly — suffered at the hands of some private landlords, who refuse to fix broken locks and attempt to intimidate tenants from properties. Such disgusting behaviour is often inflicted on those who are least able to fight back or seek help.

A compulsory registration scheme for landlords would give tenants greater security, and ensure good living conditions and a fair rent. The private-rented sector is becoming an increasing part of the housing stock, and, therefore, it is essential that the Assembly ensures the protection of the large number of people who seek accommodation in that sector. The private sector cuts across all economic barriers. Furthermore, private rentals are likely to increase, because an increasing number of young people and couples are experiencing difficulty gaining public-sector housing or affording a mortgage.

The compulsory regulation of landlords would not be a punishment, rather a means of ensuring that all accommodation is of good quality. Good or bad housing does not affect only the well-being of those who live in it. Bad housing may lead to health problems, which can impact on a child's education or an individual's ability to get a job.

I know that the Minister takes the issue seriously, and I acknowledge that the problem is being investigated in order to find a way to deal with it. However, given the current economic downturn, the urgency with which the issue is addressed must be stepped up a gear. I support the amendment.

The Minister for Social Development (Ms Ritchie): The motion and amendments provide a welcome and timely opportunity to highlight the considerable work that is already under way to deliver improvements in the private-rented sector, which is now almost as large as the public-rented sector in Northern Ireland. In recent years, the private-rented sector has undergone much innovation. The introduction of the Private Tenancies (Northern Ireland) Order 2006, which came into effect in April 2007, came on foot of earlier private-rented strategy. Those initiatives delivered improvements and established a new system

of regulation, which gave tenants and landlords much-needed rights, protections and responsibilities.

At that time, the objectives of those initiatives were far-reaching. However, the housing situation has subsequently developed and now faces new challenges. Some aspects tackled by the previous strategy and legislation have become much more acute.

The private-rented sector is now home to many more vulnerable people, so we must be confident that arrangements in the sector are robust and professional, and ensure that the right level of protection is afforded to the tenants and to the landlords who provide services.

1.15 pm

Over the past couple of years, the fast-moving developments in the housing market — together with their associated impact on the private-rented sector's contribution and potential to meet housing need — prompted me to commission a further review of my policy relating to the private-rented sector earlier this year. I am surprised that some Members were not aware of that. Many of the points that Members made today support that approach.

There should be a new focus on core issues, such as more effective tenancy management; robust arrangements for the resolution of disputes between landlords and tenants; effective tenancy deposit arrangements; better security of tenure for people moving into private-rented accommodation; and other matters. That work is already in progress and I will have the results, together with draft proposals for a new private-rented strategy, by March or April next year. At that stage, I intend to consult widely on those proposals.

I will use that review to consider the initial impact of The Private Tenancies (Northern Ireland) Order 2006. Although that legislation is still in the early stages of implementation, I will measure its immediate impact against its key objectives. I will study its effect of improving awareness and understanding of the new obligations and rights of landlords and tenants. Early evidence suggests that there is a continued lack of knowledge at all levels. The experiences and views of Members that were expressed today support some of that analysis. I will work with stakeholders to find the most effective ways to improve that position as quickly as possible.

The evaluation also considers how the district councils have used their new enforcement powers, which were provided in the legislation, to target unfitness and disrepair. That was a primary objective of The Private Tenancies (Northern Ireland) Order 2006. Careful analysis is needed to determine the need for new or enhanced policy initiatives and, therefore, the need for any subsequent supporting legislation. The motion calls on me to introduce a proposal for

legislation on the regulation of private landlords. When I announced the new housing agenda earlier this year, I made it clear that I wanted to support people to move into the home of their choice.

Increasingly, the private-rented sector is playing a bigger part in meeting housing need, in some cases through choice. However, for more vulnerable people on lower incomes, that is solely because they have no realistic alternative. To respond effectively to that need, the sector needs to be fit for purpose and provide good physical standards of well-managed accommodation. In the private-rented sector, 66% of tenants receive housing benefit. I will explore how that considerable investment could be used to positively influence future landlord behaviour.

The facts in the private-rented sector speak for themselves. The poor perception of life in some parts of that sector appears to be borne out by the level of problems that private-renting tenants experience. Despite the introduction of new laws, evidence from advice services shows that levels of enquiries have remained constant. That clearly points to the need for action to improve the core problems of tenant management, which include rent books and deposits. Furthermore, tenancy agreements are needed to provide confidence against fears of intimidation and unlawful conviction, as well as for repairs and improvement arrangements.

Despite considerable progress in recent years, real problems with unfitness levels remain. The private-rented sector has an older stock profile and, therefore, has greater unfitness and disrepair problems. The 'House Condition Survey 2006' showed that the private-rented sector accounted for a high proportion of Northern Ireland's unfit housing. Security of tenure for tenants in the private-rented sector also remains a fundamental issue, thereby contributing to a lack of confidence.

Furthermore, the tenancy-deposit schemes and dispute-resolution mechanisms are essential, and they will be considered as part of the development of the new strategy for the private-rented sector. Evidence from the South of Ireland's dispute-resolution system suggests that the majority of disputes there concern deposits.

Compared to home ownership, in Northern Ireland, renting is often considered to be, and experienced as, second best. In other countries, that negative opinion of renting does not exist, and, in order to address that, I am determined that unscrupulous actions, wherever they occur, will not be tolerated. Good practice will be promoted throughout the sector, with appropriate support and guidance made available for landlords and tenants.

Previous legislation has gone some way towards challenging some of the difficulties with, and in

delivering tangible improvements to, the quality of private-rented properties. That legislation established better rights for — and has clarified the responsibilities of — people involved in that sector.

The Private Tenancies (Northern Ireland) Order 2006 strengthened harassment and eviction law in order to prevent unscrupulous landlords from harassing tenants. In addition, it established protections for tenants concerning notice periods, and it places obligations on landlords to provide rent books and written tenancy terms. Furthermore, specific regulations continue to apply to particular tenancies, such as unfit private tenancies, protected and statutory tenancies and houses in multiple occupation.

The regulation of private tenancies on the basis of unfitness addresses a major housing problem that has proven intractable for many years. District councils have been provided with significant additional powers to compel landlords to make properties fit, to carry out necessary repairs, and to ensure that rental income is dramatically reduced while a property remains unfit.

Dr W McCrea: Will the Minister assure the House that having considered this matter, the forthcoming legislation will deal with the problem of unfitness, without extending the existing massive amount of bureaucracy, which is the fear of some Members?

The Minister for Social Development: I thank the Member for his intervention, and I can assure the House that every angle will be explored.

Protected-tenancy regulations ensure that the important security of tenure that that limited group of tenants enjoys can be safeguarded, while ensuring that rent levels, although higher than equivalent Housing Executive rents, will continue to be subject to statutory limits.

Given the existence of the Landlords Association of Northern Ireland (LANI), it would be wrong to think that all is bad in the private-rented sector, which, as it has grown, has delivered much high-quality accommodation. Not all landlords are the same, and I welcome that fact that many private-sector landlords have formed their own association — LANI — whose aim is to professionalise and drive up standards in the industry. I met that group, and I have instructed officials to engage with it concerning regulatory matters. I believe that that is the first ever structured engagement between Government and the private-rented sector.

A statutory registration scheme operates for houses in multiple occupation, which are of particular concern due to the high levels of health and safety risks that they pose. Arguably, they give rise to a disproportionate amount of antisocial behaviour in local communities. The Housing Executive's registration scheme aims to address those matters and to ensure that non-compliance is tackled effectively.

In the course of the next few months, my officials will meet stakeholders to develop ideas and proposals for an overall strategic framework for the private-rented sector. Increased regulation of private landlords will, of course, be one of the many matters to be addressed, and the outcome of that policy-development exercise will enable me to find strategic solutions that are capable of delivering sustainable improvements in order to effectively, and in a timely manner, tackle those agreed matters in the private-rented sector.

I have heard calls for a mandatory registration scheme for private landlords. However, I remain concerned that that has been proposed as the panacea for the problems in the private-rented sector. My examination of the effectiveness of such schemes in the South of Ireland and in Scotland has not produced a cut-and-dried result. Although there is agreement that such schemes have delivered several benefits — for example, increased knowledge of the scale and spread of the private-rented sector — that has been at a considerable cost and, some three years on, with some debate about the measurable outcomes.

Competing arguments point to alternative and effective approaches that deal with the core problems, such as tenancy deposit schemes, dispute arrangements, better security of tenure and more effective use of housing benefit to drive good practice. I will continue to monitor the impact of those schemes and keep in touch with developments, particularly in Scotland, where a voluntary landlord accreditation scheme is under consideration. Similarly, an evaluation of the scheme in the South of Ireland is ongoing.

As part of the new housing agenda, I am committed to ensuring that everyone in Northern Ireland has access to a decent, affordable home — I believe that all Members want to see that. The private-rented sector has an increasingly important role to play in achieving that, particularly as it provides a home for a diverse range of households. My work to develop a new strategy for the private-rented sector will ensure that priority issues in the sector are dealt with effectively. Subject to the outcome of that work, I am sure that new legislation will be required to give life to the new strategy for the sector. I aim to introduce that in the latter part of 2009-10.

As Members know, a draft housing Bill from my Department is caught in the current logjam at the Executive. I emphasise that the lack of Executive meetings will undoubtedly have a damaging impact on the legislative timetable, and I hope that that does not carry through to my forthcoming second housing Bill, which will regulate —

Mr B McCrea: Will the Member give way?

The Minister for Social Development: Apologies; I will not give way because I have only a few minutes left.

That Bill will regulate the private-rented sector. I ask the Members who proposed the motion — who belong to the party that is refusing to allow the Executive to meet — to do all in their power to ensure that that legislation does not slip. If those Members genuinely care about, and feel compassion for, people living in the private-rented sector, surely they will not allow this legislation — or any form of legislation that impacts on the social and economic conditions of the people of Northern Ireland — to slip.

I welcome a strong vote of support for the work that I have put in place to improve conditions in the private-rented sector through the development of a strategic framework to ensure that everyone in our society has access to a decent, secure and affordable home. I believe that all Members want to see that happen. I will write to Members individually if I have not answered any issues that were raised.

Ms Purvis: It is unfortunate that some Members choose to expend a lot of energy in scoring points; I urge those Members to use a similar amount of energy in trying to resolve the issues that are preventing the Executive from meeting.

I return to the debate, and I welcome the Minister's commitment to dealing with the issue. I acknowledge the hard work that she and her Department have done, and I look forward to seeing, and commenting on, the proposals when they are published.

The debate was wide-ranging and represented the views of landlords and tenants in the private-rented sector. For many of the reasons that were outlined, there is much interest in the issue. We must improve the management of properties and tenancies by landlords, so legislation is important, and the mandatory registration of landlords is crucial. Many of the core issues were discussed: the fitness of properties; the rights of tenants, which include access to deposits and security of tenure; and safeguards for landlords in relation to absconders and evictions.

However, the primary reason that the legislation is needed is to promote good practice in the private-rented sector. That sector is growing rapidly in Northern Ireland, and we must ensure that it is regulated, for the benefit of tenants and landlords.

1.30 pm

Lord Morrow: Everything that I want to say has been said already, and I agree with what the Minister has said. However, quite frankly, this motion should not have been before the House today. I say that, not because there is not a housing need or a housing crisis — there certainly is. I say it because it seems that the crisis is not yet big enough for Sinn Féin to do what any normal party would do, which is to allow things to move on.

Alban Maginness was correct when he said that tabling the motion was a classic own goal. Sinn Féin is like a rabbit caught in the headlights. In tabling the motion, that party is either not conscious of the fact that everyone sees its members as the fools that they are or it wants to ensure that its members are viewed as such. This issue could be dealt with if Sinn Féin were to allow progress to occur in Northern Ireland.

It is hypocritical — in fact it is a lot of nonsense — for Sinn Féin to ask the House to instruct the Minister to get on with things when it is that party alone that is responsible for telling her that she cannot help because it will not let her do so. Sinn Féin seems to be totally confused today. Its Members must stand up and say what they believe and believe in what they say.

Dawn Purvis has said that this is not the time for point-scoring, and she is absolutely correct. This is not the time for point-scoring: this is the time for getting things done. The blame has got to lie fairly and squarely where it belongs. Sinn Féin is holding up progress and it does not want social-sector housing to be progressed. It feels that it can play politics with people's lives and futures. It is absolutely ridiculous and disgraceful that the Executive cannot meet because Sinn Féin will not allow them to meet.

Sinn Féin is not playing ball because things are not going its way. Its view is that if things are not done its way, it will not allow the Executive to meet. What sort of an agreement did Sinn Féin think that it had signed up to — an agreement based on a Sinn Féin agenda? Of course, that was not the case.

There is a housing crisis in Northern Ireland, and thousands of people are in need of housing urgently. Landlords must be regulated, because not all of them are good landlords. The Assembly has heard today from several Members who are also landlords, and they have protested that they are good landlords, and I accept that. However, not all landlords are good landlords.

Furthermore, there is the problem of serious overcrowding in the private sector. The Minister told us something quite startling today — that private-sector letting is now as large as social-sector letting. The House and the Assembly are charged with a responsibility for addressing those issues.

For how much longer can Sinn Féin sit on its hands? How many more people are going to be in a housing crisis before that party takes action? Its stance is hurting its constituents as much as those represented by other parties. Some of the Members who proposed the motion today represent West Belfast, where, I suspect, there is housing need. There is also housing need in my own town, Dungannon, where literally hundreds of people are waiting to be housed. Those people cannot be helped unless and until the Minister

is given the authority and the opportunity to help. The Minister has been sincere today when she says that she wants to tackle this social issue.

I have been involved in social housing and private-sector housing for the past 30 years. It is appalling that the Assembly is debating a motion that does not need to be debated. This motion is a vain repetition of what happened in the House 12 months ago. Since then, we have not moved forward one inch — all because Sinn Féin wants to play politics with people's futures — *[Interruption.]*

If you want to say something get to your feet. If Sinn Féin were sincere, it would not be tabling motions such as this; it would be going to the Executive table.

Mr Deputy Speaker: Order.

Mr A Maskey: On a point of order, Mr Deputy Speaker. Councillor, and MLA, Fra McCann was — rightly — admonished for speaking across the Chamber. The Member opposite is doing likewise, but you have not addressed that.

Mr Deputy Speaker: It is strange that Members can see faults in others but fail to see faults in themselves. I was sitting in the Chair, and I saw that remarks were being made to and fro across the Chamber. It was coming close to the end of the Member's allocated five minutes, so I allowed him to continue.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Will you provide clarity to the House on a technicality? I thought that if both amendments were accepted, both would be carried. I know that you explained it to my colleague earlier, but will you clarify whether the second amendment will fall if the first amendment is successful.

Mr Deputy Speaker: That is correct, and I will remind Members of that before the Question on the amendment is put. Amendment No 2 will fall if amendment No 1 is made.

Ms Ní Chuilín: Thank you for that clarification. Sinn Féin regrets that it cannot accept both amendments, and we extend our apologies to Dawn Purvis and the PUP. We accept the sentiments of both amendments, but, judging by the way in which the debate has developed, the DUP amendment will be accepted.

Fra McCann and my colleagues had every right to move the motion, and we will not be chastised by any Member for doing so. There are stark difficulties out there, and, as the Minister said, the private sector is growing to almost the same size as the social sector — if not bigger. With that expansion, the need for mandatory regulation of the sector also increases.

Every Member who has spoken has said that there are good landlords, and that must be recognised. Constituencies such as North Belfast have many

private landlords. I know that there are many good landlords, because I work closely with them. Equally, and unfortunately, there are more landlords who are not so good. In fact, there are a few whom I have never seen in the many years that I have represented my constituency. I welcome the enforcement powers that are emerging from councils, and I will vigorously pursue some of the landlords who, for many intents and purposes, have homes on interfaces. Some landlords have allowed their houses to lie vacant; some have let their houses to families who have extreme social problems, and they are causing all sorts of difficulties. The main thrust of the situation is that mandatory regulation is required.

With regard to Fred Cobain's question about HMOs and private landlords, Fra McCann provided some figures from different councils. However, the statistics and figures relating to many stories have yet to unfold. Registration is voluntary, and it defies logic to expect any unscrupulous landlord to register themselves voluntarily.

I do not agree with the way in which David Simpson moved the DUP amendment. Fra McCann has already said that he accepts the sentiments of the amendment, because he accepts the need to introduce regulation of the sector, and all Members who spoke in the debate agreed. Dawn Purvis's amendment goes further and calls for mandatory registration.

Mr A Maskey: In the Minister for Social Development's response to the debate, she referred to HMOs and the need for registration, and so forth, of other properties. Furthermore, she acknowledged that it might be 2013 before all HMOs are registered, and that further underlines the need for the mandatory regulation and registration of landlords. Such measures will ensure the proper regulation of the sector, as all Members have said is required.

