
NORTHERN IRELAND ASSEMBLY

EXECUTIVE COMMITTEE BUSINESS

Financial Provisions Bill

First Stage

Monday 23 February 2009

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr P J Bradley: On a point of order, Mr Speaker. I was told that the Minister of Agriculture and Rural Development would be making a statement in the House on the farm-modernisation programme. Has the Minister been in touch with your office about making such a statement?

Mr Speaker: It is up to individual Ministers whether they wish to make a statement in the House on any matter. I have not had a request from the Minister of Agriculture and Rural Development to make a statement.

Mr P Maskey: On a point of order, Mr Speaker. Last week, while making a point of order, Rev Willie McCrea spent a couple of minutes questioning whether a Minister should resign. Given that the Speaker has made a ruling that such matters are clearly not points of order, was it right for the Member to have been allowed to waste that time? Go raibh maith agat.

Mr Speaker: On more than one occasion in the House, I have brought the abuse of points of order to Members' attention. Points of order must be relevant to the business that is being discussed in the House. I have not checked the Hansard report for the incident that the Member mentioned, but I am happy to do so. Occasionally, Members on all sides of the House abuse points of order. Nevertheless, in that instance, it would have been better had the Member raised his point of order after the debate. Points of order should not be abused in any shape, form or fashion. Points of order should relate to the business that is taking place in the House at that time.

The Minister of Finance and Personnel (Mr Dodds): I beg to introduce the Financial Provisions Bill [NIA 6/08], which is a Bill to confer absolute privilege on certain reports of the Comptroller and Auditor General for Northern Ireland; to enable the Department of Enterprise, Trade and Investment to incur expenditure for certain purposes; to provide for the costs of district rates collection to be charged on and issued out of the Consolidated Fund to the Department of Finance and Personnel; and to repeal the requirement on the Department of Finance and Personnel to prepare finance accounts.

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.

PRIVATE MEMBERS' BUSINESS

Closure of Residential Care Homes

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

Mr Poots: I beg to move

That the Assembly expresses its opposition to the proposed closure of residential care homes by a number of Health and Social Care Trusts; and calls on the Minister of Health, Social Services and Public Safety to intervene and listen to the concerns of the community and take appropriate action to minimise the pain, stress and anxiety that this uncertainty has created among elderly care home residents, their families and health workers.

I have no pleasure in moving the motion, because we should not be in this situation. During the debate, I suspect that some Members — including the Minister in his response — will state that the Minister's hands are tied and that due to the requirement on him to make efficiency savings, he has no option but to consider closing residential care homes. Let me put that notion to bed; it is inaccurate.

The spend per head in the Department of Health, Social Services and Public Safety (DHSSPS) is 10% higher than it is in England, and there are 23% more jobs in the Health Service here than there are in England. Furthermore, there has been an 11.9% increase in the health budget from 2007-08 to 2010-11. Therefore, the health budget has increased by 11.9% over three years; it has not been cut. Some 51% of additional allocations throughout the Northern Ireland Departments went to the Department of Health, Social Services and Public Safety, as against the existing budget of 48%.

By 2010-11, spending in the Department of Health, Social Services and Public Safety will rise to £4.3 billion. That is more than double the amount spent on health in 2000-01. Let us be honest with the people: there are efficiency savings to be made. That should not be seen as an opportunity to make cuts in the Health Service; it has more money now than it had — not less.

We are aware that staff productivity is 11% less. In the past five years, staff numbers in the Health Service have risen by 21.4%, but hospital activity has increased by only 6.3%. Although I sympathise with the Minister in that regard, he has a challenging job to do. People who have been engaged in administration for a long time intend to hold onto their jobs, by hook or by crook.

They will provide the Minister with 101 reasons why their jobs are so important, when, in fact, those jobs are of minimal importance to the Health Service when compared with the issue that is being debated today.

If you do not want to take my word for it, why not take the word of Professor John Appleby, who was brought in to look at the Health Service. He identified that the unit cost of hospital procedures in Northern Ireland is 9% higher than those in England; hospital throughput is 26% less; consultant productivity is 7.4% less; public-health habits relating to diet, alcohol and exercise are worse; GP lists are 10% shorter; spend per head on prescriptions is 29% greater; and the ratio of our nurses, vis-à-vis qualified/unqualified, is greater.

Let us be honest and identify that the cuts — or the efficiency savings — need to be made in administration, not in the front line services.

Having posed nine questions on that issue to the Minister of Health, I am disgusted that I have not received answers to the vast majority of those. Those simple questions asked, for example, how many statutory homes in the 15-mile radius surrounding Dromore are closing or have closed, and how many bed places have been lost in the past five years. Answering those questions should not be very hard to do, but Mr McGimpsey says that the information is not available in the format requested and could only be provided at a disproportionate cost. That is rubbish, yet the same response has been given to a number of questions that have been asked of the Minister.

I am deeply disappointed that the Minister refuses to answer the questions. The same situation applies when the people on the Skeagh House committee ask questions of the local health trust — they cannot get answers either. Clearly, the health trusts and the Department of Health are clamming up and are not prepared to talk to people.

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

Skeagh House is a care home in my constituency. We are deeply concerned about the closure of that home, as the service that is provided there is second to none. However, I am only a politician; people do not believe politicians. Perhaps they will believe the professionals in the health field, the doctors in Dromore, who say:

“we have visited the home, often on a weekly basis, almost since it opened and were delighted to celebrate the 25th anniversary recently. During those years we have been in a position to observe the quality of the service provided by the staff at the home to the residents. We have consistently observed what a high quality service is provided at all times. It is interesting to observe that many of the Southern Board officers leading the closure campaign have only been in post for less than two years.

All the doctors and practice staff, as well as the district nurses hold the Staff and personnel working in Skeagh House in the highest esteem. The facilities offered by the home are modern, safe

and effective. There is a 'home away from home' atmosphere and all staff hold the residents, who are frequently in later life or have other physical or mental challenges, in the highest respect. ...

We are being consistently told by relatives of the inconvenience that would result from having to travel to neighbouring towns by public transport, to visit their family who might be residents elsewhere. Residents benefit from remaining in their own locality and being in contact with old friends and neighbours."

That is what the doctors — the health professionals — say.

Never mind what I, or the doctors, say: let us hear what the residents have to say, because they are the most important people. I will read an extract from a letter that I received from a lady, who, for the sake of anonymity, I will call Annie. Annie says:

"I had the privilege of working in Skeagh House for 12 happy years, but had to leave because I had a major heart attack in October 2004 and a defibrillator implanted. During this time, I was caring for my 90-year-old mother ... a frail lady who has muscular degeneration. Being blind in one eye and partially sighted in the other, she also walks with aid of a rolator. She is now 94 years old and when I took ill so suddenly, she was admitted to Skeagh House as an emergency admission, as there was no one to care for her. I still care for my mother 24/7 and she would go to Skeagh House every 6 weeks for respite for 2 weeks, which is greatly needed on advice from my consultant, in the Belfast City Hospital."

That is one case.

I will read a letter that describes the case of another lady, whom I will call Mary, who:

"lived alone in Portadown after her husband died and she retired from her job in the library when she was 60. She was registered blind on 16 October 1992 and received the services of a home help as it was unsafe for her to cook. When pouring a cup of tea, she placed the cup in the sink as a safety measure. Then she received a liquid leveller which made a noise when the correct amount was in the cup.

It was obvious that as her sight loss was a big handicap, residential care was necessary and almost nine years ago she came to Skeagh House after her family had considered a number of options. Skeagh House appealed to them because of the layout and the friendly staff. She now looks on Skeagh House as her home and is happy and feels secure there. She would have great difficulty in adapting to new surroundings because of her poor eyesight.

The news came as a great shock and has left her broken-hearted and her family very unhappy. Due to uncertainty, it spoiled Christmas for them all."

12.15 pm

I give Members another example:

"My mum ... has worked, lived in the Dromore area all her life, drove her own car and lived alone since my father died. Following his death, my mum's home was broken into and items stolen — still she didn't give up and soldiered on independently. Later she was diagnosed with osteoporosis and also suffered a stroke. She was hospitalised at this time for nine months in Lagan Valley Hospital, Lisburn. She was then advised that it would be unsafe for her to return to her own home and independent living; residential care had to be her future.

After my sister and I had taken mum to see several residential homes, her choice was Skeagh House. We were united in our opinion as to the warm and comfortable surroundings and very

friendly staff. This has been mum's home since August 2000 and she feels happy and secure there.

My mum will be 89 years of age in April and could I ask how at this age she can go looking for a new home? Some of the other residents are much older and some have failing eyesight."

That is the situation in case after case in that Southern Trust home, where 102 people are in statutory residential care. Minister, those are 102 human beings, not 102 units, 102 vehicles in a fleet or 102 pallets in a warehouse. Those are 102 human beings — people who served our community for years, in grim times. Many of them lived through the Second World War, and they all came through the worst excesses of the Troubles in Northern Ireland. They have worked to create a better environment for us. What are we going to do for them? Are we going to turf them out of the home that they have come to love over the years, or are we going to support them?