Ms Ní Chuilín: I accept Alex Maskey's comments. Although other Members touched on the issue, I did not realise that the registration of all HMOs will take until 2013; that is worrying.

Dawn Purvis — as well as other Members such as Fra McCann and Mickey Brady — talked about the impact that is left by an unscrupulous landlord. They also mentioned the impact that the allocation of a house to an antisocial family will have on tenants, families and the community in which the house is located. The effects of an absentee landlord were also mentioned.

In my experience, the consequences have always been dire. This system, as outlined by the Housing Rights Service, and sharing the database, will ensure that landlords with a licence, and residents, will have access to the register.

Fred Cobain recognised the work that had been undertaken. Around 11% of the entire housing stock is

privately owned, and 40% of the occupants live in fuel poverty. My experience in North Belfast is that the lack of regulation and registration means that rents have increased, and, in the mouth of a credit crunch, families have to choose whether to pay their rents, heat their homes or eat. Although they were not mentioned, those are the facts — it is not a myth. Those families have to pay rent to landlords on a whim. I know of three families whose housing conditions are very bad; nevertheless, their rents continue to increase. Many Members will have similar stories to tell.

I was, therefore, disappointed with Alban Maginness's contribution — or lack of contribution. However, I am not surprised, considering that he and his party — so-called "champions" and founder members of the civil rights movement — cannot see the principle of demanding a Government of equality and partnership. He too is from North Belfast, and I am disappointed that, although he knows the circumstances in which many of his constituents live, he still makes a cheap political point.

Anna Lo saw that there was a need to recognise the problems of this growing sector. She pointed out that some HMOs have so many living in them that they are becoming a health and safety problem. Furthermore, deregulation has meant that people, their rents, and their housing conditions are all vulnerable. We may have to wait until 2013 before the situation is rectified, and the main thrust of moving the motion was to bring that forward. We understand that proposals may be introduced in March 2009, but it is incumbent on us to ensure that the issue is raised, particularly since we have not seen any real development.

Jonathan Craig pointed out the lack of public- and private-sector housing, and he is correct. I pointed out that there are good and bad landlords and other Members referred to that fact. I welcome the fact that he supports the registration.

Mickey Brady was disappointed with David Simpson's contribution, as he had dealt with the issue himself. However, a scheme is needed to deal with the needs of the private-rented sector.

I welcome the fact that all Members who spoke, regardless of the points they were trying to make, have not argued against the registration.

Michelle McIlveen — another good landlord from the DUP — also welcomed registration, and that appears to be the cross-party view.

In answer to a question raised by Fra McCann in May, the Minister outlined that mandatory registration was not a panacea for the problems, and she reiterated that throughout her remarks. That was one reason that Sinn Féin proposed the motion. It may not be a panacea. However, it is incumbent on us to ensure that we do all in our power to raise the standard of living

by introducing legislation for regulation, particularly for those people in the private sector who find — even as we speak — that costs are rising.

The issue will be on the list of no-day-named motions, with no changes. That, too, is our prerogative. Whether there will be support from other Whips to have the motion selected will be a story for a different day. However, today's motion garnered the support of all of the Whips; therefore, I am disappointed to hear some point-scoring from some petty individuals in the House who cannot, for some reason, embrace the sentiments of equality and partnership in Government to which they signed up in the Programme for Government.

However, I am delighted that those Members support the motion. Sinn Féin is happy to support both amendments.

1.45 pm

Mr Deputy Speaker: Order. Before I put the Question, I again remind Members of procedure so that they are absolutely clear. If amendment No 1 is made, amendment No 2 will fall, and I will then put the Question on the motion, as amended.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the intention of the Minister for Social Development to bring forward legislation to regulate private landlords; and calls on the Minister to ensure that these regulations will tackle unfitness in the sector, whilst ensuring that unnecessary bureaucracy is avoided.

Mr A Maskey: On a point of order, Mr Deputy Speaker. I wanted to raise this issue before the vote was held, but I could not, so I will do so now. During the debate, several Members declared an interest as landlords. What is the position as regards those who voted on the motion? Other Members may have voted today but have not declared that they are landlords, good or bad, which is a subjective interpretation.

Mr Deputy Speaker: There is a requirement on those who speak in a debate to declare any relevant interest. Other Members will have declared their interests in the Register of Members' Interests.

PRIVATE MEMBERS' BUSINESS

Protection of Children and Vulnerable Adults (POCVA)

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

Mr Shannon: I beg to move

That this Assembly notes the waiting time for POCVA checks to be processed; further notes that this is adversely affecting child care centres, amongst other employers; and asks the Secretary of State to investigate the situation and ensure that applications are processed as a matter of urgency.

Aa' hae mien weel wi clarity tha dae wee Holly en Jessica wur funn. An aa' hae mien o' prayin that we wud niver wutness tha saem thing hapnen in tha Proavince. Aa' em abreest o' tha raisins that these searches an checks er in place an aa' want it tae be weel kent that aa' whael heertidly agree that ticht checks hiss' tae be keeried oot. Tha mettarr whut kinsarns me maist, is tha tiem it takks fer tae keery oot thees checks.

I remember with chilling clarity the day that little Holly and Jessica were found, and I remember praying that we would never see the same thing happen in the Province. I am well aware of the reasons for carrying out searches and checks, and I want to it to be well understood that I agree wholeheartedly that such stringent checks must be carried out. However, my issue is with the length of time that it currently takes to carry them out.

Access Northern Ireland was established on 1 April 2008, following the enablement of part V of the Police Act 1997 in Northern Ireland. Until that point, Northern Ireland was the only part of the United Kingdom not to have commenced part V, which created a legal framework for the disclosure of information relating to an individual and their suitability for employment for a range of purposes.

Three levels of disclosure certificate are available: basic, standard, and enhanced. Each certificate contains different levels of information and checks. The legislation created a statutory code for the police to disclose criminal record information and provide relevant non-conviction data relating to an individual's prospective employment or voluntary work with children or vulnerable adults.

An enhanced disclosure certificate is used for positions involving children and vulnerable adults, and it also involves checks on disqualification lists, such as

those held by the Department of Health, Social Services and Public Safety under the Protection of Children and Vulnerable Adults Order (Northern Ireland) 2003 and, in the education field, under the Education and Libraries (Northern Ireland) Order 1986. Where an individual has a previous GB address, checks are made against UK police forces' criminal record information and disqualification lists held in Scotland, such as the list held under the Protection of Children (Scotland) Act 2003.

Shortly after the commencement of the legislation, it became clear to all elected representatives that there were serious delays in the production of enhanced disclosures. I am not condemning those who created the new system. Many factors — such as time of year, business processes, and growing awareness and use of vetting checks — combined to play a part in causing delays.

However, the process must be quickened. Indeed, Paul Goggins, the Minister of State for Northern Ireland, accepted that in a press release that he issued following the agency's failure to meet published performance standards of the production of 90% of enhanced disclosure certificates within four weeks. We are all aware that it can take between 10 and 12 weeks for checks to take place. Such huge waiting times cause practical difficulties. Paul Goggins also stated on 30 October 2007, in response to a question for written answer from my colleague Sammy Wilson, that 6,095 vetting checks were being processed and that 16,145 checks were made in September 2007. Demand is great, and the need for the process to be speeded up is equally great.

Say, for example, that a nursery school in my area advertises for new staff at the beginning of June. The nursery subsequently hires a girl and tells her that she can begin work as soon as the check to be carried out on her is complete. However, a month, then five weeks, passes and still nothing has arrived. The girl begins to think that if she is not going to be able to work at the nursery school, she may have to look for another job, because not many people can afford not to work for a month. Six weeks pass and the prospective employee has to seek alternative employment. The nursery school must then begin the entire recruitment process again. In the time that has elapsed, the school has to turn children away because they do not have enough staff. It is a double whammy — the school has lost money and parents have lost the option of placing their child in the day-care facility.

I declare an interest as a Member of Ards Borough Council. Ards Borough Council had to cancel summer schemes. The council advertised for staff in May and put the applications that it received through the POCVA vetting process. However, the checks were only being cleared in August. That was too late for the

summer scheme, because the summer was over. The council's investment and the young people's enjoyment had been lost. That situation is mirrored in playgroups and nursery groups throughout the Ards Borough Council area.

The constant delays have a domino effect. We often encourage mothers to get back into work, and, indeed, the perks of part-time positions can be considerable. However, how can we expect mothers to work if they have nowhere to place their child? Throughout the summer, staff at day-care centres relayed their anxieties to me about not being able to accommodate children because of huge delays in the staff-vetting process. At one stage, five childcare providers in my constituency — who look after a total of more than 150 children — were awaiting a response from Access Northern Ireland. The system took far too long and failed to deliver. Some people must wait 10 to 12 weeks for clearance. An increasingly large number of checks has to be processed every year: more than 130,000 checks had to be performed in 2005; more than 150,000 in 2006; and more than 180,000 in 2007.

The delays are unacceptable and adversely affect businesses throughout the province. It is not only the realm of childcare that has been affected. The Department of Education and the Department of Health, Social Services and Public Safety had to establish an emergency, temporary procedure to comply with the POCVA requirements. Legislation for nursing homes was amended, yielding the Establishments and Agencies (Fitness of Workers) Regulations (Northern Ireland) 2008. Those regulations permit employment in areas that were already covered by legislation, pending receipt of an enhanced disclosure certificate from Access Northern Ireland and subject to a range of safeguards being adhered to, including appropriate supervision of a new worker for the period that an enhanced disclosure is outstanding. The emergency legislation and temporary relaxation of requirements was necessary to facilitate vital establishments' recruitment of adequate staff numbers. The delays have put residential homes, nursing homes and children's homes at risk. The Ministers concerned did well to enact legislation to ensure continuity while people awaited checks to be carried out on them.

However, those small-business owners did not have the knowledge or the ability that were required in order to put in place measures that would ensure the survival of their businesses.

After the Soham murders, Government passed the Safeguarding Vulnerable Groups Act 2006 and, in Northern Ireland, the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007. That legislation is designed to deal with some of the deficiencies that were identified by the Bichard Inquiry. The legislation is particularly designed to address the system of

vetting checks in order to ensure that a range of bodies share relevant information.

The 2006 Act established a new Independent Safeguarding Authority (ISA) for England, Wales and Northern Ireland, which administrates new automatic barring arrangements on people who have certain convictions for harming children or vulnerable adults. The ISA also has discretionary barring powers in relation to individuals who have engaged in certain behaviour or pose a risk to children and vulnerable adults.

The new arrangements are novel, in that they introduce a continuous monitoring element for those who are admitted to the scheme. The 2006 Act and 2007 Order introduce a range of requirements for posts in which individuals must be a member of the vetting and the barring scheme. Individuals may use membership of the new scheme for other posts. Therefore, it is much more portable and, ultimately, efficient, than the present check.

Parents who make private family arrangements and who wish to check on an individual's barred status may do so. That provides an extra safeguard in an area that falls outside the existing legislation. The ISA will also maintain the two Northern Ireland lists of barred people — the children and vulnerable adults lists.

We must ensure that the present delays are not repeated when the new scheme commences in October 2009, at which time all applications to the vetting and barring scheme will be handled. For example, while non-child-related care organisations in the community and voluntary sector may at present obtain a vetting check, it is vitally important that problems faced by Access Northern Ireland are resolved by the Northern Ireland Office before the implementation of the scheme in October 2009. At that point, and for the following five years, a substantial increase in applications is likely to create worse problems.

In conclusion, the checks must be thorough and all-encompassing in order to ensure the safety of all vulnerable children and adults. However, the system in place on the mainland is a better one and one that the Secretary of State must ensure is introduced and is running smoothly in the Province by this time next year.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I welcome the debate and I commend the proposer of the motion for securing it. I will not go back over a lot of the issues and the key facts that he has covered. However, the protection of children and vulnerable adults is an issue that the Assembly must take seriously, and has taken seriously over recent years. Supporting this motion in no way dilutes the Assembly's commitment or record on promoting the protection of children and vulnerable adults. I am conscious that people who follow this debate may

consider that a backward rather than a forward step is being taken. That is not what is intended.

I agree with Jim Shannon that the issue of the proper protection of children and vulnerable adults is at stake. I share the concern about AccessNI; I wrote to NIO Minister Paul Goggins around 10 days ago requesting a meeting. I sit on two Committees at which our own Ministers have dealt with some of the issues that relate to the backlog of 20,000 applications awaiting AccessNI clearance. With that in mind, my colleague Michelle O'Neill and I have asked Paul Goggins for reassurance that there will be no return to the bad old days.

As Jim Shannon said, AccessNI was established in April and created a legal framework for disclosure among all relevant Departments about individuals and their suitability for employment. However, it became clear that there were serious delays, and a review of AccessNI was ordered.

Mr Deputy Speaker, I ask you to send a record of this debate to the NIO Minister. He said that the review would be completed by September, and it is now the first two weeks of October. I am sorry if I caught you off guard there, Mr Deputy Speaker.

2.00 pm

A copy of today's Hansard report should be sent to Paul Goggins, and we should ask him for a copy of the review that he said would be completed in September, because that delay has meant several things. First, it has meant that people applying for jobs have had to wait for months for their security checks to be processed. Secondly, it has meant that groups are going to the wall because they do not have the suitable people in post, and, thirdly, it has meant that some groups have had to operate at a reduced capacity.

As Jim Shannon rightly pointed out, people applying for jobs wait for so long that they start to face financial difficulties — everyone has bills to pay — and they have to find employment elsewhere. That creates a shortfall, as the best person for the job has moved on because they cannot afford to wait any longer. As a result, the vulnerable adults and children whom we talk about protecting are losing out a second time round. Therefore, we need to address the matter.

I wish to take the opportunity to commend our Ministers. It is important that we do that, because some Departments are directly affected by the waiting time for checks to be processed. In order to deal with the mess, the Departments have decided to introduce emergency legislation to begin to deal with the 20,000 people on the waiting list. I do not want to politicise the issue, but if policing and justice were devolved, we would have access to our own local, accountable Minister. We could meet that Minister in the corridor and tell him or her about the mess and the need to sort it out.

I commend our Ministers, but they are merely introducing temporary legislation; it is only for the interim period, which means that applicants will still have to wait for the enhanced disclosure certificate.

Mr McLaughlin: I join my colleague in supporting and congratulating Ministers on their efforts to address the issue, but does she agree that a consistent approach across all the Departments is required? For example, the Department of Education does not require applicants who have been through the vetting process, been accredited and been in continuous employment to reapply if they wish to change posts. That simple measure would make a significant contribution to reducing the mammoth backlog.

Ms S Ramsey: As the proposer of the motion highlighted, the change in arrangements came about as a result of the brutal murders in Soham. It is striking that one organisation held relevant information that could have stopped the murderer from getting a job, but none of the organisations talked to each other. I agree with the Member — if people go through a POCVA check, that information must be spread to other organisations to stop the backlog.

When we talk about 20,000 people, we are talking about community and voluntary groups, individuals, schools and councils. All their projects have been put on the back-burner because of the backlog. The NIO must spell out to us how it plans to resolve the problem. Paul Goggins gave a commitment to the Committee for Employment and Learning and to the Health Committee that the matter would be sorted out by the end of the year. Did he mean the end of this year, the end of the calendar year, or the end of the financial year? We need to ask those questions.

As Jim Shannon said, unless the matter is sorted out now, the new legislation that is due to come into operation in October 2009 will make matters worse. I wholeheartedly support the motion, but the NIO must answer a lot of questions, so I would appreciate the Assembly sending a copy of today's Hansard report to Paul Goggins. Go raibh maith agat, a LeasCheann Comhairle.

Mr Kennedy: I broadly support the motion. The Ulster Unionist Party welcomed the introduction of the Protection of Children and Vulnerable Adults Order in 2003. It is of paramount importance that we do everything possible to protect our children and vulnerable adults from potential predatory individuals or groups in our society. Therefore, the registration measures and the checks that are undertaken under the regulations are undeniably necessary. However, there appears to be a contradiction in introducing legislation while not providing the level of services and support needed to implement it without a detrimental effect on those whom we are trying to protect. Under the current

operation of the legislation, children in care centres and people who benefit from certain community and voluntary groups are suffering due to an inability to register and, therefore, employ or utilise the necessary people.

We cannot, and should not, tolerate such a situation.

Voluntary and community groups are experiencing long delays in receiving information from AccessNI. We are all aware of the resulting significant staffing problems for groups that are carrying out vital work with children and vulnerable adults. AccessNI has been unable to cope with the level of applications that has risen sharply in recent years. It has been reported that after only six weeks after submission, groups are still waiting for their applications to appear on the AccessNI system, with no further information available about the length of time that it will take to process those applications.