The Minister must find efficiency savings where he can. I have identified that he has additional money and that he can make those efficiency savings elsewhere. I have a volume of signed petitions, and there are more to come. The public are deeply angered by the proposal —

Mr Deputy Speaker: I ask the Member to draw his remarks to a close.

Mr Poots: I am thankful for the opportunity to bring this serious matter before the House today.

Mrs O'Neill: I beg to move the following amendment: At end insert

"; and further calls on the Minister to ensure that any proposals coming from Trusts are equality proofed so that services are available for those most in need."

Go raibh maith agat, a LeasCheann Comhairle. I commend the Members' opposite for tabling the motion. I hope that they can accept Sinn Féin's amendment, because it enhances the motion's sentiments.

Members will be aware that the Committee for Health, Social Services and Public Safety brought a motion to the House last week that called for the protection of the most vulnerable in society. Many Members contributed to that debate and expressed concern around a number of issues, which included front line job cuts and home-help services. Few Members failed to mention the closure of residential homes, yet those closures affect all trust areas.

As we all know, efficiency savings are a controversial issue. We are all aware that the purpose of those savings is to cut out waste and to deliver the same service in a more efficient and effective way. However, those health-sector savings appear to have impacted on the most vulnerable in society. Staff, patients, residents and their families have all been experiencing anxiety and concern over recent months. We must do all that we can to protect the most vulnerable in society.

The trusts' decisions to close residential homes have caused widespread concerns in the wider community. The Western Trust told the Health Committee that it had received more than 4,000 signatures opposing the closure of one nursing home. That demonstrates that it is not just the residents of the nursing home who are affected but wider society.

I fully support care in the community, and people should be supported to live independently in their own homes. However, we must also be realistic, because services are not in place to allow people to do that. People are aware of the situation concerning home helps. Some people are allocated 15 minutes of support, which is insufficient and inadequate to help people to live independently. If we are serious about moving towards people living independently, we will have to address that issue. Services are already stretched and unable to deal with people, and if many more people are to be discharged from residential homes, I do not know how those people will manage.

In Mid Ulster, many families depend on the services that Cherry Lodge offers. It is a respite facility for disabled children, and it is a lifeline for the families who use it. Often, those children have complex needs. They must go into respite care for their security and for their family to have a rest. A campaign has been mounted in Mid Ulster to retain Cherry Lodge, and I support the calls from the families to keep the facility open. My colleague Francie Molloy and I recently visited the Northern Health and Social Care Trust's headquarters, where we spoke to its chief executive and chairperson to put the case for that residential home and other challenging issues in its proposals.

At that meeting, the chief executive gave a commitment that no change will take place until people and their families are content and satisfied that any new system or service will continue in the future. We will continue to monitor that emerging situation very closely.

As Mr Poots said, a number of people took time out of their schedule this morning to come to the Assembly to present Members with a list of names in a petition. It is clear from the pile of papers that Mr Poots showed us this morning that there is genuine concern in the community about the proposed closure of the homes. Our amendment calls on the Minister to ensure that any proposals to emerge from the trust are equality proofed so that services will be available for those most in need. We have a moral obligation to protect the most vulnerable in our society. We must ensure that there is equality of outcome for all in relation to access to services, but, in particular, for the elderly, the disabled and the young.

I am aware that the proposals were equality proofed when they were initially published, but if real

consultation takes place and the trusts take on board what the communities are telling them, any changes and decisions will have to be equality proofed.

We can all accept that the pocket money that the British Treasury has allowed us is inadequate, to say the least. Even if we had a massive pot of money for health, I do not believe that it would ever be enough. There will always be demands on the Health Service, but we must accept reality; we have to live with the resources that are available, and we must target them at those who are most in need. Efficiencies need to be achieved where they can, but they should not be focused on the services for the most vulnerable in society. I urge Members to support the motion and the amendment. Go raibh maith agat, a LeasCheann Comhairle.

Mr McCallister: This subject is very important and emotive, and there is a recognition that it has certainly caused concern and alarm in communities throughout Northern Ireland. I am quite sure that the issue has been brought to the attention of each and every MLA in their constituency work.

Care homes provide a valuable service in looking after our elderly people who have contributed so much to society throughout their lives. Many people who live in care homes are extremely vulnerable. For those people, care homes become their homes, and their fellow residents and carers become an extension of their families.

Care homes are also of great benefit to families who do not have the ability, or facilities, to care for their loved one. Local care homes allow people to live close to their families, friends and communities. Of course, health trusts span various constituencies, and some cater for people in my constituency and in neighbouring constituencies. Mr Poots mentioned Skeagh House care home in Dromore, and I must also mention the Grove House in Ballynahinch and Slieve Roe House in Kilkeel.

Mr K Robinson: Does the Member agree that the matter is widespread across Northern Ireland? In my constituency of East Antrim, there is the Lisgarel residential care home in Larne, Greenisland House in the Carrickfergus area, and Clonmore House residential care home in the Newtownabbey area, which is also a concern for my colleague for North Belfast Mr Cobain. All those homes are central to service provision in the East Antrim area, which has already suffered years and years of diminution of its health services generally. Does the Member agree that the centrality of those homes — right at the heart of the communities — adds to the value of the excellent work that is taking place there?

Mr McCallister: I thank my colleague for that intervention. When I think of homes such as Slieve Roe House in the isolated Mourne area, I realise that it is essential that, as we move forward, we strike the

right balance. We must keep people near their communities and value the health benefits that derive from that.

However, we must face reality; this situation is not of the Health Minister's making. The fact is that the health budget is clearly inadequate. There is a funding gap of £600 million between provision in Northern Ireland and England. That is the figure with which the Department of Finance and Personnel (DFP) agrees. I am not sure what figure Mr Poots referred to earlier, but the figure that I have just quoted is from the Department of his colleague, the Minister of Finance and Personnel. I must point out that no decisions have been taken on the future of those care homes and that the consultation is still very much ongoing.

Mr McNarry: Does the Member agree that where a residential home, such as Ard Cuan in my Strangford constituency, is under pressure from the trusts — I must emphasise the trusts' consultation on proposed closures — the legal definition of the word "residential" must be determined. The families and residents whom he talks about in his area, just like the families and residents in my area, believe that living in a residential home involves a contract of tenure. Therefore, we need to assess the legality of the word "residential" and what it means to those people.

Mr McCallister: Absolutely. My honourable friend raised several points, not all of which related to the definition. Everyone wants their loved ones to live independently, or to live with them, for as long as possible, but there will always be a need for residential care provision, and appropriate levels of care must be put in place. During Committee evidence sessions, officials from some trusts said that they did not have sufficient care packages in place, which was worrying, and it raises the question of how they will cope.

The implications for the Budget were that the 3% efficiency savings were rock solid. That was imposed, and supported, by the DUP. Now, suddenly, the DUP seems to want to distance itself from that.

Some Members: Tut-tut.

Mr McCallister: Some Members can tut-tut all they want, but the DUP nailed its colours to the mast regarding the 3% efficiencies.

Mr Poots: Will the Member give way?

Mr McCallister: I am running short on time, and I have already given way twice.

Consultations are being carried out with trusts, care homes and communities. That is a necessary step, but no decisions have yet been taken. Although recognising the potential ordeal involved in moving elderly people from their established homes, this is also part of the long-term strategy of implementing the relevant aspects of the Appleby Report, which Mr Poots referred to,

and facilitating and supporting more elderly people to live in their own homes in the community.

The current strategic direction is to maintain people living independently in the community for as long as possible. I do not think that anyone will object to that, providing the appropriate support is in place, but we need residential homes as back-up care facilities.

The DUP is constantly championing the Appleby Report, and no one has promoted Appleby's findings on the public-health agenda more than the current Minister.

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

Mr McCallister: The motion is worthy of support, but people must champion more money for the health budget.

Some Members: Hear, hear.

Mrs Hanna: I support the motion, and I thank the Members who proposed it. However, I wish that they had talked to their leader and the Finance Minister and thought through the detail and impact of the 3% cuts. The proposal by a number of health and social care trusts to close statutory residential homes is ill-advised and is being driven primarily by the unending pressure on them to cut costs and make savings at the sharp, or delivery, end. The constant pressure for cost saving, when engaging with our elderly population, is counterproductive, and, in the long run, may increase the burden on the taxpayer unnecessarily.

Over the past few decades, the trend has been to close statutory care nursing and residential homes for the elderly, and for the elderly and mentally infirm. The motive for the great majority of closures has been financial. They are being closed by stealth. Some homes are in a state of disrepair and need to be modernised, but that is also the case for other healthcare facilities. Although there are some not-for-profit homes run by religious institutions, charities and the like, we are now dependent on the private-for-profit sector to look after about 85%, or 17 out of 20, of our elderly population.

I am not hostile to private-for-profit providers of residential care. I acknowledge that most homes are well run and have twice-yearly inspections by quality impact assessors who look at staff, accommodation, building fabric, etc. However, the fact must be faced that the primary objective of those homes is to make a profit and a return on capital on the often very significant investment that private residential homeowners have to make. That means that they must ensure that income exceeds cost, and there may be an inevitable temptation to do the minimum necessary to pass the inspections.

The owners of some residential homes are already under financial pressure, but what other area of healthcare for the very vulnerable is expected to make a profit?

12.30 pm

It is more feasible for statutory homes to set standards of excellence and innovation. Because the private sector must make a profit each year, it will inevitably be driven to be more selective in the type of elderly resident it accepts. It will be more reluctant to accept people with more complex needs, because such elderly people need more care in certain matters.

Often, an elderly person with a particular need may otherwise be very independent and mentally alert and need no nursing care. Such care would detract from that person's independence and autonomy, because he or she would mix with other, frailer and more dependent people. It would also cost the taxpayer £100 per week more if that person were to go into a nursing home because there was no residential care home.

If we close down the statutory residential homes, we will leave a gap in the spectrum of care between, at the lower end, the fold-type of residence with a warden, which provides care in the community for the able-bodied and independent, and, at the upper end, nursing care. Residential homes are also used for patients who may be — to use an awful phrase — bed blocking, or whose discharge has been delayed. They may need rehabilitation, physiotherapy or occupational therapy before they can be sent home.

We are told that the best option for elderly people is that they stay in their own homes for as long as possible — care in the community — and I agree with that. However, domiciliary care, on a one-to-one basis, can be very difficult to deliver. I did it for 10 years and, believe me, it can be complex and difficult. However, if there are residential homes, people can be kept more active; they can enjoy craft, music and dance, rather than move into a nursing home before they require it.

Mr Poots: Does the Member agree that, when a trust asks an elderly person whether he or she would prefer to live in his or her own home or in a residential care home, the question is loaded? It will almost always elicit a response in favour of living in one's own home. For many people, who are not ready for a nursing home but who cannot stay at home, residential care is the only real and practical choice. If we go down the route of doing away with statutory residential care, we could end up with a situation similar to that in England, where care in residential private nursing homes is of a much lower standard than we would expect for our elderly people.

Mrs Hanna: Yes. That is exactly what I have said. Only the statutory sector will maintain standards of excellence. Some elderly people do not have a choice: they do not need nursing care, but they cannot stay at home. We need a level of residential care.

However, the current proposal is more about efficiency savings than about choice and quality of

care. I cannot stress that strongly enough. It is hasty, and a bad move. Of course, we should keep people at home if at all possible, but there will always be those who need residential care. Some people are now planning for the future, which is not as secure as it was 10 or 20 years ago, and they are already looking at residential homes. Those people are still mentally alert and fit, but they know that, a few years down the road, they will need that sort of care.

Mr B McCrea: Does the Member agree that not only is that the case, but that respite provision for those who have to care for elderly people living at home is at least as important an issue and ought to be taken into consideration?

Mrs Hanna: The Member has just stolen my next point and made it well.

This decision has to be about choice and quality. Removing the level of statutory residential care will be financially counterproductive.

Mr McCarthy: I am glad that the Minister is present. Unfortunately, his response to some of our questions may be limited because consultation is ongoing.

The proposed closure of a number of statutory residential care homes in order to save money, as Members have said, has caused much anxiety among residents and their relatives. Consultation with the public has been ongoing for some time. As we have heard, there is great opposition to these, and any, closures. Let us not forget that we are dealing with elderly human beings who deserve to be treated with respect, to have their needs met and to be as comfortable and content as is humanly possible.

Many of the residents of nursing homes have lived there for some time. They consider their present provision to be a long-term requirement and do not wish to move to some unknown location.

They have made friends in their existing home, and have experienced a first-class service from the staff in that home. The last thing that they need is uncertainty, a change of environment, or a change in the people who look after their needs.

I attended a public meeting with officials from the South Eastern Health and Social Care Trust and relatives of residents of the now-threatened Loch Cuan House residential home in Newtownards. At that meeting, total opposition to the home's closure was expressed by the relatives and the public representatives. We hope that the trust's officials got the message of that evening loud and clear, and will acknowledge the wishes of the residents and their relatives. It would appear that, because of a gradual running down of Loch Cuan House over a period of time — and I presume that that is happening all over — there are now, I understand, some seven residents, and no more

admissions of new residents seem to be planned for Loch Cuan House.

Mrs D Kelly: The Member is describing closure by stealth, because I am sure that those places could adequately be used by other people who have respite care needs.

Mr McCarthy: That would appear to be what is happening; and, certainly, it is what has been happening at Loch Cuan House for some time, which is unfortunate for the people who require its services. The least that the trust can do is to allow those seven residents of Loch Cuan House the choice to finish their days in a place that they call home. Certainly, before any change can be made, the residents' individual needs should be assessed. I am sure that that situation is replicated across other boards in Northern Ireland. Loch Cuan House was also used as a respite facility and was greatly valued and appreciated by all who needed that service.

Mr Shannon: The Member has outlined the case for Loch Cuan House, and, very clearly, a risk assessment should be carried out before anything happens with regard to the home's future. Does the Member agree that the age group of those residents — between the ages of 88 and 98 — indicates that a risk assessment should be the first priority before anything is done in relation to the future of the home?

Mr McCarthy: I agree entirely with what the Member said; he was at the same meeting that I attended, at which, as he will remember, a commitment was given that there will be an assessment. We hope that that will be carried out before there is any change, and that those seven people get their day in Loch Cuan House.

Supported housing was due to replace Loch Cuan House on the same or a nearby site. That was an option that could have allayed residents' fears. Now, even that has been kicked into touch, and, for one reason or another, is not going to happen. The Executive have made much comment on how they regard our senior citizens, to even the point of almost providing a commissioner for older people; that has not been done, but I understand that it is in the offing. What way is it to treat our older dependent citizens by throwing them out of statutory residential homes with a very uncertain future? Surely, they deserve better.

Of course, everyone supports efficiencies, and if there are more efficient ways of providing care for our elderly people, which — and this is the important aspect — have the consent of those same elderly people, it would make sense to provide care in that way. However, the Health Service has a statutory duty to make that provision; it must not all be left to the private sector. Care in the community has its advantages, particularly as it allows elderly people to stay in their own homes for as long as they wish. Unfortunately, we

are all too aware that community-care packages are not always readily available.

There must be no closures of any kind of those homes while there is a demand. With an ever increasing elderly population, I have no doubt that that demand will continue to exist.

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

Mr McCarthy: The need for respite care for newly discharged hospital patients is another issue that has to be considered. I support the motion and the proposed amendment.

Mr Ross: I do not have any difficulties with the amendment, but I am not sure that it is entirely necessary, given the legal measures that have to take place anyway. Over the past six months, few issues have generated as much public concern as the proposed closure of residential care homes. As Ken Robinson said, three homes are earmarked for closure in my constituency of East Antrim: Lisgarel, Greenisland Residential Home and Clonmore House in Newtownabbey.

I have received hundreds of emails, letters and phone calls about the proposals, and, although there is public anger at all the proposed closures, the case of Lisgarel has provoked more anger than the others, especially given the fact Larne already suffers from a lack of healthcare provision when compared with elsewhere in Northern Ireland. The level of public outrage is not only gauged by the volume of correspondence that local representatives have received but by the fact that some 500 people turned up to the Clarion Hotel and, similarly, hundreds of people packed out public meetings that were held by local clergy in Larne.

I have met residents, their families and carers, all of whom are scared, angered and upset that the trust appears to want to close the residential homes in East Antrim. Indeed, this morning, on the steps at the front of this Building, I was handed a petition that has been signed by thousands of people from my constituency, all of whom are outraged by the proposals to close care homes. Accompanied by my colleagues Alex Easton and Jonathan Craig —

Mr K Robinson: Will the Member agree that, particularly in the East Antrim constituency of which he, I and other Members know, the issue has raised public concern to an extraordinary level? That was witnessed in the meetings in Larne and in the meeting in the Clarion Hotel in Carrickfergus that the Member and I both attended. I have visited the three homes and spoken to staff, relatives and residents. The issue goes right to the core of care — not only care in the home but the feeling of care that the whole community has towards those residents.

Mr Ross: I agree wholeheartedly. On previous issues to do with healthcare, all the MLAs who represent East Antrim have worked together. I look forward to that happening again and all of us putting pressure on the Minister to ensure that the closures do not happen. I will deliver the petitions to the Minister's office later this afternoon.

Mr B McCrea: Will the Member give way?

Mr Ross: I will not give way again, because I will have only one extra minute to speak, and I have a lot to get through.

Healthcare provision is not a new argument for East Antrim. Previously, I led an Adjournment debate in the House on the matter, and I highlighted the fact that the over 65s population in Larne is 10% greater than elsewhere and that the town is underprovided for in comparison with other trust areas. Every week, the Minister refers to efficiency savings, and he pledged that those would not affect front line services. Over the past number of weeks, the Assembly has debated motions about the cuts in the Health Service that are proposed by the Minister. The Health budget is, in fact, the biggest ever budget for health in Northern Ireland, and it received over 50% of additional funding in the —

Mr McCallister: Will the Member give way?

Mr Ross: I will not give way, because I have already said that I do not want to give away any more time. I am sure that the Member's colleague will comment on that.

The re-provision of the trust residential homes document and the closure of the five statutory residential homes, including Lisgarel, will have a massive impact on the elderly population, particularly in Larne. Closing residential homes and effectively telling residents to go elsewhere is hugely traumatic for them and their families and leads to distress, which, as we know, leads to premature death. Research in GB has shown that, in areas where care homes have been closed, the life expectancy of the residents decreases.