I recognise that Minister of State Goggins has taken steps to ease the situation in the short term for certain groups. However, that is not a long-term solution, and it cannot help organisations providing services such as personal care, one-to-one counselling or services in clients' homes. As we try to tackle child poverty, as we increasingly recognise the importance and the benefits of early interventions on educational and social outcomes, and as we try to address mental-health problems, it is unacceptable that AccessNI continues to fail. Mr Goggins, the Minister of State with responsibility for criminal justice, has, at least, recognised the problem, but he should be under no illusion that the steps he has taken in an attempt to get back on track have so far been inadequate and appear not to be working.

Further to the current problems, the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 will come into effect in October 2009 and will introduce new safeguarding arrangements across the United Kingdom. AccessNI remains the gateway to the new system for employees to be registered with the new independent safeguarding authority. Therefore, it is crucial that we remove the current problems well in advance of the introduction of the new legislation.

The Ulster Unionist Party pledges its complete support for the new regulations. However, we must have an agency that has the capacity to thoroughly and efficiently process the applications that it receives. That means that it must have adequate resources and systems in place to achieve that outcome. I urge the Secretary of State to investigate the situation and ensure that applications are processed as a matter of urgency. I support the motion.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Tréaslaím leis na Comhaltaí a thug an rún os comhair an Tí inniu. I thank the Members who

tabled the motion. We must all be careful to state from the outset that our principal concern must be the protection of children and vulnerable adults. We must be careful that nothing that we say, propose or suggest today in any way endangers children or vulnerable adults. Other Members have mentioned that, and I appreciate it.

Having said that, we must have an effective and efficient system that ensures the protection of children and vulnerable adults, and which does not reproduce the long delays caused by the previous system — delays that have been inherited by Access Northern Ireland, and which are, as we have heard, causing major difficulties for childcare facilities.

I have been working with several organisations, including Irish-medium preschool groups, which are awaiting clearance for staff members.

In one case, if clearance is not received for a new nursery assistant, a number of children will have to be turned away. It is somewhat ironic that a system that should be working to protect children is actually denying them places in educational and childcare facilities. There is something not quite right about a system that produces that type of result.

The POCVA checks are not the only measures in the system to protect children and young people, as has been pointed out in the letter of easement that was sent by the Department of Education and the Department of Health. I welcome the easement that has been offered by those Departments. That will, no doubt, help the situation but, in the meantime, there is still a need to clear the current backlog as quickly as possible, to ensure the required effectiveness and efficiency of the system to protect children and vulnerable adults, and also to ensure that educational, health, childcare and community facilities can continue to operate without disruption, and without the exclusion of some of those they exist to serve. It is possible to establish a system that does both, that carries out the necessary checks, and does so within a sensible time frame.

We have been told that the backlog faced by Access Northern Ireland will be cleared by Christmas — it will have to be. The patience of employees and employers is wearing thin, and that is not surprising. I have spoken mostly of difficulties concerning education, but there are obvious implications for nursing and care homes, where understaffing is becoming a problem due to the lack of clearance through the system. The impact of that situation could have very serious implications for healthcare, if not dealt with post-haste.

Access Northern Ireland must ensure that its systems work to full capacity to clear the backlog in the shortest possible time. We have been told that it will be cleared by Christmas. I sincerely hope that, when Christmas arrives, Access Northern Ireland will

not tell us that the deadline has slipped to Easter. We need an efficient and effective service, without the unacceptable delays that are occurring at present. If those delays are not dealt with, they will continue into the phase of the new legislation, and that will mean continued difficulties, even under new circumstances.

Gabhaim buíochas, mar a dúirt mé, leis na Comhaltaí a mhol an rún seo. Tá mé féin agus mo pháirtí ar son an rúin, agus tá súil agam go mbeidh fuascailt ann don fhadhb seo gan mórán moille agus go mbeidh sé ar chumas na n-eagraíochtaí atá thíos leis an mhoill seo oibrithe a fháil gan a thuilleadh moille. A LeasCheann Comhairle, aontaím leis an rún agus gabhaim buíochas leat. Go raibh míle maith agat.

Mrs Long: I thank Jim Shannon and his colleagues for proposing the motion. We are all agreed that appropriate protections must be in place for children and vulnerable adults. Those measures must be effective and robust, but they must also be efficiently administered, and adequate capacity and resources must be committed in order to make that happen. Otherwise, children and vulnerable adults will be deprived of services that they desperately need. That has been the failure of the current system to date.

The NIO issued a statement in the last week or so, as I am sure Members are aware, outlining the action that it has been taking to try to tackle the backlog, and to deal with issues in respect of employment, and so on, in the interim, along with the Department of Health, Social Services and Public Safety.

When I met the Minister a few weeks ago and raised the issue with him, he said that the clearance process was currently taking around 10 weeks from start to finish. That contrasts with what was expected: that 90% of applications for a basic check would be completed in two weeks; 90% of applications for a standard check would be completed in three weeks; and that 90% of applications for an enhanced check would be completed within four weeks.

Nineteen extra staff have been employed to try to bring the processing time back down to four weeks by December. That demonstrates how far the NIO had underestimated the volume of work that AccessNI would receive. That is cautionary tale for when the regulations are implemented towards the end of 2009. There should be further assessment of the resources that are required so that the process functions properly.

2.15 pm

Undoubtedly, the teething problems experienced by AccessNI contributed to the backlog. However, there is anecdotal evidence that, in the past 18 months, the processing time for applications had been gradually increasing and that, before AccessNI was established, it was about six weeks. There are no statistics to support that assertion, but that is the feedback that I

have received. Therefore, there is an underlying difficulty that must be addressed.

All youth leaders, volunteers, teachers and other people who work with children must undergo checks. Those people must undergo a separate check for each organisation in which they work, which has contributed significantly to the amount of applications — often, multiple applications are being processed for one person. I raised the issue of joined-up thinking in the arrangements with AccessNI, because, if someone has already been cleared to work with young people in one organisation and wants to work with young people in another organisation, they have to reapply. In its response, AccessNI said that the checks were valid only at the point at which the certificate was issued, which raises questions about continuity in the system and how information that arises after someone has been checked is fed back to the organisation for which that person works.

Members have correctly focused on those involved in childcare centres and in other paid employment with children and vulnerable adults, because the waiting time has a direct implication on their earning capacity. Many people in the voluntary sector who, like me, volunteer in organisations such as the Guides, Scouts and many others have been affected. Churches that provide valuable diversionary activities for young people have also been affected by the delays in the processing of applications. There is a timing issue, because the problems with AccessNI coincided with summer activities, such as the local council summer schemes that Jim Shannon mentioned. However, the backlog has stretched into the autumn session of many of the voluntary youth organisations, and it is affecting them.

Mr B McCrea: As the Member is broadening the scope, she may be interested to learn that a body as august as the PSNI had difficulty getting an entire cohort of trainee officers through the checks. That highlights how widespread the problem is. Will the Member agree that it is important for people to realise what the checks consist of? At a basic level, the checks are no more than people saying that they are who they say they are. We must get the process right and invest the appropriate resources.

Mrs Long: I thank the Member for his intervention. As I am being allowed to speak beyond my five minutes, I assume that I have been given extra time to respond. I agree entirely with the Member: there must be clarity. However, the AccessNI website does not offer that clarity; it is very unclear on what a basic check entails. Most organisations that undertake basic checks think that, at the very least, there has been a check against an individual's police records, but that is not the case. That raises serious questions about the robustness of the system in the minds of those who use it to try to protect young people. I hope that the

legislation addresses those questions. AccessNI could help the situation by providing more detailed information on certain issues.

There is a serious issue about allowing people —

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

Mrs Long: The vast majority of those who work with young people and vulnerable adults do so for the right reasons. It is important that the checks are robust so that those who might abuse their position are not allowed to do so.

Mr G Robinson: The delays in completing the appropriate background checks, and the temporary measures to reduce those delays, could expose the most vulnerable people in society to an unnecessary risk. That is a concern for my party and me.

Continuity of care can be guaranteed only by ensuring that there is a readily available pool of suitably qualified employees to fill those vacancies.

I know of care homes and childcare facilities that are unable to maximise their operating capacity due to a lack of staff, partly as a result of the lengthy wait for confirmation of an applicant's suitability to work in such an environment. I have been told that many people who applied for work in those sectors found employment elsewhere before the required checks were completed and clearance to work given, thereby creating an additional recruitment problem. The only way to rectify that situation is to have a process that is quick, accurate and ensures ease of recruitment for employers.

These delays have an adverse impact on prospective employees and employers. It is totally unacceptable for those such as teachers, classroom assistants, taxi drivers and bus drivers seeking jobs in childcare provision, nursing homes and residential homes to be held back from employment due to delays in background checks. Those areas of employment need staff, and need them quickly. There are advertisements for jobs in some of those sectors every week in the local press. I appreciate that the necessary approval will take longer for people who are applying for work but are not UK-born. However, a means must be found in order to speed up that process, too.

The delays that people are experiencing are denying the sectors that look after the most vulnerable in society the care and security that they need.

Mr B McCrea: With regard to the Member's point about people from outside the UK: is he aware that it is almost impossible to file checks, that there is no way of doing so legally, and, given that we have a land border, that that is a significant loophole in the system?

Mr G Robinson: I agree entirely with the Member.

Delays in checks are hampering employers and, it seems, are making people apply for employment outside the sector.

The Secretary of State may well not wish to examine the current ridiculous and deplorable situation. If he does not, however, that is a reflection on his commitment, rather than this Assembly's, to changing the system for the better. I urge the Secretary of State to hold an urgent inquiry into the problems that are being experienced, and to ensure that recommendations presented as a result of such an inquiry are treated as a priority for implementation.

I support the motion, and commend Mr Shannon for bringing it to the House.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I welcome the motion. The main issues and problems that surround POCVA have been dealt with by Jim Shannon, Sue Ramsey and other Members. There is absolutely no doubt that people who work with children and vulnerable adults need to be properly vetted. That is essential. However, it is the logistics of carrying that out, and particularly the time taken, that is causing a huge problem. The problem is ongoing, affecting potential employers and employees.

Naomi Long spoke about anecdotal evidence. In 2007, I dealt with a case concerning a local crèche where, because of the delays involved in workers being vetted, the employer was on the verge of having to close down, thereby losing the employer's livelihood and several much-needed jobs.

It was hoped that the advent of Access Northern Ireland would go some way to solving the problem. Unfortunately, that has not happened. Immediate priority must be given to the whole area of POCVA; there must not be a half-hearted attempt to try to resolve the problem. A figure of 20,000-plus delays was mentioned, and that that would be sorted out by Christmas. With the best will in the world, however, that is unlikely to happen.

A point that was raised, and which needs to be reinforced, is that a POCVA check does not carry-over from one employer to the next, even if the period is just a few weeks.

Recently, I dealt with a case in which someone had received a POCVA certificate from the Southern Education and Library Board. Two weeks later, that person got a job in a playschool. Social services insisted that the individual go through the entire process again. In that case, the employer was placed under severe pressure because of staff shortages. That situation has continued.

I live in a border constituency. Obviously, workers in the area travel back and forth a lot. Perhaps an all-island approach to POCVA checks should be taken. People

move from social-services jobs in the North to similar jobs in the South, and vice versa. As so many different types of jobs are involved, the entire area of POCVA checks has become complicated. A simple solution is for a centralised body to deal with those checks.

I support the motion. Go raibh maith agat.

Mr Deputy Speaker: As Question Time begins 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 Mrs Iris Robinson.

The debate stood suspended.

2.30 pm

(Mr Speaker in the Chair)

Oral Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Economic Downturn/Credit Crunch

1. **Mr McCallister** asked the Office of the First Minister and deputy First Minister if it has met with the Minister for Finance and Personnel to discuss the implications for the economy of the economic downturn and the credit crunch. (AQO 579/09)

The First Minister (Mr P Robinson): Unfortunately, it is apparent that the economic downturn and the credit crunch are not fleeting events; their effects are likely to endure, and the crisis may deepen even further. We continue to experience falling property prices coupled with high inflation, food and fuel prices.

That challenge can only be managed effectively at Executive level. I have discussed the implications of the economic downturn with the Minister of Finance and Personnel on several occasions. On 18 September, I met ministerial colleagues, including Minister Dodds, to discuss those issues.

Additionally, the deputy First Minister and I have met local interest groups to listen to their concerns and gather their ideas for mitigating measures that we might put in place to offset the worst effects of the economic downturn. In preparation for those, we have drawn on advice and information across ministerial portfolios.

The deputy First Minister and I intend that addressing cost-of-living pressures should become a key item of Executive business, to ensure that we collectively address the problem across the full width of Government.

Mr McCallister: Have the First Minister and the Executive identified which programmes at the bottom of the Executive's priorities will be sacrificed first if the Government's peak income targets are not realised because of the economic downturn and the credit crunch?

The First Minister: Capital budgets and current expenditure must be considered. There could be an impact on the capital expenditure if, for instance, land and property sales were to provide less income than previously expected.

Significant increases in revenue costs can also have implications. Each Minister and Department will have to manage those issues. During the course of the monitoring rounds, they will acquaint the Finance Minister with the pressures that they are under, and he will attempt — by using underspend — to meet the pressures in the system.

Mr Gallagher: Has the First Minister raised concerns with Department of Finance and Personnel about the successful legal challenge to the Central Procurement Directorate over the way in which public contracts are awarded to private-sector contractors —

Mr Speaker: Order. I remind the House that supplementary questions must relate to the original question. The Member is straying beyond the remit of the original question. By all means, he should ask his supplementary question, but try to relate it to the original question.

The First Minister: I caught the gist of the Member's supplementary question.

I have not spoken to the Finance Minister about the issue, but I have spoken to the chief executive of the Strategic Investment Board (SIB) about it. The Member will be aware that two legal challenges have been made, concerning systems and procedures in procurement policy. We are considering whether it is appropriate to appeal those decisions: that is being done within the Finance Department. The other option is to move to more conventional means of procurement.

Mr Ford: I appreciate what the First Minister has just said, but it seems to me that there are two issues. First, what discussions has his Office, or any part of the Executive, had with the banks with regard to support for the business sector — especially small and medium-sized enterprises (SMEs) — given the difficulty that we currently have in attracting external investment? Secondly, given what he is saying about procurement and the complete shortage of private finance, how does he propose to go about conventional means of procurement in the current economic climate?

The First Minister: First, the deputy First Minister and I have had a meeting, not just with the banks, but with the other lending institutions in Northern Ireland. There was a readiness and a willingness on their part to lend money, and they indicated to us that they had money to lend. In present circumstances it is obvious that they may be more careful about their requirements before they lend money.

The big issue is the building of confidence because, until last night at least, the banks were not lending money even to each other. That must be freed up, and steps have been taken internationally. It is a global problem, and the role that we have is only on the edges, particularly with the banks and lending institutions. We have done everything that we can to

encourage them to get the system moving and to ensure that money flows within Northern Ireland.

Secondly, regarding the Member's question on procurement policy, the Executive have identified in their 10-year investment strategy for Northern Ireland, an average of £2 billion per year of capital spend in the public sector. That funding came directly from HM Treasury. In the present economic climate, therefore, that should remain unaffected. It becomes important that we roll out, perhaps in an accelerated fashion, the public spend that we are planning. Using conventional means might just be a method of bringing that out more expeditiously.

Economic Difficulties

2. **Mr Hamilton** asked the Office of the First Minister and deputy First Minister what steps the Executive is taking to deal with the present economic difficulties. (AQO 570/09)

The First Minister: Even now, it is unlikely that we have seen the full scale of the current economic crisis. The intensity of the storm and the damage that it brings in its wake appears to travel between markets. The main focus of attention has recently shifted back to the banking sector. The remedial action that was announced last week by Governments and central banks across the world is to be welcomed.

Locally, Executive Ministers have been working to mitigate the worst effects of the economic slowdown on our business sector, local people and especially on those members of society who are in greatest need. The welfare of the people of Northern Ireland is our primary concern. In that respect, we have already acted, and we intend to do more. Members will know that this year's regional rate increase for domestic property has been frozen, and that will be maintained for the next two years. As a result of the decisions that the Executive have taken on the regional rate and water charges, the average household will be almost £1,000 better off over this year and the next two years. Executive Ministers have also flagged our intention to look again at the options for a further deferment of the introduction of water charges.

The Minister for Regional Development has announced the extension of the free bus pass scheme. Since 2007, some 240,000 people aged 65 or over have been taking advantage of free bus and rail services. From 1 October, a further 90,000 individuals aged 60 to 64 will be entitled to free travel in Northern Ireland.