I have been contacted by one constituent whose mother is a resident of Clonmore House, and she is at pains to say that her mother sees Clonmore not as an institution but as her home. She sees her carers and her fellow residents as friends, and she is very happy there.

Over recent weeks, I have been slightly encouraged by the change of tact by the trust, which now says that the original document was badly worded.

Mrs M Bradley: Will the Member give way?

Mr Ross: I have already said that I will not give way to the Ulster Unionist Party, so I will be consistent and not give way.

The trust has made many statements in the local papers saying that it wants to replace Lisgarel rather than closing it. That is welcome, but it is of limited value to

people who have parents or loved ones in other homes in the area. Other Members have said that elderly people do not want to live in residential homes, but living at home without 24-hour assistance is not always appropriate or available. There comes a time in most people's lives when independent living is just not suitable.

People are vulnerable, frail and have been neglected or are unable to cope with living on their own, and that high level of dependency requires 24-hour help, not just the 15 or 20 minutes that community care often leads to. Some weeks ago, the Minister said that he did not recognise the claim that 15 or 20 minutes a day of care takes place, but I assure him that many families in my constituency certainly recognise that.

12.45 pm

Today, many people from Larne have made the trip to Stormont and are present in the Public Gallery. I want to mention Lisgarel residential care home specifically, because it is a fantastic facility. It is situated in a complex that is tucked in off the road in the centre of Larne. The complex contains a day centre and a number of chalets for sheltered accommodation. It is close to a local health centre and Inver House. Lisgarel was underrated by the criteria that are used to judge various care homes because due regard was not given to its existing sheltered accommodation, health centre or day centre.

The consultation document also states that Lisgarel is situated on the outskirts of Larne. In fact, it is situated within one third of a mile from Larne's town centre. People who live there, and, indeed, those who live in other residential care homes, not only have 24-hour care but companionship, mental stimulation, support, and they live in a protected environment.

Discussion on cutting services at Inver House took place on the basis that Lisgarel would be retained and enhanced. The Department must live up to that.

Mr Deputy Speaker: The Member should draw his remarks to a close.

Mr Ross: Finally, although Members understand that, because consultation is ongoing, the Minister cannot comment on the matter in any detail during the debate, I appeal to him to listen to the debate and to ensure that he does not take any decisions that will put the lives of care home residents in East Antrim and elsewhere in Northern Ireland at risk.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. In any debate about the elderly population, the valuable contribution that older people have made, and continue to make, to society must be recognised. There must also be recognition that negative attitudes to ageing have prevented the development of policies and structures to deal with poverty, ill health and the isolation of older people. The Assembly must pledge to

support and pursue actively the political and legislative changes that are necessary to establish a decent standard of living, full access to services and the right of senior citizens to participate fully in the community, regardless of whether they live in residential care homes or not. It is vital that mechanisms are developed to value and recognise properly the lifelong contributions of older citizens.

Unfortunately, older people are often seen as a commodity. The number of private residential care homes has increased dramatically during the past number of years. Those residential care homes are commercial enterprises and are in business to make money and profit. In contrast, the number of residential care homes that are run by trusts has diminished. Recent proposals to close more of that type of accommodation do not bode well for the future provision of those homes.

Many of the issues that must be addressed in order to promote social inclusion relate to the provision of quality services and access to those services. Just because older people live in residential care does not mean that they should be forgotten about and not included in society. Unfortunately, many people who live in residential care homes become institutionalised quickly. That must be factored into any decision on closure of residential care homes.

There should always be an adequate level of nursing care in residential accommodation. As care recipients, older people need support for independent living, particularly in their own homes. It is important to maintain independence. However, that requires a sufficient provision of support services. My mother, who, fortunately, lives independently at home — and who will be 100 years of age on 3 March 2009 — receives what could be considered minimum care support from the trust. Much more work is needed in order to put effective planning and support resources in place to enable health and social care services to respond to older people's needs.

Elder abuse is another issue that must be addressed. A recent study shows that 3% of older people in the North suffer elder abuse in their own homes. Only 4% of older people here live in residential care homes; yet 23% of calls to elder abuse helplines are from residents of such homes. That problem certainly must be addressed and awareness of it raised among the public.

Provision of supported and sheltered accommodation for older people must not be isolated but situated in the wider community, which will enable senior citizens to participate fully in the community. It is incumbent on the Minister of Health, Social Services and Public Safety to take all those factors into account when he considers the closure of any residential care home. Full and proper consultation is essential in order to take into account

the feelings of elderly care home residents, their families and the healthcare professionals who are involved.

Finally, I call on the Southern Health and Social Care Trust to consider carefully its proposals to close Slieve Roe House in Kilkeel and Mullinure Hospital in Armagh. Go raibh maith agat.

Mr Easton: I apologise for not being present earlier in the debate: I was speaking at an event in the Long Gallery.

In expressing opposition to the closure of residential homes, I will make a number of general points that apply across the range of residential care homes. I will also focus specifically on Ravara House in my constituency of North Down. Indeed, this debate is especially relevant to North Down, given that the size of the elderly population there has increased at a higher rate than in any other constituency in Northern Ireland; that increase will be about 13·4% by 2011.

The Minister refers to the costs of residential homes, but does he realise that the proposed closure of homes will carry significant costs, and not only financial ones? He was kind enough to come to my constituency and listen to the anxieties of friends and family whose loved ones reside in the excellent Ravara House. He must not allow himself to fall into the trap of knowing the price of everything and the value of nothing.

I want to address the issue of our elderly living in safe, secure environments that enhance their quality of life. We want residential environments to provide added value for residents. Families who have a loved one living in a residential unit need reassurance that their loved one is comfortable and happy and that the physical environment and quality of care that he or she receives is satisfactory. Those general principles apply to all residential homes that are under consultation for closure. Those principles are very well followed at Ravara House, so I tell the Minister — if something is not broken, do not fix it.

I learned a great deal from speaking to residents of Ravara House and, indeed, to their friends and families. I learned that Kilcooley — an area identified under the targeting social-need criteria — has a facility that has demonstrated caring excellence as a matter of course. Ravara House is a place where residents feel genuinely safe, secure and comfortable. I saw its staff and volunteers demonstrate practically the level of care and vocational commitment needed in order to provide a high quality residential environment that clearly meets the needs of vulnerable elderly people.

I wish that I could end my contribution there, but, sadly, I cannot. This debate has been made necessary by the proposed closure of Ravara House and other homes across Northern Ireland. Residents of Ravara told me of their pain at the proposed closure of the facility in which so much of their lives is invested.

That pain was not only expressed in their words — it was etched on their faces. Those residents regard Ravara House as simply irreplaceable.

The Minister must appreciate the benefits that such homes bring for residents, their families, local employment and, thereby, the local economy. He must also realise that that value goes beyond the accountant's bottom line on financial accounts. This debate is being watched keenly from the Public Gallery by vulnerable elderly people and their families. It creates an opportunity for consideration of, and deliberation on, the closure plans. I fear that if the Minister acts in haste — and homes are closed — he will repent at leisure. Sadly, that will be too late for vulnerable elderly people.

Our residential homes are of greater value than any words of mine can afford them. I ask the Minister to give due regard to the needs of our valuable and vulnerable people and reverse the closures that have been proposed by the trusts.

Mr Gardiner: Caring for the elderly is an important aspect of the Department of Health's work. The number of elderly people, as a proportion of our society, is increasing and, therefore, the nature and extent of the healthcare and residential care afforded to them is a major issue for the Assembly. The number of people who are of pensionable age is projected to increase by around 9% in the next five years and by around 40% over the next 15 years. This is clearly an important strategic issue as people live to a greater age.

It is important that we remember the human aspects of this issue rather than being driven simply by statistics. However, we must consider the significant budgetary constraints that have been placed on the Health Minister by a DUP Minister of Finance.

Some Members: Hear, hear.

Mr Gardiner: Despite continually pointing out that the Health Service needs more investment, the DUP insisted on a draft Budget that would have seen a reduction in health spending.

Mrs M Bradley: Does the Member agree that we need a long-term policy for care services for older people? Moreover, does he agree that we should ask the Finance Minister to find money for that and find the money that the boards are trying to find in respect of efficiency savings, so that older people do not have to be evicted from their homes?

Some Members: Hear, hear.

Mr Gardiner: I thank the honourable Member for her intervention, and I have no problem with her suggestion.

Thankfully, the Health Minister saw through the smokescreen, and, with the public's help, the draft Budget was defeated.

Nonetheless, the DUP proposed the efficiency savings process, supported it at Executive meetings and voted it through the House. Indeed, Mr Poots, who proposed today's motion, sat at the Executive table and agreed to the efficiency savings process. Therefore, the DUP's cynical attempt to blame others smacks of hypocrisy.

Some Members: Hear, hear.

Mr Gardiner: Health spends such vast amounts —

A Member: Will the Member give way?

Mr Gardiner: No, I will not give way.