The Department of Health, Social Services and Public Safety has brought forward proposals to cut the cost of a prescription in Northern Ireland to £3 in January 2009, and for prescriptions to be free of charge by April 2010.

The Department for Social Development has also initiated schemes to promote affordable homes.

The Department of Enterprise, Trade and Investment (DETI) will continue the provision of its successful face-to-face debt advice service to citizens for the next three years. On 25 September, DETI also announced a package worth £5 million to help Invest Northern Ireland's clients to weather the economic slowdown.

Furthermore, the Department of Agriculture and Rural Development and the Department for Social Development have announced an increase of £400,000 to the warm homes scheme budget to fund energy-efficiency improvements for rural homes. We have also indicated our intention to address the proposals put forward by the fuel poverty task force and the equal pay issue inherited from the previous Administrations. The latter alone would represent almost 1% of our whole GDP, or the equivalent of around 2,000 jobs in our economy.

The deputy First Minister and I intend to meet the Strategic Investment Board to review the planned roll-out of our capital programme and to assess the opportunities for supporting the local construction industry. It is widely acknowledged that, used intelligently, our public expenditure plans can provide some resilience to the local economy. Members can be assured that the Executive will do all in their power to protect the interests of people in Northern Ireland.

Mr Hamilton: I thank the First Minister for his comprehensive answer. He is well aware that the construction industry — one of the crucial sectors of the economy — is under particular pressure, with estimates of thousands of job losses by Christmas, and evidence already of job losses at the raw-materials end of the sector. The First Minister has already mentioned this matter in a previous answer, but can he outline exactly how those major public infrastructure projects can be rolled out and accelerated as quickly as possible to give a boost to that important sector?

The First Minister: The Member is right. During the latter part of last week, I received an email that indicated that around 25% of jobs in the aggregates sector had already been lost, with the fear that more job losses were to come before the end of the year. If that part of the construction industry is being so affected, one cannot help but conclude that the same impact will be felt elsewhere.

Representatives from the construction industry met the deputy First Minister and myself some weeks ago, and we considered a series of possibilities, one of which was the acceleration of the capital-spend programme that I referred to in my answer to Mr Ford. It is worth pointing out that that programme is more substantial than has ever been the case in Northern Ireland's

history, and it is a programme that could go a long way to making the difference.

The construction industry was keen to be provided with a long-term vision of what measures will come on stream so that it can be involved in the planning process. We have been in touch with the Scottish and Welsh Executives and, by and large, the steps that they are examining are in line with the decisions that we have taken in various Departments: reshaping our capital spending; adjusting the planning and regulatory environment to help individuals and businesses; targeting support at the most vulnerable individuals and businesses; and alleviating the effects of rising energy prices and promoting energy efficiency.

Those are the four key drivers on which the Executive can have an impact. We can have very little impact on the wider global economy and the issues that flow from that, but I have outlined the issues affecting Northern Ireland in respect of which a local hand can make a difference.

Mrs Long: The First Minister raised the issue of what the Executive were doing to alleviate the effects of the present economic difficulties on the most vulnerable people in the community. Can he offer us an estimation of when the anti-poverty strategy will be adopted by the Executive, so that a long-term view can be taken on all of those matters?

The First Minister: I am sure that the Executive will want to look at that matter very closely during their meeting on Thursday.

Some Members: Hear, hear.

The First Minister: I hope that that meeting takes place. It is, in my view, essential that we get down to business, and that business gets done. I was before the Committee for the Office of the First Minister and deputy First Minister, and those matters were referred to. There is no foot dragging, either on the part of the deputy First Minister or myself, in respect of that strategy. My ministerial colleagues will want to give their approval to the strategy, and I look forward to that happening.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I welcome the emphasis placed by the Office of the First Minister and deputy First Minister (OFMDFM) on bringing forward capital-spend projects to help the construction industry. Given the current global economic crisis, has the First Minister met the Taoiseach, the British Prime Minister, or other leaders within the European Union, to make suggestions and to bring forward proposals? If so, what has been the substance of those meetings?

The First Minister: The deputy First Minister and I met the Prime Minister of the United Kingdom, and we talked about a series of financial matters. Later this

week, I intend to meet the Prime Minister of the Irish Republic, and I look forward to that engagement.

2.45 pm

Utility Regulator

3. **Mr B McCrea** asked the Office of the First Minister and deputy First Minister for its assessment of its recent meeting with the Utility Regulator.

(AQO 581/09)

The First Minister: It is clear that the credit crunch, coupled with an increased global demand for oil, has had a profound effect on the price of electricity and gas. The responsibility for energy policy lies primarily with the Department of Enterprise, Trade and Investment. However, in one of a series of meetings on the cost of living, on 24 September 2008, the deputy First Minister and I met the Utility Regulator followed by representatives of Northern Ireland's energy sector. A range of issues concerning the local energy market was discussed, and the deputy First Minister and I gained further understanding of how the energy sector operates. The Utility Regulator agreed to send us some further ideas to explore, about how to mitigate the hardship caused by increasing energy prices. The potential for renewable energy to play a bigger role in the future supply chain was also discussed. It was a constructive meeting about a complex issue.

In separate meetings with local energy companies, it was clear that they are conscious of the price differential that has opened up between Northern Ireland and Great Britain. They too agreed to consider, and submit ideas on, what steps the Assembly could take to ease the burden of high energy prices.

Mr B McCrea: I am pleased that the Utility Regulator has decided to submit some ideas.

Will the First Minister agree that energy policy is integral to any future economic policy? The price of energy is important; it is the bottom line for many people, and it is at the heart of competitiveness. Will he accept, therefore, that it is OFMDFM's role to develop a strategic energy policy? If so, does he have such a policy, and what is it?

The First Minister: Had the Member been in the House during the previous mandate of the Assembly, he would know that energy policy was originally in the remit of the Department for Regional Department for which I was the Minister. His leader strongly argued that the policy should be transferred to the Department of Enterprise, Trade and Investment. He is, therefore, at odds with his leader. *[Interruption.]*

Mr Speaker: Order, Members.

Mr McLaughlin: I remind the First Minister of the letter that he received at the start of September from

the deputy First Minister. One of several proposals to deal with fuel poverty included in that letter was the possibility of repatriating the VAT windfalls that accrue to the British Treasury. Will the First Minister confirm that he raised that possibility at his recent meeting with Gordon Brown?

The First Minister: My recollection is that the deputy First Minister raised several such issues during the meeting with the Prime Minister of the United Kingdom. The Assembly must consider providing an overall package to assist the people of Northern Ireland. There is no simple switch to flick that will suddenly make the situation better. The crisis will remain with us for some considerable time and, therefore, a co-ordinated, long-term approach is required.

I do not object to asking people for assistance, but that is not enough. The Assembly has power over mechanisms that can be used to alleviate some of the difficulties that people are experiencing, and should not, therefore, rely solely on others.

Dr McDonnell: Will the First Minister agree that people are becoming increasingly bewildered by how rising oil prices pushed up electricity prices but falling oil prices have no effect on bringing them down? In that context, will he accept that the commissioned review of the process of setting electricity tariffs will have little or no effect on price? The review will assess how the tariffs were set rather than change the price of electricity.

The First Minister: People are right to wonder about that conundrum. However, a further conundrum is that Northern Ireland has gas-fired, not oil-fired, power stations. Therefore, the price of oil should not be the key factor. It is important that the Utility Regulator and the Assembly deal with several issues. The review was set up as a result of a request from the deputy First Minister to the Utility Regulator, who, in turn, has appointed Douglas McIldoon to carry it out. It is important to use his experience and cross-check the fairness of current prices.

Ms Purvis: The House recognises the need for an overall package to tackle the issues. Electricity and gas produced profits of over £14 million for the gas company and over £81 million for the electricity company. Given that, what discussion took place during the Minister's meeting with the Utility Regulator about reducing those companies' profit margins?

The First Minister: The deputy First Minister and I raised that point — as did some of our advisers — with the Utility Regulator, which argued — and do not pin it on me — that the profits are required in order to fund further research and further capital investment in the industry. Therefore, that profit level is considered necessary. It will be interesting to discover whether Douglas McIldoon agrees with that assertion.

Maze Site

4. **Mr Molloy** asked the Office of the First Minister and deputy First Minister to provide an update on the development of the Maze site. (AQO 638/09)

The First Minister: The proposed Maze/Long Kesh development is the largest and most complex project to be considered in recent years. Everyone has a major interest in ensuring that the lands at Maze/Long Kesh are used to benefit the entire community.

The extensive programme to demolish buildings and structures is almost complete. A first phase of substantial remediation work, which will remove contamination — such as diesel oil spillages — at part of the site, is almost complete, and we hope to embark on a second phase shortly. The demolition and remediation work is essential in order to prepare the site for any kind of development. The deputy First Minister and I are considering proposals for the development of the former prison based on the 2006 master plan, and we will report to the Executive when we reach a conclusion.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. Given that the Long Kesh/Maze development should be under construction by now, does the First Minister agree that the delay has cost construction jobs, cost us the opportunity to stage major events in the 2012 Olympics, and endangered our involvement in the World Police and Fire Games?

The First Minister: That is all very well, but the accounting officers in OFMDFM and the Department of Culture, Arts and Leisure (DCAL) indicated that they could not sign the project off with a clean bill of health in terms of value for money. They agreed that the Executive would have to consider extraneous, non-financial issues in order to justify the project. Some blame should be placed on direct rule Ministers, who took the process out of sync and approached bidders before the completion of the business-case process.

However, OFMDFM is determined to resolve the Maze/Long Kesh site difficulties. I do not accept that jobs have been lost. Any building on the site must be constructed and developed in the interest of the surrounding area and Northern Ireland as a whole. First-class development of the site is important, and its various components are being considered. Moreover, construction jobs will be created in the building of a stadium or stadia, whether on that site or elsewhere. Furthermore, the operation of that stadium or stadia will create more jobs. Jobs are not lost, but a decision must be taken on the issue. Therefore, I hope that progress will be made.

Mr Ross: Does the First Minister agree that the best way for the Executive to take decisions on the development of the Maze site or other sites, or any loss

or creation of jobs, is for Ministers to meet around the Executive table?

The First Minister: That is by far the best way. Needless to say, there is a requirement on OFMDFM, because it has ministerial responsibility for the site. There is a ministerial responsibility on the Minister of Culture, Arts and Leisure to introduce proposals that meet the value-for-money and affordability requirements that the Department of Finance and Personnel set.

The process requires work to be done outside the Executive, but by far the best way in which to resolve any differences is to meet around the Executive table with ministerial colleagues.

Mr Burns: Will the Minister reveal what viable options are under consideration to build a stadium somewhere other than the former Maze Prison site, considering that jobs are needed for people in a construction industry that is at an all-time low?

The First Minister: I would be straying outside my ministerial responsibility were I to respond to the question. The Minister of Culture, Arts and Leisure has indicated that he wants to make a statement to the Assembly on those issues, but he first wants to take the views of Executive colleagues into consideration, and he wants them to be aware of the proposals. It would be wrong for me to usurp his position and pre-empt what he might say.

The options, however, are obvious: a stadium could be built at the Maze site; a stadium could be built elsewhere; several stadia could be built elsewhere; or nothing could happen at all. I hope that the final option is not one that is being seriously considered, given the state of our major sports stadia in Northern Ireland. I hope that options for a national stadium or numerous stadia are being considered, because those will provide jobs.

Strategic Investment Board

5. **Mr Newton** asked the Office of the First Minister and deputy First Minister for its assessment of the role of the Strategic Investment Board in delivering major infrastructure projects. (AQO 568/09)

The First Minister: The Executive's investment strategy that the Assembly approved in January 2008 is the largest-ever commitment to infrastructure development in Northern Ireland. By 2018, we plan to invest almost £20 billion to tackle the legacy of decades of underinvestment that we inherited.

That determined action will put in place the assets that are required to support high-quality public services, to regenerate communities and to enhance the economic competitiveness that is essential to sustaining jobs and prosperity. Just over five years ago, infrastructure

investment was less than £1 billion per annum. Last year, it amounted to almost £1.4 billion, and it is planned to reach £2 billion by the end of this Budget period.

That is a measure of our recent success and of our ambition to go further, but delivering the investment strategy involves more than simply spending the money. Our key commitments must be delivered on time, to a high-quality standard and at value for money. It also means investing in projects that offer a good return. Expectations are high, but we must not underestimate the challenges. We now face global financial and economic difficulties. Our local construction industry, in particular, is looking to our investment programme to support local jobs through difficult times ahead, and to provide opportunities for more apprenticeships and training. We are determined to ensure that the investment strategy helps to meet those calls.

The Strategic Investment Board (SIB) performs a vital role in the development, monitoring and communication of our investment strategy, and — in moving forward — our key infrastructure-investment programmes. It helps Departments to deliver major projects across the full spectrum of services, including healthcare, the environment, schools and colleges, roads, water, waste and public administration.

The SIB provides expert commercial, legal and project-delivery advice to Departments, drawing on its advisers' extensive experience of major infrastructure procurements. That advice helps us to ensure that the best deals are obtained for the public purse and that risks are identified and appropriately managed. We recently met the SIB chairman and its chief executive to discuss the progress that is being made in implementing the investment strategy and to consider what additional steps could be taken to introduce capital projects.

3.00 pm

REGIONAL DEVELOPMENT

Street Lighting: Rural Areas

1. **Mrs D Kelly** asked the Minister for Regional Development when he will review the criteria for the provision of street lighting in rural areas.

(AQO 676/09)

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a Cheann Comhairle. When considering the provision of street lighting in rural areas, my Department's Roads Service applies two main criteria: the housing density in the community, including public buildings with significant night-time use, and road safety, in circumstances in

which street lighting might contribute to a reduction of night-time accidents.

Roads Service last reviewed the policy for the provision of road lighting in rural areas in 2002 in order to take account of public buildings with significant night-time use. The demand for more rural lighting must be balanced against environmental impacts, such as night-sky light pollution and increased carbon dioxide emissions; the financial cost of providing and maintaining additional public-lighting installations must also be considered.

Roads Service previously considered two scenarios for extending rural street-lighting criteria: first, to extend the eligible length of road from 200m to 300m, and, secondly, to reduce the number of dwellings — including public dwellings — that are counted as two houses from 10 to eight. Both measures would reduce the housing density required to qualify for lighting, and it was estimated that those measures could enable approximately 180 additional locations to be eligible for street lighting, broadly costing an additional £3 million. There are no plans for a further review of rural, public-lighting criteria.

Mrs D Kelly: Many rural dwellers will be disappointed that there will be no review, particularly in light of the impact of PPS 14 on rural areas and the loss of any opportunity for housing growth.

I am interested in what the Minister claims to be night-time light pollution. One can only assume that that comes from increased energy consumption, because I cannot conceive of how light could contribute to pollution in the night sky.

Are the set criteria not subjective, rather than objective? There appears to be a lack of clarity throughout various sectors about how the criteria should be implemented. Therefore, in light of PPS 14, will the Minister reconsider his decision to review street lighting?

The Minister for Regional Development: There is a measurement of night-time light pollution, and I shall leave it for, perhaps, the Minister of the Environment to explain to the Member in more detail. *[Laughter.]* Nevertheless, light pollution is a recognised factor in the countryside and it changes the character of many rural areas.

When PPS 14 is changed — as we hope that it will be — that may increase the number of qualifying public buildings in rural areas and allow more of them to meet the criteria. The Member knows that the amount that we can spend on such matters is limited. The range of requests is always greater than the measures for which we have adequate resources. Therefore, we must set criteria, against which we must prioritise our spending.

The Member wants more street lighting in rural areas; her colleague has submitted a question about footpaths, and I am sure that he wants more of them in rural areas. Last week, some of the Member's colleagues proposed a motion on traffic-calming measures, in which they wished every residential area to have 20 mph zones and traffic-calming measures. That is all wonderful, and if those Members had argued for my Department to receive several hundred million pounds more during the Budget debate, at least their approach would have been consistent. However, it is all very well to argue for such things, and for spending more money, after the Budget has been set. The Department spends as much as possible under the criteria, and it attempts to do as good a job as it can with its limited budget.

Mr Shannon: The Minister said that health and safety was a matter that had influenced his response. Will he tell Members about the street-lighting policy, particularly with regard to health and safety, for footpaths that lead to churches and, indeed, chapels in the countryside? Why is there sometimes a footpath with no street lighting and street lighting with no footpath? Perhaps, now is the time to co-ordinate the provision of both facilities.

The Minister for Regional Development: I am sure that Roads Service will seek to co-ordinate those matters when it can.

Roads Service may sometimes inherit developments where there is a footpath that has no lighting, or vice versa. As I said, public safety is a key criterion. When public safety is being examined, it is a sad but necessary fact that accident history has to play a part in deciding where limited resources are spent. Therefore, areas that have more of an accident history are prioritised.

Chapels, churches or other public buildings are treated as two dwellings when using the equation that is based on 10 houses. In 2002, a review was carried out to consider public buildings that have a specific night-time use. It may not be the case that churches or chapels have the same amount of night-time use as some community halls or sports facilities, but that is how they are included in the calculation. However, public safety is a key element; therefore, the accident history of an area is taken into account.

Mr Ford: I thank the Minister for his robust first answer to the question — I am sure that it is not necessary for a Member from County Antrim to refer one of the Members from Armagh to the observatory and the effects that light pollution has on astronomy.

Has the Minister obtained an assessment from the Northern Ireland Environment Agency — or the Environment and Heritage Service, as it was in its previous life — of the effect of increasing amounts of street lighting in rural areas on nocturnal wildlife and

the potential threat that such lighting may be to our environment?

The Minister for Regional Development: When providing street lighting in rural areas, the effect of night-time light pollution is one issue that is taken into consideration. I am sure that Roads Service will take advice from environmental agencies when determining the effect that such pollution will have. I am not sure whether Roads Service takes advice on the impact that it could have on wildlife, but I will try to ascertain that and will correspond with the Member on the matter.

Roads Resurfacing

2. **Mr W Clarke** asked the Minister for Regional Development if there has been a reduction in the Roads Service Southern Division's budget for roads resurfacing. (AQO 658/09)

The Minister for Regional Development: Since the start of the financial year, there has not been a reduction in my Department's Roads Service 2008-09 budget of £4.3 million for Roads Service resurfacing activities in the southern division.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. Will the Minister outline the criteria for the allocation of the roads budget for each region?

The Minister for Regional Development: In distributing the resources that are available for road maintenance, allocations are made to the four Roads Service divisions on the basis of need, using a range of weighted indicators that are tailored to each maintenance activity. Divisions use those indicators when apportioning costs across council areas to ensure that there is, as far as possible, an equitable distribution of funds.

Mr Cobain: I am glad that Mr Clarke raised the issue. Will the Minister state how often he intends to have trunk roads in Northern Ireland resurfaced?

The Minister for Regional Development: There is a policy schedule for the resurfacing of trunk roads. Obviously, if there are particular problems on trunk roads that are creating a danger, those roads would move up the priority list. If the Member, who is the Chairperson of the Committee for Regional Development, so wishes, I will ask the Department to furnish him with the policy schedule for the resurfacing of trunk roads.

Mr P J Bradley: Coming as I do from the southern division, I understand why Mr Clarke asked that question. People were hopeful that direct rule Ministers' neglect of rural roads would be dealt with by the Assembly, but that has not been the case. Roads in South Down are in the worst condition that they have ever been in. Does the Minister agree with my

assessment of the condition of the roads, and will he state how he proposes to deal with that?

The Minister for Regional Development: That depends on how far back in history the Member wants to go; I am not sure whether he is comparing the condition of the roads in South Down with their condition 10 years ago or 100 years ago. I would hazard a guess that they are in better condition now than they were 100 years ago.

My response to the Member is the same as that which I gave to his party colleague a few minutes ago — DRD's budget was allocated after a Budget debate in which the Member and all other Members had an opportunity to speak. Since the Budget was allocated, I have received requests — particularly from Mr Bradley's party — for more street lighting and footpaths, 20 mph zones to be created in every residential area, and, now, for a substantial uplift in the money that is spent on rural roads. Perhaps I would be in a better position to deal with some of those issues had I heard those arguments during the Budget debate.

Derry/Londonderry to Belfast Rail Service

3. **Mr Durkan** asked the Minister for Regional Development what progress has been made in acquiring land from the Ministry of Defence for a passing loop for the Derry/Londonderry to Belfast rail service. (AQO 644/09)

The Minister for Regional Development: The location of a passing loop is yet to be decided. Options are being considered, and Ballykelly is one such option.

It is hoped that sufficient information will be available by November 2008 to allow a preferred option to be selected. It is intended that the passing loop will be constructed during the Derry/Coleraine track relay.

The Northern Ireland Transport Holding Company has registered an interest with the Ministry of Defence (MOD) and Land and Property Services to purchase land on behalf of Translink. Based on discussions with the relevant parties, it is my understanding that it will be the new year before any firm decisions are made on possible disposal.

Mr Durkan: I thank the Minister for his answer. When examining location options, will the determination be made on the availability of land or on engineering logistics? When does the Minister expect to know the preferred location for the passing loop?

The Minister for Regional Development: OFMDFM is progressing the issue of how the land at Ballykelly may be transferred or sold. It is not part of Translink's consideration, as it is examining the project solely on engineering grounds. That issue could have an impact

when it comes to acquisitions, but at present Translink is considering only engineering solutions.

We want to ensure that the MOD is aware of the interest, as the site may be chosen for the passing loop. We should know by next month when the preferred option is selected. Should Ballykelly be selected, discussions should be entered into in early 2009. We have registered an interest with the MOD to ensure that nothing happens to the land that would make a solution more difficult.

Mr G Robinson: Is the Minister actively considering the provision of a rail halt at the airport serving the city of Londonderry and further afield?

The Minister for Regional Development: That issue has been raised several times, as have rail halts at both Belfast airports. There are criteria for the number of passengers who might use such a service; Aldergrove may be moving towards that target, but the City of Derry Airport is a long way from it.

We want to ensure that we improve and upgrade the line between Derry and Coleraine after the upgrade from Ballymena to Coleraine to ensure that a decent rail service is provided between Belfast and Derry. A rail halt at the City of Derry Airport will not be considered as part of that project. I am happy to keep the matter under review; however, given the criteria used to consider the International Airport, the City of Derry Airport is a long way from meeting those criteria.

Mr B McCrea: Is the Minister committed to the use of railways as a transportation method for the future? Are there any other — perhaps more imaginative — proposals for the Belfast to Londonderry route? Will those proposals include linking Antrim, Lisburn and Belfast?

The Minister for Regional Development: The Member will have heard other questions and debates about the Belfast to Derry line. An example of my commitment to that line is the fact that I lifted the investment ban between Coleraine and Derry when I came into office. That allowed the investment for the passing loop at Ballykelly and the improvement in the track relay between Derry and Coleraine. Furthermore, it has allowed commuter traffic into Derry before 9 am for the first time. It has allowed for additional trains on the Belfast to Derry line and has improved the service between Belfast and Derry. Those are examples of my commitment to rail travel.

Rail travel is a very expensive option in relation to infrastructure, but I am committed to it. If that leads us to examine the Knockmore line and the connections between Antrim, Lisburn and Belfast, so be it. We have secured investment for the Belfast to Derry line. There are ongoing improvement works between Belfast and Ballymena and Ballymena and Coleraine. We want to secure and continue the work from Coleraine to Derry until 2011, thus improving the service on the Belfast to Derry line.

Belfast International Airport: Signage

4. **Mr Hamilton** asked the Minister for Regional Development if he will consider the erection of signage for Belfast International Airport at the A1 at Sprucefield, directing drivers along the M1 and A26 Moira to Nutts Corner road. (AQO 536/09)

The Minister for Regional Development: Roads Service carried out a preliminary assessment of the existing directional signage from the A1 at Sprucefield to Belfast International Airport in December 2007. That assessment concluded that new signage via the M1 motorway and the A26 would be appropriate. Roads Service has identified the signs along the A1 and A101 routes that need to be replaced. It is expected that the design, procurement and erection of those replacement signs will be completed by the end of March 2009.

3.15 pm

Mr Hamilton: I welcome the Minister's response. Does he agree that it is important that those gaps are filled as quickly as possible if Belfast International Airport, and our other airports, are to achieve their obvious objective of being regional airports for Northern Ireland as well as serving the border counties of the Republic?

The Minister for Regional Development: I agree with the Member. The potential for opening up new markets for Belfast International Airport was recognised particularly in relation to the work that was done along the new stretch of the A1 between Belfast and Dublin. That is when the impetus and argument around the need for directional signs at Sprucefield, to the airport, became evident.

As I said in my initial answer, Roads Service has responded. We are considering ways of amending and improving the signage. I have had discussions with the management of Belfast International Airport, and since the commencement of Aer Lingus flights there, passenger numbers have increased and business is continuing to grow. That is good news for the area.

Mr McNarry: In light of the aforementioned tourism and commercial significance of our airports and harbours — particularly those at Ballywalter, Portavogie and Portaferry, to name but a few, in one beautiful constituency — does the Minister take a uniform approach to the provision of signage in those locations?

The Minister for Regional Development: The need for signage at Sprucefield was raised because people thought that, given the road improvements and the increase in traffic coming from the southern side towards Belfast International Airport — *[Interruption.]*

Mr Speaker: Please allow the Minister to answer.

The Minister for Regional Development: Given the increase in traffic coming from the southern side towards Belfast International Airport, some people thought that additional signage was needed. If the Member has a request for signage at any of the places that he mentioned, he can contact me and I will be happy to do what I can.

Mr Lunn: In his answer to Mr Hamilton's initial question, the Minister referred to the A26. Does he agree that if that important road, which is the main route from the south to the north coast and the airport, gains extra traffic, the A26 dual carriageway between Moira and Nutts Corner should be upgraded as soon as possible.

The Minister for Regional Development: It would be nice to have the money to do all those things. The recognition of the need for improved signage at Sprucefield arose because of the significant increase in traffic and the potential for more business for Belfast International Airport. The need for directions to Belfast International Airport was an issue, particularly for people coming from the southern side. That is why the signage was improved.

If the traffic increases to such an extent that it merits another look at the road and its upgrading, the Department will look at that in due course.

A5 Derry/Londonderry to Aughnacloy

5. **Mr McCartney** asked the Minister for Regional Development for an update on the A5 Derry/Londonderry to Aughnacloy road scheme.

(AQO 654/09)

The Minister for Regional Development: Since the Member's previous question for oral answer in February 2008 in relation to the A5, Roads Service has carried out a series of public information events and has progressed work to identify a preferred corridor. I am pleased to advise the House that that work is nearing completion, and an announcement on the preferred corridor is expected later this year.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. The Minister will be aware that a major road scheme between Derry and Dungiven is under way, as well as the bypass. Both road schemes will have an impact on traffic in Derry. What plans does the Minister have to ease that impact?

The Minister for Regional Development: The Member is correct: there will be two major road improvement schemes on the A5 and the A6 in the vicinity of Derry in the coming years, and they will have an impact on traffic in the city. There have been a significant number of developments in and around the city already: the Skeoge Link, the opening of which I

attended; the Crescent Link; the Broadbridge scheme to provide dual carriageway at Clooney Road from Maydown to the City of Derry Airport; and the two main roads that the Member mentioned. We are also beginning a project to widen the Buncrana Road from Pennyburn roundabout to the border, and that will assist in relieving traffic congestion.

Due to the impact of the two major routes coming in from Belfast and the Aughnacloy side of the border, Roads Service has commissioned consultants to consider linkages around the city and the impact that those two projects will have. Reports on the preliminary work on that consultation should be available before the end of the year.

Mr Bresland: Many of my constituents have concerns about the possible route for the A5 dual carriageway scheme. Will the Minister give an assurance that the landowners and the wider community will be kept informed of the proposals for the A5 programme?

The Minister for Regional Development: I assure the Member that that will be the case. He knows that there have been several public information events on the routes that may be considered. Within the next couple of months — before the year is out — I hope to announce the preferred corridor, which will contain several route options. Again, that will go out to public consultation, and people who live along that corridor will be given an opportunity to comment on it. It is a substantial piece of road building, and the biggest that has ever been undertaken on this island. It is going through mainly rural areas and will affect a substantial number of landowners.

A tried and tested procedure has been gone through for many road schemes, including the A4 extension from Dungannon to Ballygawley, where a substantial number of landowners had to be dealt with. I assure the Member that there will be ongoing public consultation. Landowners affected directly will have the opportunity to have their say and to ensure that their voices are heard.

Mrs M Bradley: When can people in Derry expect to see plans to upgrade the Waterside railway station?

The Minister for Regional Development: The Member has managed to jump to question 19. As I would have said had I got that far, there have been several upgrading works on the station. Any further work will be considered in conjunction with the track relay scheme between Coleraine and Derry due to happen in 2011.

Blasting Operations: A1

6. **Mr D Bradley** asked the Minister for Regional Development what compensation is available to (i)

residents; and (ii) businesses, whose properties are damaged as a result of blasting operations connected with the construction of the new A1. (AQO 646/09)

The Minister for Regional Development: The removal of rock by blasting is an integral aspect of the A1 Beech Hill to Cloghogue dual carriageway scheme. Although I regret the disruption that construction activity is causing to adjacent properties, blasting remains the only practical process, given the quantity and characteristics of the rock involved. The contractor on site is required to employ current good practice in relation to the construction process to ensure that all necessary and appropriate measures are implemented to protect properties in the vicinity of the work from damage.

Under the terms of the contract, the contractor will deal with any claims that may arise in the event of damage caused to residential or business properties by rock blasting.

Mr D Bradley: An dtig liom a fhiafraí den Aire cá mhéad teach agus gnólacht a ndearnadh dochar dóibh agus ar thug an tAire cuairt orthu? Caidé an measúnú a rinne sé orthu?

How many homes and businesses damaged by the blasting has the Minister visited? Will he give Members an assessment of what he has observed? Go raibh maith agat.

The Minister for Regional Development: I have not visited any properties. As far as I am aware — and I have kept an eye on the situation — only one property has reported any damage. The owners have been in touch with Roads Service and have been informed of the procedure for pursuing compensation.

The Member is shaking his head. Perhaps he will correspond with me and tell me about the other properties; however, I am aware of only one. The owners have contacted Roads Service, and they have been advised who is responsible for the site. The contractor is responsible, and he has informed his insurance agents that there may be the possibility of a claim. That is the process.

The Member is keen to try to put Roads Service or me in the middle as having some responsibility. However, as the Member has been told on several occasions, a contractor employed to carry out work is responsible for what happens. Contractors are responsible for dealing with any damage or inconvenience caused as a result of their actions. That is the way the contract was designed, that is how it is being operated, and that is why the Department has given the Member the same advice repeatedly.

Mr Irwin: Is the Minister aware of any precautions that had been adopted prior to blasting operations to ensure the safety of livestock on neighbouring lands?

The Minister for Regional Development: I am not aware that any livestock have been endangered. I am aware that the owners of one business property have claimed that there was damage, and they have been instructed how to process any claim that may arise. I know quite a number of people who live in that area, and I talk to them regularly. I have not heard of any further claims of damage, either to property or to livestock. However, if there are others, I am sure that they will be able to pursue their claim in the same way.

Mr Kennedy: Will the Minister undertake to investigate and resolve the access issue at Newry's Altnaveigh Road, which is just off the A1? That is causing serious concern among some of my constituents, including Mr Nummy.

The Minister for Regional Development: The Member was involved in discussions on the matter during the summer, so he will know that a liaison group that comprises local residents has been set up. The group covers Corrinshogo and Altnaveigh, as well as several other areas along the existing bypass and where the construction of the new road is ongoing. That group has regular contact with Roads Service and, more importantly, the contractors — they are the people who are closing roads in order to carry out construction work. I am led to believe that a further meeting about the Cloghogue area is to be held this week.

The liaison group, which also has local council involvement, appears to be functioning quite well. Therefore, if the Member's constituents are keen to pursue the issue, they can do so through that group, which has acted on behalf of a number of residents and groups along the length of the bypass. However, if they wish to pursue the matter in a different way, I am happy to deal with any request that the Member brings to me.

Portadown Railway Station

7. **Mr Simpson** asked the Minister for Regional Development for an update on the progress made in relation to the renovations at Portadown Railway Station. (AQO 666/09)

The Minister for Regional Development: Translink is currently involved in the preliminary stages of a project to refurbish Portadown station, and it expects the feasibility study to be completed by the end of 2008. After that, several further stages must be completed, including the production of an economic appraisal to establish value for money and the obtaining of planning permission. My Department will consider granting approval for that project when all those procedures have been successfully completed, and if the necessary funding can be secured.

Mr Simpson: The Minister will be aware that the people of Portadown have long awaited that project. Craigavon Borough Council was given assurances that it would start in 2009. Will the Minister use his influence to ensure that Translink meets that deadline?

The Minister for Regional Development: As I said, a number of processes must be completed before the project can start. What I am about to say relates to the question that Basil McCrea asked: the Department's intention is to give a commitment to try to improve trains, journey times and facilities at various railway stations, because it has been shown that, where facilities and public transport improve, the number of passengers increases. The Department's intention is to increase the numbers of people using public transport. I will undertake to speak to Translink to ensure that no unnecessary delay takes place in pursuing the scheme. I am not au fait with the discussions between Translink and Craigavon Borough Council, so I do not know what assurances were sought or given. However, I will certainly make it my business to ensure that there are no unnecessary delays in delivering the project.