Health spends such vast amounts of money because of need. Northern Ireland's need has, time and again, been greater than that in other parts of the United Kingdom. The DUP is exercising power without responsibility, and its behaviour has the hallmark of extreme cynicism, which is the mark of the DUP and Sinn Féin's cosy relations. The DUP lights the touchpaper and then criticises others for the consequences of its financial actions.

Mr Beggs: Does the Member agree that there are major flaws, including financial flaws, in the trusts' consultation process? Initially, they spoke of closing homes including Lisgarel, Greenisland House and Clonmore House, which would affect my constituents. However, they spoke latterly of replacement. In addition, a major plank of the trusts' proposals is for supported housing. However, no social housing association has committed to providing that funding.

Mr Gardiner: I thank my honourable friend for his intervention, and I agree that there are major flaws.

I have recently been involved in the plight of the residents of Skeagh House in Dromore, County Down. I was accompanied on a visit by my honourable friend George Savage. Although the home is not physically in my constituency of Upper Bann, many of the residents that will be affected by its proposed closure — and I emphasise the word "proposed" — are from Upper Bann. Therefore, it is a major concern to George Savage and me.

Mr B McCrea: Does the Member agree that Skeagh House is one of the best, most professionally run and homely of all homes? Does he agree that Members should ask the DUP and others to support the Health Minister by providing the finance that is required to keep worthwhile facilities throughout Northern Ireland together, rather than party political posturing?

Some Members: Hear, hear.

Mr Gardiner: Hear, hear.

I pay tribute to the management and staff of Skeagh House for the upkeep of that home, which was built only 30 years ago. During my visit, I met a lady who is blind. If she is moved from that accommodation into a two-bedroom flat or a bedsit, she will get no exercise,

compared with the standard of care that she receives in Skeagh House. Moreover, the equipment at Skeagh House is second to none.

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

Mr Gardiner: The Minister has yet to make a decision on this matter and related matters, and I encourage him to look favourably on elderly people. Government must try, wherever possible under the regime of DUP financial cuts, to protect the weak from the strong.

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

1.00 pm

Mr Gallagher: Like other Members, and elected representatives elsewhere, I have been at a number of public meetings in my constituency to hear the public anger and outcry over the trusts' plans to close residential homes, and to go further and cut day-centre provision. We know that that initiative follows on from the Budget that was passed by the Assembly some time ago.

I noted the phrase used by Alex Easton, a member of the Health Committee, when he said that the Minister knew the price of everything and the value of nothing. It seems to me that that label is more fitting for both the DUP and Sinn Féin; Members from those parties went through the Lobbies that day and voted in favour of the Budget.

Mr Poots: Will the Member give way?

Mr Gallagher: I am not giving way.

Some of us in the House on that day said that they had got it wrong, and that it was a market-forces Budget, which prioritised economic efficiency and paid no attention to the needs of the elderly, the weak and the vulnerable in society. Today we see the consequences of that.

I support the motion and the amendment, even though, bearing in mind the Budget, I find it difficult to understand how the motion was tabled by the DUP and the amendment by Sinn Féin.

Mr Poots: Will the Member give way?

Mr Gallagher: I am not giving way.

I want to speak about my constituency, as other Members have highlighted pressing matters in theirs. In the Western Trust area, there are four residential homes earmarked for closure. It is certainly the case that the weak and the vulnerable are bearing the brunt of the budgetary decisions. Some time ago, there were threats to take away the rewards scheme from the learning disabled in the Western Trust. In the face of public outcry, and the comments from the Health Minister, the trust had to back down and do a U-turn on that initiative.

As I have said, in addition to the proposed closure of the residential home at Drumhew, there will be cuts to day-care provision in the most rural and isolated parts of the west — in Belcoo, Garrison and Newtownbutler. There is a very strong campaign running in opposition to the proposal to close the residential home at Drumhew. It has already gathered 4,200 signatures in Lisnaskea, in east Fermanagh — I do not know how many signatures are on the petition brought here by the DUP. The campaign to oppose that closure also has the support of all the elected representatives there, and it appears that, by the time of the next meeting of Fermanagh District Council at the beginning of March, it will also have the full support of the council.

The residents and their families have expressed a high level of satisfaction with Drumhew residential home; they speak about the friendly staff and the caring and supportive environment, which are regarded as very important assets. Most of the home's residents expected to remain there for the rest of their lives. Their fears have been heightened, because it is evident, not just to them, but to everybody in the local community, that no alternative provision is being made available. The alternatives suggested by the trust — and, I note, other trusts that have appeared before the Committee — involve supported living and sheltered accommodation. However, those initiatives exist only in theory. They have not been put in place on the ground.

As I said, it is the elderly and the frail who are being hit by the cuts. A couple of weeks ago, the Minister appeared before the Health Committee and said, if I remember correctly, that he will not approve closures unless there is equal or better accommodation in place. I hope that I have recollected what he said correctly. If so, I welcome that, and I hope that the trusts will re-examine their plans.

Mr Deputy Speaker: I call the Minister of Health, Social Services and Public Safety.

Some Members: Hear, hear.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I am grateful for the opportunity to respond to this debate. I fully appreciate that many people are anxious about proposals for residential homes. As Members are aware, those proposals — I emphasise the word "proposals" — have been put forward by trusts after the decision that all Departments must achieve 3% efficiencies. For the Department of Health, that equates to some £344 million by 2011 and some £700 million over the three-year comprehensive spending review (CSR) period.

That decision was made by all the parties at the Executive table, including the DUP. That enormous sum, which is the largest that has been asked of any Department, must be found in a budget that is already stretched to its limit. Since becoming Minister, I have

repeatedly stated how difficult that task will be, and I do not for one minute apologise for insisting that more money must be invested in our Health Service.

The additional money that I secured for health and social care services was won only after a hard-fought battle, and I have no doubt that that money will save lives. It has helped to introduce a range of vital, life-saving service developments, such as bowel-cancer screening, which will save up to 70 lives a year; the human papilloma virus (HPV) vaccination against cervical cancer, which kills about 40 women a year here; access for up to 5,000 patients to remote monitoring; an additional 2,000 units of respite and community-based care; and the extension of breast-cancer screening for women from the age of 65 to the age of 70. Those are a few of the measures that we have been able to bring forward.

If I had accepted the original Budget allocation — which the DUP insisted that I should have done — the situation for hundreds of patients would have been much worse. Members are aware that because many of the trusts' consultations on proposals to produce those efficiency savings are ongoing, it is not appropriate for me to discuss the matter in any detail, nor can I discuss individual proposals. When the consultation processes have finished, I will look in detail at all the proposals, and I will give careful consideration to the views that have been expressed.

It is, therefore, disappointing that some Members have attempted to use this debate as a political point-scoring exercise. Let us be clear: a DUP Finance Minister proposed the efficiency savings process, and the DUP supported it in the Executive — including one of the Members who proposed the motion, and who was a Minister at that time. Furthermore, every Member of the DUP Assembly team trooped through the Lobby in support of the process. Indeed, some Members criticised me for not commencing the efficiency exercise earlier. Therefore, any attempt to distance the DUP from this process smacks of hypocrisy.

We all know that our older population is increasing rapidly. Over the next 50 years, the number of people over 65 years of age will double from 250,000 to 500,000. Our health and social care services must be equipped and ready to deal with the enormous demands of caring for that vulnerable group of people. We already spend approximately £630 million in supporting our elderly people; only acute care gets higher funding. I am committed to improving services for our older people, which is why I will invest a further £60 million over the next three years to support an additional 1,500 older people in the community. However, if we are to continue to meet the needs of our growing elderly population, we need to ensure that we are using those resources as efficiently and as effectively as possible.

Through a range of schemes, our Health Service provides a diverse range of options to support elderly care. One such option is supported living, and in October 2007, I was delighted to open Barn Halt Cottages in Carrickfergus — a scheme that provides accommodation, care and support to frail and older people, and can house up to 36 residents in 26 cottages. The scheme is designed to enable people with complex care and support needs to maintain their independence and keep links with the community. That is the type of development that I wish to see rolled out across the Province as an example of how we can maximise independence while providing reassurance that help is at hand.

Domiciliary care and supported living have featured heavily in trust consultations as potential alternatives to statutory residential care. I recognise, however, that residents in our care homes are unsure and anxious about where their needs would continue to be met.

I wish to provide absolute clarity on this matter: if a decision is taken to proceed with a home closure, there is no question of existing residents being evicted. Any suggestion that residents will be put on to the streets, without a roof over their heads, is bogus and is scaremongering at its worst. It is important to remember that many of our statutory facilities are old and not fit for purpose. It is estimated that it will take approximately £8 million to bring those facilities alone up to an acceptable standard. Members are well aware of the limited capital budget that is available to me.

I listened carefully to the concerns and issues that Members raised over the trusts' current proposals. Some Members suggested alternatives to those proposals, including cutting down on postage and travel expenses. Other Members have been keen to remind me that I have the largest share of the Budget and that I should live within my means.

Indeed, another favourite topic for Members has been the Appleby Report, and I will deal with some of the myths that they presented. I accept fully that Professor Appleby made some challenging recommendations for my Department. We have tackled that challenge head on by working in collaboration with the Department of Finance and Personnel to agree actions to meet the recommendations. Some Members conveniently quoted selective abstracts from the report in an attempt to portray a failing Health Service, and that is most unhelpful.

However, some Members conveniently overlooked the recommendation that centred on need. Professor Appleby concluded that health services in Northern Ireland receive 7% more funding than the UK average, but that those services receive considerably less than Scotland. However, independently verified research has showed that — allowing for current spending — Northern Ireland's need for health services is 10%

greater than that of England. That research also showed that Northern Ireland's need for social services is more than one third greater than that of England. Combining the two, that means that Northern Ireland is between 14% and 17% — £250 million and £300 million — worse off than England. On top of that, there is a further £300 million gap between us and England, because of the difference in extra spending up to 2011. Northern Ireland has £600 million — 15% of my overall budget — less than England to deliver a health and social care service.

Huge changes have taken place since the Appleby Report was published in 2005. In the report, Professor Appleby highlighted the fact that we could do better with the money that we have, and he recommended that we focus more on improving performance. I have focused relentlessly on improving performance since I took up office. For example, in April 2006, nearly 74,000 patients were waiting more than six months for a first outpatient appointment. In the same period, almost 6,500 patients were waiting more than six months for surgery. One year later, those lists had disappeared, and there were dramatic reductions in waiting times for surgery and outpatient appointments.

Professor Appleby said that an extra £55 million of efficiencies can be derived from the drugs budget. In fact, my Department delivered those efficiencies and a further £20 million of savings over and above those in the latest CSR period, despite some Members criticising such efficiencies. Those are tremendous achievements, and I pay tribute to staff, from all disciplines, across Northern Ireland.

Professor Appleby pointed to many good examples of new and innovative practices in the area of community care. His view was that we are going the right way, but that we should be doing more to change the way in which community care is delivered. He also pointed out that Northern Ireland used 10% more nursing and residential home care than England.

Professor Appleby also recommended significant budget rises, which, curiously, was a point that did not feature in the contributions of Members who raised the issue of the report today. Professor Appleby concluded that an increase of at least 4.3% above the rate of inflation each year up to 2013 was needed in order to maintain and improve services. Some Members ignored that key recommendation when they insisted that I accept the draft Budget. Furthermore, as I said, there is a £300 million gap between Northern Ireland and England, because of the differential between CSR settlements. Compared with the 4.3% that Professor Appleby recommended, England received an increase of 3.7% above the rate of inflation, and we received an increase of only 1.2% above the rate of inflation.

It is right that people are concerned about the damaging impact that efficiency savings might have on the Health Service. Once again, it is heartening to hear so many Members express their grave concerns about proposals to change services. However, it is sad that some Members did not recognise that independent assessment of need.

1.15 pm

Mr Kennedy: Does the Minister agree that it is highly irresponsible and very bad politics for Members of this House to raise people's concerns and emotions — and to heighten their fears — about this issue without supporting the provision of proper resources for the Health Minister?

Some Members: Hear, hear.

The Minister of Health, Social Services and Public Safety: I agree entirely with Mr Kennedy. I do not receive enough money to do the job, and then the job is criticised because we are short of money. Who controls the purse strings?

Mr Easton: Will the Minister give way?

The Minister of Health, Social Services and Public Safety: No; the Member had his chance.

Some Members of the Assembly would do better to realise that the issue of health and social care services being under-resourced has been independently assessed, with no political agenda. It is saddening that some people still insist on playing politics with health.

I have heard many complaints that I am not doing enough to tackle administration costs. Again, that is total nonsense. The facts speak for themselves: my Department has already begun to reduce Health Service administration costs, with a three-year target of £53 million from a total administrative budget of £250 million — a 25% reduction in back-office staff and a 15% reduction in other managers. The number of senior executives will be reduced from 170 to 58, which is a reduction of two thirds. I am content that that is a sustainable reduction for health and social care. I look forward to other Departments matching that reduction when they eventually move forward with the review of public administration (RPA) as the Health Department has already done.

As for achieving efficiencies from travel expenses, postage and phone bills, trusts are already making and planning savings in those areas. Indeed, there are plans to make around £140 million — 40% of the total efficiencies — through working practices, locums, energy efficiency and phones. Each year, for example, we spend around £70 million on locums and agency and bank staff, which is 4% of our total pay cost. I accept that that is a considerable sum of money. For that reason, I welcome trust plans to reduce that figure by 15%. Having said that, we have an obligation to maintain patient safety and to keep our wards properly

staffed — even if that means using more expensive locum or agency staff in the short term.

Postage and telephone expenditure concerns some Members greatly. How else are staff supposed to contact patients and clients to advise them of appointments and to confirm test results? We must also ensure that staff are reimbursed for reasonable travel costs that are incurred in the course of doing their jobs. Do some Members really suggest that we reduce our contact with patients, or that social workers and community nurses should not be reimbursed for travelling to bring care to the population? Nonetheless, current trust proposals are targeting some £3 million of savings per annum from reduced transport and travel costs.

With regard to the amendment, all proposals must, of course, be subject to appropriate equality impact analysis. Four of the five trusts are still engaged in consultation, and none of the five has arrived at a final view. I am monitoring the consultation closely, and all final decisions about major proposals are mine to take.

I conclude by giving a simple commitment to the public, residents, their families and staff: trust proposals are not a done deal. No decisions have been made. As Minister, I will listen carefully to their views. No one will be thrown out on the street. If there is to be any change, it will be managed carefully and sensitively. Viable alternatives must be in place to provide an equivalent or better standard of care. Our health and social care services are undergoing immense change that needs to happen if we are to deliver a world-class Health Service for everyone. However, I have given my commitment that there will only be change if it is for the better.

I am in the business of looking after the most vulnerable members of society, including our elderly population. They have the same rights to health and social care services as everyone else. I will continue to improve and invest in those services to ensure that those people have access to the very best that our Health Service can provide.

Some Members: Hear, hear.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I believe that the House is united today. I know that there are some differences of opinion about the CSR and who did and did not vote for what, but I welcome the contributions made in the debate on the motion, which Sinn Féin, as a party, obviously supports. I welcome, too, the references made to the amendment and the issue of equality.

The Minister supported Mr Ross's view that the amendment was, perhaps, not necessary. However, as far as the Western Health and Social Care Trust is concerned, it is necessary to mention equality proofing. I have here the consultation document from the Western Health and Social Care Trust. I studied the

document and what was said about the EQIA. I have some concerns about the responses to that, but there will probably be an opportunity in the future to raise those with the trust.

With regard to the CSR and efficiency savings: DHSSPS commissioned an audit, probably around 2005 or 2006, the final report of which was published in 2007. I have a revealing quote from that document to demonstrate that the change to residential care happened before the period of the CSR:

“Our review has identified high levels of satisfaction with the quality of care provision and the staff delivering that care in the statutory residential care sector. However, the costs associated are far in excess of the benchmarks indicating that the statutory sector is costing more than the independent alternative in Northern Ireland and UK residential costs.”

I quote that excerpt because several Members pointed out that the proposed closures relate entirely to efficiency savings. I am not against efficiency savings, but I again want to make the point that the changes to residential care began some time before the period of the CSR.

In case anyone thinks that I am not going to mention Strabane, I am. I see the number of petitions in front of Mr Ross, and I heard other Members talk about the meetings that they have attended. The same is happening in West Tyrone. A meeting is due to take place on Wednesday to discuss the Greenfield residential care home, and Gortmore House is also scheduled for closure. The issue has, as Mr Robinson, I believe, said, galvanised the community, and it has done so in my constituency. The business community, the print media, the local press, the ‘Strabane Weekly News’ and particularly the ‘Strabane Chronicle’ — *[Interruption.]*

Mr Deputy Speaker: Order.

Mrs McGill: All those papers have carried articles on the subject, particularly the ‘Strabane Chronicle’ and the Strabane ‘Herald’.

Mr McElduff: The ‘Ulster Herald’ has commissioned an online petition at www.ulsterherald.com/petition to highlight the importance of Gortmore House residential care home in Omagh, which, if the trust's proposal goes ahead, is due to close in September. The home employs 30 people and has 25 full-time residents. Their relatives say that those residents are likely to be dispersed to other privately run homes, but families fear that many will not survive the transition. Therefore, I would greatly appreciate the support of Members for the petition.

Mrs McGill: A degree of rivalry is evident here: it was, in fact, Conor Sharkey, a journalist on the ‘Strabane Chronicle’, who initiated the campaign.

By closing four of, I believe, eight homes in the Western Health and Social Care Trust area, £1.5 million will be saved — that is not a lot of money.

Mr Poots: Does the Member recognise that this is not a real saving to the Health Service? It is a saving to the trust, but that money is merely transferred over to the social services side. There is no net saving for the public, because elderly residents will have to be put into the private-care sector in any event. There is no real saving to be made.

Mrs McGill: I thank the Member for his intervention. Of course, when all this is worked out, we will see what the savings will be.

I come now to the matter of alternatives. There are no satisfactory alternatives in place at this stage. That was raised at a meeting of the Western Health and Social Services Council by Ms Reilly. Nobody is against alternatives —

Mr Deputy Speaker: The Member has 10 seconds, and there is no alternative.