Mr Brady: What plans are under way to construct other new railway stations?

The Minister for Regional Development: The Member will be aware that Translink has been given approval to proceed with a new £14·6 million railway station at Newry. It is expected that that work will be completed in 2009. A scheme for a bus/rail station in Antrim is also to be developed over the next few years.

Rapid-Transit Proposals

9. **Mr O'Dowd** asked the Minister for Regional Development for an update on the rapid-transit proposals. (AQO 652/09)

The Minister for Regional Development: Good progress has been made since the take-note debate in the House on the strategic outline case for rapid transit on Tuesday 3 June 2008. We have concluded the engagement with key stakeholders. As a result of some concerns that were expressed, we further explored an alternative route for rapid transit in east Belfast. The results of that work have shown that it is not viable to use the Upper Newtownards Road as part of the scheme. We are also establishing a dedicated delivery team for rapid transit and are purchasing land for the scheme. In recognition of the wider benefits of rapid transit, I have also written to my ministerial colleagues, inviting their comments on my proposals.

Mr Speaker: I will allow the Member to ask a quick supplementary question.

Mr O'Dowd: Has the Minister carried out any assessment of the positive environmental impact that a

rapid-transit scheme would have in taking traffic off the roads of Belfast?

The Minister for Regional Development: The purpose of rapid-transit schemes — indeed, of investment in all public transport — is to reduce the number of cars on the roads, thereby reducing the congestion and pollution that traffic causes. Of course, investment in a rapid-transit system is expected to have a positive impact on the environment, and it will certainly have a positive impact on the development of the city of Belfast itself.

Mr Speaker: That ends questions to the Minister for Regional Development.

3.30 pm

CULTURE, ARTS AND LEISURE

Library Services: Rural Areas

1. **Mr Weir** asked the Minister of Culture, Arts and Leisure what plans he has to engage with local communities in relation to priorities for library services to rural areas. (AQO 552/09)

The Minister of Culture, Arts and Leisure (Mr Campbell): In November 2005, my Department undertook an extensive consultation exercise that included the views of the rural community. Those views were recognised and incorporated into the resulting policy framework. The boards are responsible for delivering public library services in line with public libraries policy, which includes engaging with rural communities on local service priorities. Local engagement is ongoing within the boards and will continue when the Northern Ireland library authority is created.

The Carnegie Library redevelopment in Bangor is almost complete, and the building should open to the public next month. The £2·7 million investment in the Ward Park facility is one of a number of projects that will modernise and improve the public library estate.

Mr Weir: Next month's opening of the new Carnegie Library in Bangor will be a welcome development that everyone will embrace. How will communities be consulted after the creation of the Northern Ireland library authority?

The Minister of Culture, Arts and Leisure: An appearance at Carnegie Hall will take on another connotation in Bangor.

The Northern Ireland library authority will become operational in 2009 and will have local consultative groups. A pilot group will be established in each of the four geographic business areas within the first three

months of the library authority's establishment. Library services must continue to be relevant to local needs. Therefore, although the service will be planned and led regionally, it will be delivered locally.

Mr Brolly: Go raibh maith agat, a Cheann Comhairle. Will the Minister detail the extent of co-operation between Donegal County Council and the Western Education and Library Board regarding mobile library services in that border area?

The Minister of Culture, Arts and Leisure: As I have outlined on previous occasions, the provision of library services is a matter for the board. However, I appreciate that mobile library services — particularly in the western area — have a cross-border context, and there is a mobile library facility for that specific purpose. Given the terrain and the rural nature of the land along the part of the border to which the Member refers, it is sensible and productive for such liaison to take place. The facility is, apparently, well used. I encourage people — particularly those in Northern Ireland but also those in the Irish Republic — to make use of that facility, and I hope that everyone will.

Mr Gardiner: Since 34% of the population live in rural areas, does the Minister agree that his Department's raw expenditure on library provision needs to be rural proofed? The rural population of 565,000 is served by only 30 mobile libraries — that is approximately one library for every 20,000 people. Does the Minister have any plans to increase that provision?

The Minister of Culture, Arts and Leisure: That issue was raised during my last appearance at Question Time; indeed, I think that that was as a result of a question from the honourable Member. The provision of library services in rural areas is primarily a matter for the education and library boards. My information is that provision in rural areas is satisfactory and has been satisfactory over recent years because no new demands for additional services — either from members of the public or public representatives — have been made to the education and library boards.

If Members feel that there are areas that could be adequately covered by existing services, or in which additional resources might be deployed in order to provide that service, that information must be made known — in the first instance, to the relevant education and library board. The board and I will then consider that information.

Inland Fish Stocks: Pollution

2. **Mr B McCrea** asked the Minister of Culture, Arts and Leisure to detail the impact of pollution incidences on inland fish stocks in the last year.
(AQO 622/09)

The Minister of Culture, Arts and Leisure: I am aware that several pollution incidents in the past year have resulted in significant fish kills. Fisheries Conservancy Board staff have investigated the incidents and estimated the numbers and types of fish killed. DCAL will work closely with the Environment Agency and angling clubs in order to provide advice and assistance about how to reinstate the affected waters.

Pollution incidents have a broader impact on fisheries. Pollution results in a loss of revenue from fishing and, sometimes, a reduction in the population of species that are already under threat. A pollution incident normally kills fish of varying ages. There is, therefore, a knock-on affect for at least three to four years before fish populations recover to sustainable levels.

Mr B McCrea: I thank the Minister for his answer. Does he accept that there is a wider impact on recreational tourism and its associated business areas? Will the Minister instigate a review that will put a figure on the financial loss to the local economy, and ensure that that loss is taken into account in a system of fines that is based on the polluter pays principle?

The Minister of Culture, Arts and Leisure: The Member raises a valid and interesting point. I repeat what has been previously stated: the Department of Culture, Arts and Leisure is responsible for restocking rivers. The polluter pays principle is an admirable one that most people believe in and advocate, but it is the responsibility of the Department of the Environment (DOE). In the first instance, my Department and the Environment Agency want to ensure that pollution of rivers is prevented — an issue that is primarily dealt with by the Department of the Environment.

However, there is close liaison between my Department and the DOE in order to ensure that pollution is prevented; that where pollution occurs, those responsible pay for their actions; and, importantly, as I have stated, that rivers are restocked. I subscribe to the principle of the polluter paying that is contained in the Member's question.

Mr McKay: In the wake of the Minister of the Environment's decision to extend the slurry-spreading period until the end of the year, has the Minister of Culture, Arts and Leisure been advised by his officials, or received correspondence from the Environment Minister, about the possible pollution threat posed by that extension?

The Minister of Culture, Arts and Leisure: I have not received any communication from any individuals or groups — including the Minister of the Environment — about the potential pollution danger raised by the Member. I will draw his comments to the attention of my Department and the Department of the Environment.

However, if there were any serious potential for pollution, Departments would have been alerted and the Minister of the Environment would not have made that decision in the first instance.

Mr Burns: Will the Minister tell Members what discussions he has had with the Minister of the Environment about the cleaning up and restocking of the Six Mile Water River in Antrim after it suffered a recent, disastrous fish kill?

The Minister of Culture, Arts and Leisure: The Member has drawn attention to what was a very serious incident. My officials are liaising with the Department of the Environment in order to establish the full extent of the fish kill and to prevent any repetition of such an event.

The situation is difficult and must be monitored closely. I intend to continue liaising with the Department of the Environment, concentrating on those two strategies: preventing a repeat incident and ensuring that the river is adequately restocked with fish.

Safety at Sports Grounds

3. **Mrs Hanna** asked the Minister of Culture, Arts and Leisure, given the public concern that safety at sports grounds is being compromised, what long-term plans he has to ensure public safety at these venues.

(AQO 675/09)

The Minister of Culture, Arts and Leisure: Responsibility for developing long-term plans to ensure public safety at sports venues in Northern Ireland rests with the owners and operators of those venues. However, the Department of Culture, Arts and Leisure is taking forward a safety at sports grounds initiative, which aims to assist owners and operators of major sports facilities to improve public safety at their grounds in the longer term. As part of that process, the Department is implementing new legislation on safety at sports grounds — the Safety of Sports Grounds (Northern Ireland) Order 2006. In addition, Sport Northern Ireland, which is responsible for the development of sport, including the distribution of funding, has been running funding programmes designed to assist owners and operators to improve public safety at their venues. The programmes include a stadia safety programme and a previous interim safe sports grounds scheme.

Mrs Hanna: Will that include an audit of safety and resource requirements, and will it involve the closure of any grounds?

The Minister of Culture, Arts and Leisure: I will answer the last part of the Member's question first. I do not envisage any venue closing as the result of an audit. Funding is being considered for some grounds

through the programmes that I have outlined. The names of those grounds can be supplied to the Member, but I am reluctant to mention them, as that would open Pandora's box. However, operators of all sporting grounds should be aware of the grant-aided schemes that are available. If they are not aware of them, they should become aware of them and make applications, because it is essential that everyone using a sports ground in Northern Ireland, for whatever legitimate purpose, should be able to do so in the knowledge that they will be safe as they go there and safe as they return from it. That is the aim of the scheme, and, hopefully, it will be fully operational shortly.

Mr McNarry: I am taken by the emphatic nature of the Minister's answers. Will he comment on a 'BBC Newsline' report on 20 August 2008, which referred to a letter written by the chief executive of Sport Northern Ireland to the Department in September 2007, in which he wrote about the many unsafe sports venues and about the safety of spectators being compromised?

The Minister of Culture, Arts and Leisure: I am aware of the report to which the honourable Member refers. There were some inaccuracies in it. For example, there was reference to Great Britain's Safety of Sports Grounds Act 1975 being rushed through — but the legislation was actually enacted four years after the disaster that pre-empted it. Therefore, it was not rushed through.

The Department was already aware of a number of matters contained in the report. Northern Ireland, through Sport Northern Ireland, will have an overseeing body that will be very similar to the Football Licensing Authority in GB. The Department is in the process of ensuring that it will be in a position to guarantee that — even though some concerns in the programme were inaccurate — the underlying concern is for the safety of the public using stadia in Northern Ireland. That is a very real and present concern.

However, it is a concern that Sport NI and all of us should be acutely aware of. We must take steps to address those problems.

3.45 pm

Mr Butler: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a thabhairt don Aire as a fhreagra.

I asked the previous Minister of Culture, Arts and Leisure about the legislation in March 2008. He said that Sport NI wished to delay the legislation because it wanted the inclusion of an independent oversight function that it would carry out. Will the Minister explain why, now that we are in October, that still has not been established? Is the delay related to the crowd capacity problems that would ensue at Windsor Park if the legislation were to be enacted?

The Minister of Culture, Arts and Leisure:

Whatever about issues of delay in the past, I know that agreement has already been reached with Sport NI on the issue of the oversight body. That body will provide advice and guidance to all interested parties on safety matters, and will monitor the implementation of a planned new sports grounds safety-certification scheme. Sport NI recently completed the recruitment exercise for the oversight body. I cannot comment on what may have happened in the past, but the facts are that the body is now in place, recruitment has been completed, and the body will be up and running shortly.

Multi-Sports Stadium: Maze Site

4. **Mr Ford** asked the Minister of Culture, Arts and Leisure what discussions he has had with Executive colleagues in relation to the proposed multi-sports stadium at the Maze site. (AQO 613/09)

Multi-Sports Stadium: Business Plan

9. **Mr Lunn** asked the Minister of Culture, Arts and Leisure what discussions he has had with the Minister of Finance and Personnel in relation to the business plan for the proposed multi-sports stadium. (AQO 615/09)

Multi-Sports Stadium: Time Frame

14. **Mrs D Kelly:** asked the Minister of Culture, Arts and Leisure to detail the normal time frame for building major sports stadia; and if he is satisfied that the proposed multi-sports stadium will be built in time for the London Olympics. (AQO 677/09)

The Minister of Culture, Arts and Leisure: With your permission, Mr Speaker, I will answer questions 4, 9 and 14 together.

The outline business case for the proposed multi-sports stadium, together with a corresponding business case for the Maze project, for which OFMDFM is responsible, have been closely examined by the Department of Finance and Personnel. The current First Minister, in his former role as Minister of Finance and Personnel, provided advice to ministerial colleagues on his assessment of the stadium and the overall Maze project.

The issue of the multi-sports stadium, together with the overall regeneration of the Maze site, has still to be considered by the Executive. That is a further reason why it is important for the Executive to meet as soon as possible. The opportunity for Northern Ireland to host soccer matches as part of the 2012 Olympics is clearly contingent on the availability of a fit-for-

purpose stadium, although that would not necessarily require the building of a multi-sports stadium.

Mr Ford: I thank the Minister for his response. He may not have heard the First Minister earlier when he set out the options for the future, which were: a single stadium at the Maze, a single stadium elsewhere, or upgrades to existing stadiums. The First Minister ruled out the do-nothing option. Will the Minister now rule out the idea of upgrading three elderly stadiums in order to provide three expensive elderly stadiums, and give a firm commitment to a single stadium for all sports, as a sign of a shared future?

The Minister of Culture, Arts and Leisure: I was not present when the First Minister spoke earlier, but it is self-evident that those are the options. As we stand, in October 2008, I am in a position to go to the Executive with a paper in order to clear up the uncertainty that has surrounded the issue. For that reason, I want an Executive meeting to take place as early as this Thursday. None of that takes me beyond where I want to go for the moment. The honourable Member invites me to declare what the new and ongoing position would be, but he would be the first to concede that I should do it according to the established protocols of the Assembly.

I am doing what I should be doing: consulting my Executive colleagues, then consulting the Committee for Culture, Arts and Leisure, and then come before the House — in that order. When I entered office in June, I said that I wanted to reveal when the uncertainty would end and to make progress in the autumn. We are well into autumn. If the Executive does not meet, I will have to examine other ways of taking the situation forward, but we have clear protocols by which I want to abide.

Mr Lunn: I am one of those who still hope to see a national stadium at the Maze. Does the Minister agree that the problems in agreeing a way forward on the Maze project are not entirely financial; nor are they solely related to the business plan or even to the recent impasse over Executive meetings? The problems stem from the original disagreement concerning the inability of the Minister's party, and presumably the Minister himself, to accept the concept of a conflict-transformation centre on the Maze site.

The Minister of Culture, Arts and Leisure: I hope that the Member heard my initial response about the business case for the Maze project, which was closely examined by the Department of Finance and Personnel and by the former First Minister. The Member mentioned the conflict-transformation initiative, but the issue remains — whether there was to be a conflict-transformation initiative or not — that there are serious questions about the funding of the Maze project. That does not mean that it is inconceivable that

the Maze project will proceed; however, three Departments expressed concerns about the business case. There is no disagreement in my party about the way forward, because I have yet to bring the proposal through the Executive, to the Committee for Culture, Arts and Leisure and to the Assembly. When that happens, the honourable Member and others will see the unity on the outcome of those discussions.

Mrs D Kelly: I thank the Minister for his answer, but the OFMDFM Committee — which I understand has overall responsibility for the development of the Maze/Long Kesh site — was told some months ago that in order for any development to be on-site in time for the London Olympics the application should have been lodged by November of last year. We heard the First Minister sharing his concerns about construction jobs, and we have also been told that 10,000 jobs are at stake. Is it the case that whenever a decision is made on the Maze/Long Kesh project, the DUP will change the Minister or will this Minister actually make a decision?

The Minister of Culture, Arts and Leisure: The honourable Member issues a challenge on taking a decision. I said, within weeks of taking office, that the decision had to be taken in the autumn. It is now autumn and I am ready to take the decision, but I need an Executive meeting. I hope that the honourable Member follows the logic of the argument. If an Executive meeting is held on Thursday, I am ready to put a paper to the Executive this Thursday to proceed. The Member referred to the challenge of the 2012 Olympic Games. That will be a challenge, but it is not at all beyond the bounds of possibility that if we take a decision now — which I am ready to do — we will have a stadium for 2012. We will have a stadium if we take that decision now — which, as I say, I am ready, prepared, and able to do — but I need an Executive meeting to process the issue and to set in motion the choreography that I have outlined. We need the meeting, and, I hope, we will have it.

Mr Shannon: I thank the Minister for his response. It seems that those asking questions have failed to understand the importance of the views of sports' governing bodies. Have those bodies been made aware of the alternatives to a multi-sports stadium at the Maze? If so, what was their response?

The Minister of Culture, Arts and Leisure: My discussions with the three sporting bodies involved in the Maze project were straightforward. I told each body that I knew its previous position and asked whether that position remained the same. I then asked the three bodies what their preferred second option would be. As a result of those discussions, and others that I have had, I am in a position to furnish my Executive colleagues with a paper that should end the uncertainty. I can then begin significant and substantial

progress towards ensuring that the requirements of all three sports are met. That is my aim and objective, which will — hopefully — be achieved sooner rather than later.