Mrs McGill: Only 10 seconds, Mr Deputy Speaker?

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

Mr Weir: This is an issue of great importance, and I suspect that it is not just the Member who spoke previously who could speak about it all day. A range of Members, from different parties, who, because of the significance of the debate, wanted to speak, have been unable to do so.

The debate today has been quite reasonable and reasoned. It is natural that when we speak about the most vulnerable in our society, there will always be an element of high emotion. Members have conveyed that well and kept that emotion in a reasonable amount of check.

We have seen the impact of these potential changes across the country from Fermanagh to Larne, from Ballynahinch to Omagh, from Bangor to Dromore, and, lest we forget, Strabane as well. The issue affects all of Northern Ireland. It is important to place on record the range of these residential homes and to express the gratitude of Members, and particularly of the families who have relatives in those homes, for the hard work and selfless dedication among the staff, many of whom provide a level of service well beyond their duty and what they are paid to do.

Although we expressed the view that we feel the motion to be adequate, we do not have a major problem with the amendment and have no desire to divide the House. We, therefore, will support the amendment as well.

I will start by dealing with some of the more contentious points that arose during the debate. With regard to efficiency savings, the Minister said that he did not want to see point-scoring. He and some of his colleagues then seemed to indulge in a degree of point-scoring on that subject. Efficiency savings apply across all Government Departments across all of the

UK. They have been agreed by all parties, as has been indicated. From that point of view, we have no intention of —

Mrs D Kelly: Will the Member give way?

Mr Weir: The Member's Minister agreed that in the Executive as well as everyone else. I am happy to agree with the Health Minister that efficiency savings are something to which all parties signed up. It is an issue that affects people across all of the UK, and all Government Departments.

Mr B McCrea: Will the Member give way?

Mr Weir: I will give way briefly.

Mr B McCrea: Will the Member join with us in making sure that the Minister of Health, Social Services and Public Safety has all the finance that he needs to protect these very vulnerable services?

Mr Weir: Certainly, I believe that the Minister should have that finance. He said:

"The final budget allocation is a good news story for the health service...in light of the financial circumstances facing the Executive, I believe it is the best outcome possible."

There is a great difficulty in improving on "the best outcome possible". The point is that we want to see efficiencies. The DUP stands four-square behind efficiencies, as every party in the House should. The problem with that is that it is inflicting front line service cuts rather than efficiency savings. That is fundamentally wrong.

The Department of Health is allocated more than half the Budget, and I do not want to castigate the Minister. The cuts that have been suggested — and I note the Minister's comment that these are proposals — come from the various trusts. I believe that the trusts have got this badly wrong. I will return to that point, but, at this stage, they are just proposals.

Mr Shannon: Will the Member give way?

Mr Weir: I will give way in a moment.

I appreciate the position that the Minister is in today; he cannot give individual commitments to the various residential homes, and I accept that.

Consequently, I will not criticise the Minister on that front today. However, if he goes down the line of agreeing to a range of cuts, people will wish to revisit the matter, and there will be high levels of anger in the community. Therefore, until I hear what he has to say after the consultation period, I will suspend my judgment.

1.30 pm

Mr Shannon: I take note of the Member's concerns. When KPMG investigated the costs of keeping Loch Cuan House open, it said that there would have to be a change to independent accommodation and to what it referred to as a "supported housing scheme".

Subsequently, the trust informed the home, residents, elected representatives and staff, and expectations were raised. Does the Member agree that to change things now would be paying lip service to that consultation?

Mr Weir: I agree with the Member. If expectations have been raised and promises made, it is important to deliver on them.

The Minister said that approximately £8 million of capital costs would be required. However, in response to questions for written answer from me and from other Members, he said that, in the past few years, the South Eastern Health and Social Care Trust has spent approximately £50 million on capital works. That was just one trust. Indeed, the trust is due to receive further resources of approximately £53 million.

My colleague Alex Easton referred to Ravara House residential care home, which is in my constituency. Approximately £250,000 a year, and in the region of £500,000 for capital works, is required to keep that home going. Given that the South Eastern Health and Social Care Trust, which is proposing those closures, has a capital budget that is more than £50 million a year and is due to receive £53 million in additional resources, it ought to be able to find £250,000 a year and £500,000 for capital works in order to keep Ravara House going. Throughout Northern Ireland, trusts have fallen down on their duties.

Several Members highlighted the fact that the elderly population is growing. Indeed, Michelle O'Neill and Carmel Hanna said that, although there have been moves to support independent living, such provision is not yet in place, and the complexity and flexibility of needs must be considered. However, although there may be greater moves towards independent living and nursing homes, the growing elderly population means that there will always be a gap in provision. Moreover, supporting more people in their homes for as long as possible will place a greater burden on respite care, so, in the future, increased respite care provision will be required in Northern Ireland.

Many trusts claim that the number of people in residential homes is declining. I believe that that is an artificial claim. For several years, the intake in many homes, including Ravara House, has, in effect, been zero, so we must question the extent to which some of those homes have been managed in order to prevent people from coming in. Nevertheless, if the number of people in residential homes continues to decline, there will surely be a greater burden on respite care, and that is the area in which the slack must be taken up.

Although we can all quote statistics — and several Members have — there are human stories behind those statistics. I welcome the Minister's confirmation that no one will be thrown onto the streets — no one would expect that to be the case. However, concerns go

beyond that eventuality; people have a right to live in dignity in the homes in which they are already resident.

If we were beginning afresh, there would be an argument for reconsidering where to build new residential homes. However, we are where we are, and people have been in homes for many years. Therefore, in addition to not being thrown onto the streets, people want to live for as long as they can in those homes, and that should not be too difficult to achieve. If the trusts reconsider, a way forward can be found for residential homes.

The finances are available to provide that. We must ensure that efficiency savings do not become front line cuts, and we must stand beside our elderly. I hope that the Minister will take on board what has been said today. If the unfortunate situation arises in which the trusts rubber-stamp their own proposals — and many Members question how genuine the trusts' consultation processes were — it is hoped that the Minister will stand up to them and ensure that people have the dignity and the opportunity to remain in their residential homes.

I support the motion, as amended.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly expresses its opposition to the proposed closure of residential care homes by a number of Health and Social Care Trusts; and calls on the Minister of Health, Social Services and Public Safety to intervene and listen to the concerns of the community and take appropriate action to minimise the pain, stress and anxiety that this uncertainty has created among elderly care home residents, their families and health workers; and further calls on the Minister to ensure that any proposals coming from Trusts are equality proofed so that services are available for those most in need.

PRIVATE MEMBERS' BUSINESS

Prison Service

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose and 10 minutes to wind. All other Members who are called to speak will have five minutes.

Mr McCartney: I beg to move

That the Assembly calls on the Prison Service to implement in full the recommendations made by the Prisoner Ombudsman in the report into the death of Colin Bell in Maghaberry Prison on 1 August 2008.

Go raibh maith agat, a LeasCheann Comhairle. Éirím leis an rún seo a mholadh, agus táimid ag lorg tacaíochta dó trasna an Tionóil. Fuair Colin Bell bás ar 1 Lúnasa na bliana seo chuaigh thart, agus d'fhoilsigh an Prisoner Ombudsman a thuairisc ar 9 mí Eanáir na bliana seo. Seo na rudaí atáimid a phlé sa Tionól inniu.

This is an important motion, and one that should be supported by all Members. The death of Colin Bell in Maghaberry Prison on 1 August 2008 has been investigated by the Prisoner Ombudsman. Its report, findings and recommendations were published on 9 January 2009.

Although Colin Bell took his own life, one will see from reading the report that the death could have been avoided and that a series of failures in the system allowed him to die as he did. The circumstances of his death serve to highlight the failings of a system which, if adhered to properly, should have prevented any person in custody from taking their own life in the way that Colin Bell took his.

I commend the office of the Prisoner Ombudsman for the report and the thorough and appropriately sensitive manner in which the death was investigated. The Prisoner Ombudsman ensured that the most comprehensive report possible was brought into the public domain. If implemented, the report's recommendations — of which there are 44 — will ensure that a death similar to Colin Bell's can, and should be, avoided in the future.

The report and its recommendations point to the failings, which ran throughout the prison system. The report mentions the mindset that produced Colin Bell's behaviour and his cry for help. It seems that something of a power struggle developed, and the prison administration took the view that Colin Bell had to be taught to accept that he cannot be the "winner".

There was a failure in the system which ignored its own guidelines, and that permitted Colin Bell to be naked, without bedding, in his cell for a number of days. The system also failed to recognise — or chose

to ignore — the needs of a man who had a history of self-harming and that he wrapped his feet in toilet paper in order to protect himself from the cold. Furthermore, the system failed to supervise those charged with monitoring Colin Bell in his cell. When I say that the system failed, I mean that it failed.

Rather than watch Colin Bell on closed-circuit television (CCTV), prison staff chose to watch television, play computer games or make use of a makeshift camp bed and go to sleep. The system failed because the warder charged with watching the watchers followed the set example and practice and did not do his job.