Rev Dr Robert Coulter: The Minister has partly answered my question and answered the critics, but I will read my question anyway. Is the Minister's prevarication and failure to make an announcement on the Maze project directly due to political pressure from Sinn Féin as part of ongoing negotiations between that party and his? Does he agree that part of the finance allocation for the Maze project should immediately be redirected to upgrade existing sports facilities and events, such as the North West 200 and the Ulster Grand Prix?

The Minister of Culture, Arts and Leisure: I understand the honourable Member's frustration, which is shared by many people. However, I reiterate that I took office in June and, within three weeks, said that I wanted to meet all the governing bodies of the sports involved in the Maze project, which I did before the summer. I then said that I wanted to make a decision in the autumn; it is now the autumn, and I am ready to make that decision. As per the rules that we operate under, I must bring a paper on the issue to an Executive meeting before I make a decision, which I am ready to do on Thursday. If that happens, we are immediately in business. I hope that the Executive meeting is held on Thursday, and we will be in business immediately thereafter.

Language Strategy

5. **Dr Farry** asked the Minister of Culture, Arts and Leisure to report on his plans for a language strategy. (AQO 618/09)

11. **Mr O'Loan** asked the Minister of Culture, Arts and Leisure to provide an update on the development of the indigenous languages strategy. (AQO 671/09)

The Minister of Culture, Arts and Leisure: With your permission, Mr Speaker, I will answer questions 5 and 11 together. The interdepartmental charter implementation group has begun consideration of a strategy for indigenous minority languages. That strategy aims to protect, enhance and develop the Ulster-Scots language, heritage and culture and the Irish language. I will present an initial paper to the Executive Committee on that later this year.

Dr Farry: Does the Minister see a role for himself in depoliticising the controversy that surrounds the Irish language? Also, does he see any merit in a potential compromise based on the language-scheme approach that his Department consulted on prior to the restoration of devolution, which reflects the reality on

the ground from the bottom up, rather than imposing something from the top down?

The Minister of Culture, Arts and Leisure: I do not disagree with the general thrust of the Member's comments. Depoliticising the Irish language is an excellent idea, which should have been thought of many years ago. There are many Irish-language enthusiasts who do not politicise the language, but those who do should cease forthwith. Hopefully, we can advance a proposal for languages per se within a non-political framework and in a non-contentious manner.

4.00 pm

PRIVATE NOTICE QUESTION

Neighbourhood Renewal Projects in Belfast

Mr Speaker: I have received a private notice question, in accordance with Standing Order 20, for the Minister for Social Development.

Ms Ní Chuilín asked the Minister for Social Development (i) whether the recent review that she instructed departmental officials to conduct into neighbourhood renewal projects in the Belfast area will result in services and jobs being lost in this geographical area and (ii) whether those projects that are waiting on overdue payments from Belfast regeneration offices will be paid immediately.

The Minister for Social Development (Ms Ritchie): First, let me be clear that I have not ordered any review. Those who suggest that I have ordered a review are only creating unnecessary anxieties.

I will, however, answer the questions raised. I asked for some financial information about the current neighbourhood renewal process in Belfast. I want to satisfy myself that best use is being made of available resources, and, given the pressure on funds across my Department, to make sure that sufficient funds are in place in order to complete the programme.

I will be spending some £30 million on neighbourhood renewal in Belfast over the next three years. It is only right that before the first major tranche of contracts are issued, I satisfy myself that the resources are in place in order to complete the process, and that resources are sufficient for purpose and properly targeted in line with the appraisal processes that officials are required to follow.

Neighbourhood renewal is about closing the gap between the most disadvantaged in Northern Ireland and the rest of our society. I want to see important services delivered to people on the ground, whether by statutory agencies or by voluntary and community organisations. The role of my Department's neighbourhood renewal investment fund is to ensure that such services are delivered, not to sustain jobs in voluntary and community-sector organisations.

I hope that when the process is completed, we will have a stronger focus on services. I have said on the record that individual appraisals and approvals of local neighbourhood renewal projects will be conducted by officials. I will not get involved in those decisions, and I expect that the majority of existing posts will continue to be funded. However, I can give no guarantees.

Payments under contracts for funding will not fall due until those contracts have been approved, issued and signed. I am bound by Government accounting rules, commonly known as managing public money, which prohibit advance payments. I can assure the Member that, when contracts for funding are in force, payments will be made in a timely manner.

I expect to be able to make an announcement in the next few days about the clearance of contracts. I wish to remind Members that neighbourhood renewal is the Executive's main programme for tackling disadvantage. There is an onus on other Departments to match the commitment and, perhaps more importantly, the resources of the Department for Social Development with regard to projects.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. If it walks like a review and looks like a review, it is a review. Forbye all that, the Minister did not answer the question about jobs and services being lost with regard to the outcome of this review. For example, in the Crumlin and Ardoyne wards in north Belfast, the neighbourhood renewal partnership has been suspended and workers are in receipt of redundancy and protective notices. As a result of the Minister's political interference and, indeed, political vetting of that project — *[Interruption.]*

Mr Speaker: Order.

Ms Ní Chuilín: All the economic appraisals for each of the partnerships have been conducted, and the panels recommended that most of those projects be funded. What, therefore, is the reason for the delay? These services, which are for the most deprived areas in the North of Ireland, are now at risk.

The Minister for Social Development: I am deeply disappointed at the comments made by the Member. I emphasise, yet again, that I have not ordered any review, and those who have suggested that I have ordered a review are the ones who are creating anxieties and uncertainty on the ground.

I again emphasise that I have asked for financial information about the current neighbourhood renewal process in Belfast.

I want to be satisfied that the best use is being made of available resources and also, given the pressure on departmental funds, to ensure that they are sufficient to complete the programme. Furthermore, I understand the difficulties of groups whose money has run out. I hope to have some good news for them in the future.

Mr Attwood: I urge you, Mr Speaker, to reflect upon the comments of the Member for North Belfast, who said that there has been political interference and vetting. I ask you to rule on those comments at another time. If true, they would be a breach of the Minister's

Pledge of Office, her commitment to political impartiality and, even more fundamentally, of her proven input —

Mr Speaker: I ask the Member to put his question.

Mr Attwood: I have raised a matter about the comments of the Member for North Belfast, who has strayed beyond political convention in the Chamber and has made serious allegations of political interference and vetting.

Mr Speaker: Order. I insist that the Member put his supplementary question to the Minister.

Mr Attwood: I look forward to your ruling on that matter, Mr Speaker.

I ask the Minister whether she agrees that, given that she has demonstrated an unambiguous commitment to people who are in social and housing need, it is a bit rich for certain people to come to the Chamber and make ridiculous allegations that she has created undue anxiety in the community. *[Interruption.]*

Will you call to order those who interrupt me, Mr Speaker?

Mr Speaker: Order. I remind the Member that I have given him considerable latitude on the issue. He must ask the Minister a supplementary question. I have already prompted him twice. Let us try to get to the supplementary question.

Mr Attwood: I am mindful of what you said, Mr Speaker.

Given that the Minister has stated in the Chamber today that the responsibility for neighbourhood renewal does not fall exclusively to her Department and that it is a shared responsibility across Government and the Departments of other Ministers, I ask her simply to tell Members what commitments have come from her ministerial colleagues, including those from the party from which the question emanates.

The Minister for Social Development: I thank the Member for his question. Members may find some background information helpful.

As one who is deeply interested in social disadvantage — who puts need and the delivery of services to meet that need at the centre of everything that I do — I want to emphasise the point that there is a budget for neighbourhood renewal that will be spent in neighbourhood-renewal areas. The £30 million that has been allocated for Belfast's neighbourhood-renewal areas during the next three years will be spent in those areas. Therefore, people who live in disadvantaged, neighbourhood-renewal areas need not worry on that score.

As regards my colleague's question about the Executive's and ministerial colleagues' commitment, I remind Members that neighbourhood renewal is the Executive's main programme for tackling disadvantage.

There is an onus on other Departments to match the commitment and, perhaps, more important, the resources of the Department for Social Development (DSD) towards projects.

I understand that the Member for North Belfast Ms Ní Chuilín has asked various Ministers about their commitment to neighbourhood renewal. I will provide the House with some detail. The Minister of Agriculture and Rural Development said that her Department:

“has no direct involvement in the Programme, and would have no remit to fund posts and services in connection with it”,

even though her Department has a representative on the partnership body. The First Minister and the deputy First Minister said:

“OFMDFM as a Department has a role to play across a number of activities which form part of the overall Neighbourhood Renewal network but does not directly fund Neighbourhood Renewal posts and services.”

OFMDFM is also represented on the Minister-led partnership body. Therefore, Mr Speaker, I must ask what other Departments’ commitment and buy-in are when neighbourhood renewal is an Executive-led initiative.

All Members of the Assembly — and of the Executive, were it allowed to meet — should ask those questions, try to tackle that issue and demonstrate real care and commitment on the ground, particularly in disadvantaged areas, instead of engaging in petty political point-scoring and trying to undermine certain individuals.

Mrs Long: I recognise the Minister’s point that this is a significant amount of funding and that processes have to be followed.

I have corresponded with the Minister concerning an issue that arose in my constituency. I understand her point that the funding is not intended to provide jobs for people. However, last week, half the staff engaged on that project went without salaries; this week, all the staff will do so. If interim arrangements are not put in place, is there not a risk that, by the time final decisions are taken, delivery of service will have been negatively impacted upon by the loss of qualified and experienced staff?

Minister for Social Development: I thank Mrs Long for her question. Unlike others, she has written to me directly about this matter. I understand the difficulties faced by the group whose money has run out, and I hope to have some good news for it later in the week. However, I am bound by Government accounting rules in relation to gap funding and — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

The Minister for Social Development: Therefore, I want to pursue all the issues relating to that matter.

I emphasise to the House that for me, need takes priority. That is the most important thing. I want services delivered where there is need.

PRIVATE MEMBERS’ BUSINESS

Protection of Children and Vulnerable Adults (POCVA)

Debate resumed on motion:

That this Assembly notes the waiting time for POCVA checks to be processed; further notes that this is adversely affecting child care centres, amongst other employers; and asks the Secretary of State to investigate the situation and ensure that applications are processed as a matter of urgency.

[Mr J Shannon]

Mrs I Robinson: I take the opportunity to congratulate my party colleagues for securing the debate, which is timely and very important to communities outside this great Building.

As legislation stands, the comprehensive vetting system plays a central role in the recruitment procedures of all sorts of organisations and groups. Failure to adhere to the legislation will have grave repercussions: ignoring it is therefore not an option. It is crucial that the vetting system is operated as effectively and efficiently as possible. The inevitable result of inefficiency is that applications are delayed and, subsequently, organisations seeking employees, and individuals seeking employment, are left in limbo. That is what happened in Northern Ireland during the summer months, and it prompted a wave of complaints to be lodged directly with Access Northern Ireland and with constituency offices across the Province.

Although Access Northern Ireland has met its obligations in relation to basic and standard checks, the enhanced disclosure scheme has collapsed. Initial assurances were that the process would take no longer than eight weeks; however, that period has spiralled to over 13 weeks, causing absolute havoc for all those involved.

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

I was contacted by several nursing homes, each of which expressed considerable frustration in relation to the lack of progress of applications for vacancies that they desperately needed to fill. That put the nursing homes in an incredibly difficult position as they struggled to ensure sufficient cover. In one instance, the process took so long that the successful applicant had to decline the offer and seek employment elsewhere. That has happened time and again across the constituencies. In another instance, one of my constituents, who had spent years studying at university, had graduated with a Postgraduate Certificate in Education this summer and who was desperately seeking work, had to turn down at least five offers of employment. Owing to the backlog, her

application lay for over a month before it was even considered, and she has yet to receive clearance.

A local community association also contacted me. It provides an after-school club, a school-holiday club, youth clubs and senior citizens' lunch clubs, and employs qualified staff as well as volunteers. The association interviewed people and offered a vacant play-worker position to an applicant in April, expecting that clearance would have been secured before the commencement of the holiday club. However, clearance was not received until the end of August.

All the situations that I have described are the results of delays that have been experienced at Access Northern Ireland. Responsibility for that lies solely at the doors of the Department of Health, Social Services and Public Safety and the Northern Ireland Office.

4.15 pm

Although it is crucial that we do as much as possible to protect the most vulnerable in our society, legislation on the matter is now so profuse that many community and voluntary sectors are reviewing their willingness to provide services, and others who may have an interest are recoiling due to the amount of bureaucracy that is involved. That situation must be resolved as soon as possible. We are facing a meltdown in nursing homes and in areas that deal with the most vulnerable in our society, that is, young children. If we cannot give that group the necessary protection, we are in a great mess. I ask the Secretary of State and the Department of Health to do all that they can to ensure that there are no more delays in resolving the issue.

Mr Elliott: I also thank Mr Shannon and his colleagues for tabling the motion at this time, given the stage that we have reached with the issue. It is a hugely concerning matter. I have recorded delays of up to 20 weeks in getting an enhanced check through the process. That is clearly unacceptable. Not all the checks take 20 weeks, but delays exist. The provision of domiciliary care, nursing and residential care in nursing homes, hospital trusts, education boards, nurseries and playgroups, as well as in early-years provision, are being thrown into near chaos as a result of the delays.

It worries me more that when the undertaking was given that 90% of enhanced checks would be completed within four weeks, some of the service providers warned that that would not be possible with existing resources and procedures. Nothing was done to rectify the situation at that time, and that has created a huge gap in provision. I believe that the provision that was given when that undertaking was made was hugely misguided.

However, there is an opportunity to move the process on. Suggestions have been made that the situation will be resolved and that the four-week deadline will be reinstated by the end of the year. I

hope that that is true, but given past history, I have grave doubts as to whether that will happen.

I understand that there was a temporary relaxation of the regulations sometime between 4 June and 25 July 2008. I am told that a further relaxation of those regulations came into effect from 21 August. I would like clarification at some stage as to whether that is accurate and as to whether those relaxations have occurred since 21 August. The relaxations should allow providers to get an indication of suitability from Access Northern Ireland from the initial checks that they perform. That organisation is provided with a list of unacceptable people. Service providers should be given the chance to see that list at the earliest opportunity so that they can decide whether they want to progress with the temporary employment of someone who applies for a job and who is not on the list and then put them under strict supervision. That would at least allow the issue to progress.

Another difficulty is that once a check has been completed, that person cannot carry that authority with them if they move jobs within a short timescale — they must go through the entire process again.

In one instance, one of my constituents made an application through AccessNI, but the job was filled in the meantime. The person got adequate provision from AccessNI and, within five days, was offered another job; but that individual was not allowed to take up that job, simply because the original check could not be transferred to a new employer. That really must be resolved; some sort of follow-up process should allow a check to be carried on to a new employer. Those issues could be helped and improved within a very short timescale.

We need to see an improvement in the service. The Minister has indicated that more staff have been put in place and have been asked to work longer hours to try to resolve the backlog. There must be clear answers; will the problem be resolved in the short term, before Christmas? If it is not resolved, providers will not be able to forward plan. If an employee at a local playgroup or nursing home gives a weeks notice, that vacancy cannot be filled. That is the difficulty, and I want it to be resolved as soon as possible.

Mrs M Bradley: The protection of children and vulnerable adults is, and should always be, of paramount importance to all Departments that have responsibility for delivering services of any type to the people of Northern Ireland. Currently, the caring services appear to be hit the hardest by the backlog and tardy processing and by what that means for recruitment and the roll-out of care. It is vital that the vetting procedures and security checks are carried out in a timely fashion.

In recent months, my constituency office has received many complaints from individuals who have made applications for posts and are awaiting clearance by Access Northern Ireland. In one case, a mental-health nurse's application took 28 weeks for clearance. That is totally unacceptable. Last month, we received several complaints from separate organisations that are awaiting clearance on various appointments and are desperately in need of additional staff. None of us would condone the appointment of workers without the appropriate checks having been carried out. However, a better screening system is vital.

Minister Goggins told us publicly that he acknowledges that there is a problem and that staff are working longer hours and more staff are being employed to clear the backlog. Despite all those additional hours, it is not clear that the problem has been overcome. Is the very process at fault? At this stage, we must consider that, as more and more requests for clearance come through AccessNI, the backlog will continue, and staff deployed to deal with the initial problem will probably be resited or will return to their previous posts. The problem will linger until there is another round of complaints and — as with many of the motions that we debate — we find ourselves in the same position, in another few months, demanding change and urgent better practice.

In today's employment and financial climate, there is desperation in the air as the credit crunch really gets its teeth stuck in. Even in a stable economy, employment in Northern Ireland has always been scarce, to say the least. However, in the midst of the current crisis, employment is more important than ever before. For families, employment means a salary, which could be the difference between living on the breadline or not. Given that scenario, the vetting process must be efficient, effective and responsive.

None of us wishes to criticise a process that was put in place to ensure the protection of children and vulnerable people. However, when that very process is backfiring on those whom it is supposed to protect, we are left with no option but to use whatever vehicle we can to improve the delivery of that process.

A full and frank investigation into vetting procedures and the causes for such lengthy delays must be implemented sooner rather than later, if we are to have even the slightest chance of providing an efficient service with a response time that will benefit the client and the applicant. In short, it is down to time, which, as the saying goes, is of the essence. Better safe than sorry should be the order of the day when dealing with the protection of children and vulnerable adults. However, if the situation is not put right immediately, each day hundreds, if not thousands, of children and vulnerable adults will be put at risk by the very process that is there to assist and protect them and their care.

The Security Minister must now act to put an end to a situation that has all the symptoms of meltdown.

I could mention several cases and describe to Members how the vetting process is being applied. The people concerned must wait and wait while organisations need them to do the jobs to which they have been appointed; and the people for whom they have been appointed to care are being sold short.

Schools are in the same position. I know of one school that is waiting for 11 clearances and has received none. The school term began at start of September, but those cases have still not been cleared. A moment ago, someone in the Chamber handed me a note informing me that it took two hours to get a phone call through to Access Northern Ireland. What chance does that give people who need to contact the organisation? Public representatives do not even have a hotline to Access Northern Ireland — perhaps they should, because that may help slightly. It is totally unacceptable that it takes two hours to get through to an organisation of that nature.

Mr Ross: I congratulate the Members who tabled the motion on an issue that affects thousands of people across the country. To place in context how many people are affected, some 12 million people in the United Kingdom are employed in jobs that require them to undergo a security check, and more than 6,000 applications are being processed in Northern Ireland alone. The safety of children and vulnerable adults is regarded, rightly, as an important issue, and the Assembly must take it seriously.

The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 aims to improve safeguards for vulnerable sections of society and is, on the face of it, extremely welcome. It is important that groups and organisations that work with children and vulnerable adults can be confident that their employees are not a threat to the well-being of those in their care. The Order also gives added peace of mind to family members who place their loved ones in the care of others.

However, the fact that a huge backlog of cases threatens people's jobs and childcare, health and education facilities is not welcome. As Mrs Naomi Long said, the threat extends even beyond that to leaders of voluntary groups. At present, the delays are as long as two months, which is frustrating for those people who are being prevented from going to work, and that was not the timescale that was envisaged when the process was established. It was stated at that time that Access Northern Ireland would process the majority of applications within only a few weeks. I know of cases in my constituency of applications not even being on the system by then.

I want to mention one particular case with which I have been dealing in my constituency — with, I must

say, little success. I was contacted by a lady who had been working at the PlayAway Nursery in Island Magee. That is a fairly small nursery that employs only three members of staff. The lady had been working there for some time, but she is still waiting for her vetting clearance to come through. She was told that she cannot go back to work there until the vetting forms have been returned. The nursery simply cannot survive with two members of staff, and my constituent is understandably irritated that she cannot continue in the job that she loves because of delays and red tape.

Mrs Dowey is not alone in her frustration. If the delay causes the nursery to close, the parents must look elsewhere for childcare. When I asked Access Northern Ireland whether it could fast-track the application, I was told that that was not possible. The organisation said that it had not even begun to process the application because it was still working through others that it had received several months earlier. Thankfully, Access Northern Ireland finally agreed to prioritise the application and process it manually, but it still took some time and remains unresolved.

It is not only the PlayAway Nursery that suffers from being placed in that impossible position. Members have heard today of many nursing homes and childcare facilities across Northern Ireland that are in a similar position. As groups experience difficulty in hiring staff, the delays put children and vulnerable adults at risk, because those who are keen to work are left at home, awaiting clearance or, as is more often the case, walk away from the job to do something else. As previously mentioned, most people cannot afford to wait for clearance or rely on their wages to survive, particularly now that current global economic conditions are severely stretching household finances.

My constituent Mrs Dowey loved the work that she was doing and is willing to wait for clearance, but the vast majority of people simply cannot afford to take that option. It is paramount that changes be made to the system to make it more efficient and speedy, so that groups and childcare facilities are not put under pressure to find accredited staff, and so that ever more people are not forced to walk away from jobs that they enjoy. I support the motion.

Mr Beggs: I also support the motion, and I declare an interest as a volunteer officer in the Boys' Brigade. I, in common with others in the Chamber, am subject to vetting checks. Potentially, people in voluntary services will not be able to provide support to their communities or facilitate the progress and learning of children.

Furthermore, I am a member of Horizon Sure Start, which employs people in the children's sector. That organisation may experience delays. My son, who is seeking part-time employment, has experienced difficulties with the legislation, whereby the employer

told him that he could not start employment until the completion of the process. That process has taken several months.

4.30 pm

Lessons must be learnt from the Soham inquiry, and legislation must be produced and delivered. At the minute, delivery is failing. The legislation is correct in theory, but systems must be established, and the resources must be available to ensure delivery. As other Members said, a wide range of services is affected, including critical areas such as children's services, nursing homes, residential homes, the teaching profession and the PSNI. The Northern Ireland Office and AccessNI are endangering children and vulnerable people. As a result of the delays, there is a risk of understaffing and failing to help children and vulnerable adults. That is an indictment of the Northern Ireland Office and AccessNI, and the situation must be rectified immediately.

Mr Elliott: Is the Member aware that, in some cases, service providers have received personal details of someone other than the individual who applied for the job?

Mr Beggs: I am aware of that; it is a serious breach of data protection legislation and an indictment of the administration that is handling that sensitive personal information.

Successful applicants who cannot start employment will seek other jobs. That adds huge costs to the system such as re-advertising costs for employers and costs of submitting additional checks. That bungs up the system, and AccessNI may receive more applications for every full-time job than is necessary. Removal of that bottleneck is essential.

One of my constituents is experiencing difficulties receiving clearance to become a part-time taxi driver. After six months, his application has still not proceeded. That individual has a clean record and is a respected member of the local community. That is an important employment issue and, moreover, affects our towns and city centres in the evenings, particularly on Friday and Saturday nights. AccessNI is not allowing young people to travel home safely and quickly, and avoid potential difficulties on the streets.

We must introduce new legislation to improve the safety of children and vulnerable adults. Where are the systems, resources and staff to deliver those improvements? The Northern Ireland Office must fix the situation. I concur with my colleague Tom Elliott, who outlined that the system must be altered — even temporarily. Individuals have received approval and, five days later, are told that they must return to the bottom of the pile and wait several months before they consider a similar job in a similar location. That is ridiculous; it is bureaucracy gone mad, and changes

are essential. A rolling extension to those procedures — whereby an increasing number of areas will be scrutinised — is in operation. It is essential that the scheduling is carefully examined in order to ensure delivery and to ensure that our children and vulnerable adults do not experience further difficulties.

Miss McIlveen: I support the motion and thank my colleagues for highlighting such an important and timely matter.

The vetting of those who work or volunteer with children or vulnerable adults is one part of our system that is in place to stop unsuitable people getting access to those who are at risk. Members will know that emergency legislation was introduced earlier this year that temporarily relaxed current vetting procedures pending receipt of an enhanced-disclosure certificate, but such legislation was absolutely essential to enable key establishments to recruit adequate staff.

We are all aware of the graphic results when a protective system fails, and we recall the terrible events in Soham and the activities of Ian Huntley. More locally, the inquiry of 1993 that produced the 'An Abuse of Trust' report examined the activities of sex offender Martin Huston, who managed to abuse children in a number of organisations, despite some professionals being aware of the risk that he posed and his past offences, combined with a then lax and underdeveloped system of pre-employment vetting.

With the enactment of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003, arrangements were strengthened, and further built on the provision of the pre-employment consultancy service that was run by the Department of Health, Social Services and Public Safety. The 2003 legislation significantly improved vetting requirements and created a statutory disqualification list, and made vetting and reporting those who had harmed children a requirement for a range of posts in childcare organisations.

For others, mainly in the community and voluntary sector, uniformed and sporting organisations, the vetting of those who sought posts was facilitated by the legislation, encouraged by the Department of Health and Social Services and was widely prescribed as good practice. Running parallel to Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 was the issue of Part V of the Police Act 1997, which was enacted in all other parts of the UK with the exception of Northern Ireland, despite the fact that Parliament intended the legislation to apply here.

The NIO eventually implemented Part V of the Police Act 1997 this year — 11 years later. That also facilitated the establishment of AccessNI to process vetting checks, which took over that responsibility from the Department of Education and the Department of Health. Part V of the Police Act 1997 also created a

more robust statutory process for the police to provide disclosure information, particularly in enhanced disclosures when relevant, non-conviction data can be provided.

A lot of work has gone in to encouraging organisations to carry out vetting checks and to operate the new processes and arrangements. However, it is regrettable to witness the considerable delays that have developed very quickly with AccessNI. Similar problems occurred when the Criminal Records Bureau was established in England and Wales. It is extremely disappointing that we find ourselves in the same position and that lessons do not seem to have been learned. For whatever reason, that is totally unacceptable and must be resolved immediately if public confidence in vetting is not to be undermined.

We have heard countless examples today of organisations that are unable to recruit quickly to a range of posts and sectors, which causes real hardship. That is also unacceptable, and decisive action is required. In my own constituency, Comber YFC had to wait almost four months before its youth worker could begin work. As for volunteers, there is a constant delay in the process, and, subsequently, people tend to lose interest and move on to some other charities while waiting. It has become rather like a lottery for individuals who want to offer their services — they simply make themselves available to a selection of youth charities and the one that comes back the quickest is where they go.

Following the Bichard Inquiry, new legislation is in the offing in the form of the safeguarding vulnerable groups Order, and in the radical new vetting and barring regimes that are being introduced by that legislation in Northern Ireland in October 2009. AccessNI will play a pivotal role in that, and will process applications for the new continuous monitoring scheme. Current problems will be dwarfed by what will come at that point. It is absolutely essential that problems in business processing and timescales are resolved.

The Minister, Paul Goggins, has taken a personal interest in this issue. I add my voice to the call for him to ensure, as a matter of importance, that the turnaround time for enhanced disclosure is brought back to four weeks. It is essential that he acts, and does so quickly. It may be also be very helpful if the Minister were to appear in person before the Education and Health Committees to advise as to the current position.

Mr Hamilton: The problem with speaking at this stage of a debate is that everything that could possibly be said on the subject has already been said by a variety of Members. As you know, Mr Deputy Speaker, as will other Members in the House, that is not something that has stopped me in the past, and it is not something that will stop me now.

It is refreshing that there has been unanimity throughout the Chamber on this very important issue. Having listened to the debate, it is clear that few MLAs or constituencies have not been adversely affected by this matter and, throughout the summer and recently, MLAs have encountered a broad range of complaints from various sectors about it.

I shall address the points that were made by several Members. However, nothing that I say should be misconstrued as a call for a rolling back of the structures that are in place — far from it. We have heard about various horrors over the years in the education sector, in nursing homes and in the health sector, and about the dreadful things that can go wrong if checks into people's background fail to happen. That is not a situation to which we wish to return; we want to move on.

I welcome the breadth and depth of AccessNI's strong system of checks into people who work with children and vulnerable adults. That system co-ordinates the work of the Northern Ireland Office, the police, the Department of Health, Social Services and Public Safety, and the Department of Education. I welcome that system's alignment with the rest of the UK, and I welcome AccessNI's ambitious targets. I am sure that we all agree that, if delivered, four weeks for an enhanced check is a reasonable amount of time for someone to accept and take up a post and to offer notice to an employer. In such situations, everything should move relatively smoothly.

However, the system of which we are so welcoming is not working; it is badly failing many people. As many Members said, it is ironic that a system that is meant to protect children and vulnerable people is actually putting those people at unnecessary risk because it is failing to deliver its service.

There are many reasons for being in that predicament; however, although many are understandable, they are unacceptable. The setting up of any new agency poses problems. The establishment of AccessNI coincided with the establishment of many community and voluntary sector and council summer schemes, and that probably did not help at the start. In addition, throughout Northern Ireland, there is a general rise in the uptake of such checks. All of those factors have had an impact on the predicament in which we find ourselves, but none is acceptable.

I share some of Naomi Long's concerns. She said that, although there may be particular failings, there may also be inherent problems with the system and how it works that have been inherited by AccessNI from the old system.

I could, as other Members have, recount umpteen examples of AccessNI's failure to work properly for people in the voluntary and community sector, the education sector, and the health sector. I have been in

contact with a great many nursing homes that are experiencing real problems, including, for example, one that attempted to recruit people from India, who were unable to do their jobs while checks were being processed.

Michelle McIlveen spoke about volunteers who are waiting for positive checks to be processed, and many good schemes are losing such volunteers. I spoke with the manager of a community group who said that, having gone through the process of recruiting an after-school club manager in May, his clearance did not come through, and therefore that person was not able to start until September. Consequently, critical time in establishing an after-school club programme was lost, and that club could not start until well into the academic year. Those are typical of the type of problems that are being experienced.

Jim Shannon spoke about how other councils and groups that were setting up summer schemes have lost out.

4.45 pm

The impact of all the delays is severe and widespread. Vulnerable people — including children and vulnerable adults — are being deprived of the services, which are not being delivered. Although not exclusively, in most cases the least well-off in our society are losing out. By and large, summer schemes and schemes that are run by the community and voluntary sectors, for example, are not operating in the most well-off parts of Northern Ireland; they are working in those communities that very much need those services. Therefore, it is the people that those services are aimed at — the elderly, children in care, former offenders, and the mentally ill — who are losing out as a result of the checks not coming through. Therefore, the most vulnerable in our society are suffering as a result of those problems.

The inability of nursing homes to recruit staff is having an adverse effect on those businesses and on health targets in general. Working in a nursing or a care home is not a glamorous job at the best of times; it is difficult work that is a vocation for many people. Given the current economic climate, when someone who is seeking employment applies for a job in a nursing or a care home and finds that there is an inordinate delay in their taking up that post, there is an obvious attraction for them to work in a corner shop or in a major supermarket, for example, where they do not have to go through any vetting process and where the work may be easier or better paid. The nursing or care homes will then lose out.

I am aware of one nursing home that has had to close one floor because of the loss of staff that it has suffered and because of its inability to fill those vacancies quickly, with the result that 12 beds are not being filled. Therefore, 12 elderly people with care

needs could be in those beds and getting the service that they require. However, that is not happening. That also has an adverse effect on the operation of that nursing home as a business, and it does not help to ease the problem of bed blocking.

It was mentioned that there is a cost to an organisation as a result of losing out on a person whom it wanted to recruit — it must re-advertise the position and pay another fee for an enhanced check. There is also a cost to the worker, given that some people may want to take up a post but are unable to do so and are, therefore, losing out on the money that they would earn over that time.

The problem has been acknowledged at the appropriate levels of Government, and, as has been mentioned, temporary measures to deal with it have been put in place. However, it is clear that those measures are not working either. The letters that were to be issued have been delayed, with the result that that process has not been simple and straightforward. The letters are certainly not a long-term solution and are not entirely appropriate for people who are offering one-to-one care. In many ways, the letters are putting the burden on organisations and businesses to employ someone and, in doing so, to take a risk. That is not something that I or any Member would encourage a business to do.

As I said, the problem has been acknowledged at the highest level. That is a start, at least. It would help if Access Northern Ireland information were made accessible to us, as elected representatives, and to the businesses and organisations that use it. Along with other Members, I am concerned that, at times, it is impossible to gain information from Access Northern Ireland and that, at other times, such information is released quite slowly. From speaking to other Members, I know that they have also encountered that problem.

I do not know whether the problem is with the system, with the availability of resources, or whether it is a combination of both. I suspect that it is a systemic problem and that the structure must be improved and supported with the appropriate resources. Whatever the problem, a solution must be found, because far too many people in our society who are vulnerable and in need of the services that are provided by various businesses and groups in our community are losing out. That is unacceptable. I therefore commend the motion.

Question put and agreed to.

Resolved:

That this Assembly notes the waiting time for POCVA checks to be processed; further notes that this is adversely affecting child care centres, amongst other employers; and asks the Secretary of State to investigate the situation and ensure that applications are processed as a matter of urgency.

Adjourned at 4.49 pm.

Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone 0870 240 3701

TSO Shops

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

TSO@Blackwell and other Accredited Agents

ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325

Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited

© Copyright Northern Ireland Assembly Commission 2008

ISBN 978-0-339-50287-1



9 780339 502871