This was not a one-off, single event; such behaviour was endemic. To fully understand why the recommendations in the report need to be implemented, one need only recall the response to the report of a senior member of the Prison Officers' Association (POA). He told the BBC that, rather than facing disciplinary investigation, the two governors should be complimented for keeping Colin Bell alive for as long as they did. Thankfully, the response of the Prisons Minister, Paul Goggins, and the director of the Prison Service, Robin Masefield, is in stark contrast to that view.

Paul Goggins accepts that Colin's death "should not have happened" and should have been avoided, and Robin Masefield also accepts:

"the standard of care ... was below the standard that we set ourselves."

Mr Goggins said that the death of Colin Bell "will be a watershed". If we are to have a watershed — and the Assembly will have a role in ensuring that that happens — we must reverse the mindset expressed by the senior member of the POA. We also have to reverse the thinking that sees the prison regime setting out with the purpose of showing a vulnerable prisoner that there is only one winner.

The report by the Prisoner Ombudsman must be the first step in that process. It is regrettable that there is no Minister here today to comment on it; however, today's motion should act as a signal that the Assembly will ensure that, in the weeks and months ahead, the 44 recommendations in that report will be implemented, and that similar situations can be avoided in the future. Mar sin de molaim an rún seo.

Mr Paisley Jnr: The circumstances surrounding the death of Colin Bell while in prison, in the custody of our state, are disgraceful. It should be said that the circumstances that led to his being in jail were also quite disgraceful. I welcome the fact that there is a Prisoner Ombudsman and that we have this report. We must all feel content that those who are detained in custody are properly and safely detained, protected from each other and also — particularly in this case — from themselves.

There have been numerous cases of prisoners and prison staff being murdered. One MLA has previously indicated the role that his organisation played in the murder of a prison officer. There are numerous examples of prisoners being murdered by other prisoners while in custody — the most noteworthy is the murder of Billy Wright. There are also many examples of prisoners, for a variety of reasons, harming themselves and posing a significant and very real danger not only to themselves but to other prisoners and, at times, prison staff.

As has been said, Colin Bell was a self-harmer — notoriously so, according to the ombudsman's report. He ultimately and tragically took his own life in circumstances that could have been prevented. I agree with many of the recommendations in the report of the Prisoner Ombudsman — many of them are practical and many of them have been, or are beginning to be, implemented. That kick-start to reform is a welcome and very good result from what were very tragic circumstances.

I want to draw attention to two of the recommendations which highlight the very difficult circumstances of this case. Recommendation 11 is that the use of makeshift beds to relax or sleep during night shifts must be strictly forbidden. That tells its own story — prison officers are there to do night duty, not to sleep. Recommendation 13 states that televisions that have been brought into protective units should be removed. Once again, prison officers are there to do duty, not to watch television. Those recommendations highlight some of the significant failings that led to this particular case.

My concern is that the overall support for the ombudsman's report suggests that the ombudsman got it right — she did not, and we should face up to that. The report does not go far enough, as it fails to put blame where it ought to be and instead scapegoats prison night staff, governors, and people who, quite simply, implemented policy that was put in place by the Northern Ireland Office.

1.45 pm

Six years ago, Northern Ireland Office policy-makers took a decision to save money, and the consequence of that decision was to put in place non-trained prison officers to do night duty, which is a difficult job. It involves looking after vulnerable people and people who, at times, can self-harm. Those policy-makers decided to install people who were not properly trained to do that job. Through no fault of those individuals, penny-pinching savings were made, which had consequences. One of the consequences was that people who were not trained to do a particular job were held responsible and accountable for something that started at the Northern Ireland Office.

The report should have gone further and pointed out that it was a policy decision taken by a Minister, implemented by officials, and pushed on to governors and prison staff. The prison officers and prison staff whom I know do not want to go into jails and harm people — they want to do their job. The report falls short, in that it draws a line and says that it was that group of staff that was solely, absolutely and completely responsible for the death, when the Northern Ireland Office should be taking its share of the blame.

Mr Deputy Speaker: I ask the Member to draw his remarks to a close.

Mr Paisley Jnr: The report should lay the blame where it really rests, which, in this case, is with the political masters.

Mr Cree: I commend the Prisoner Ombudsman, Pauline McCabe, and her office for the timeliness and diligence with which they have exposed the reality of Colin Bell's life and death. They have pursued transparency, and we must pay heed to the recommendations that are outlined in the report. It is shocking to see that many of the recommendations appear, to a lay person, to be basic good practice. I am disappointed that those common-sense proposals are not in place already, or have not been adhered to strictly. This time, we must ensure that those best-practice recommendations are implemented in full.

I recognise that it is a difficult job for prison staff to prevent a prisoner who is intent on taking his life. I commend the actions and the hard work of many of the prison officers and prison staff who are dedicated to helping all those in their care, amid a thorny, and often charged, environment.

However, in that case, in the 30 hours before Colin Bell's death, there certainly appears to have been no due care demonstrated among the night staff for the highly troubled, vulnerable and strictly distressed prisoner. Many opportunities arose for the night staff to intervene, if they had simply been doing their job. We must ask ourselves what is the right thing to do, and then do it.

Pauline McCabe has told us what needs to be done to improve the situation for vulnerable prisoners in Northern Ireland. We must ensure that the Northern Ireland Prison Service does what it should. My party is committed to law and order, and I want us to be tough on people who go into prison. I want recidivism to be reduced, and I want prisoners to be challenged, to be educated and to be forced to take responsibility for their crimes. I do not want a system that breaks further the lives of those who need to be robustly rehabilitated.

My party is about responsibility: we must make the offender responsible for his or her actions and address the root causes of the crime. However, I also advocate responsibility, not merely for the offender but for those

in charge. We need to take this man's death, and the systematic failures that led to his death, seriously. To do less would be wrong.

On 9 January, the Prisoner Ombudsman published 44 recommendations. The implementation of those recommendations will be reviewed in six months' time. I hope that we will not merely see a series of further reviews by the Northern Ireland Prison Service but a comprehensive and resolute implementation of the recommendations. I recognise that the Prison Service has a difficult role to play in managing our offenders. However, we must do more and demand much more. We have placed the Prisoner Ombudsman in a key position, and, therefore, we must take heed of her recommendations and put them into practice. I support the motion.

Mr Attwood: I welcome the motion and Mr McCartney's speech. I do so for a number of reasons, not only because of the importance of the Prisoner Ombudsman's report but because the motion brings the Assembly's attention back to general issues involving prisons and prisoners.

Whether devolution of policing and justice happens sooner or later, it will happen, and when it does so, it will fall to a Minister and to the Chamber to deal not only with the report's recommendations but the policy and financial implications of the creation of the Parole Commissioners and of a new prison in the North, as well as the implications of various reports from the Criminal Justice Inspection. Consequently, the debate is timely, because it makes us more fully aware of the policy and financial responsibilities on a wide range of prisoner matters that will fall to the Chamber and to a Minister in the event of devolution and justice.

When the report was published, the SDLP simply said that the recommendations should be accepted in full and should be responded to quickly. Given that there is a high level of political agreement, subject to one or two comments from the Member for North Antrim Ian Paisley Jnr, that should be the standard against which we judge how Minister Paul Goggins responds to the report, to which, I believe, he is well intentioned.

As other Members have already said, the narrative of the report is disturbing, the findings are damning, and, worst of all, the conclusion must be drawn that Colin Bell's death was avoidable. In acknowledging the report, we must also acknowledge the work of the Prisoner Ombudsman. She has brought the same rigour, exhaustive inquiry and evidence base to that investigation and report as she has brought to her other contributions to public service in the North.

We must also acknowledge that the Prisoner Ombudsman has flagged up issues concerning her ability to investigate the deaths of prisoners in custody.

Up until 2005, the Prisoner Ombudsman would not have investigated such a death: it was only in 2005 that her remit was expanded to include deaths in custody. There have been 17 such deaths up to January 2009, 10 of which are still under investigation. The Prisoner Ombudsman has said that, if she is to be able to do her job — which involves investigating deaths, including avoidable deaths — she needs to have the necessary budget line. As was the case with this report, there are clear cost implications to providing the legal framework and the clinical input required to enable her to determine whether a death was avoidable or to investigate the general circumstances of the death. We must take that advice on board.

The report highlights cultural issues not only in the Prison Service but in the Prison Officers' Association. We must deal with all those who manage prisoners — those who work on the front line and with prisoners in cells, those who work in offices and who serve as governors, and, as Ian Paisley Jnr mentioned, those who set policy directives. My concern is that, unless we deal with all the issues of culture and conduct that are manifest in some of those places, we will be unable to implement fully the report's recommendations.

That said, I am reassured, not only because Paul Goggins is the Minister involved but because the current director of the Prison Service has demonstrated that he is up for change and reform. He has demonstrated that not only in his work in the Prison Service but in other areas of his public-service career to date. If we can draw conclusions from him and from other people, not least from the Prisoner Ombudsman, it may be that there will be no repeat of this case in the future.

Mr Deputy Speaker: I ask the Member to draw his remarks to a close.

Dr Farry: At the outset, I thank the proposers of the motion, and, like others, I pay tribute to the Prisoner Ombudsman, Pauline McCabe, for her commitment to, and quality of, the report. Like Mr Attwood, I wish to highlight the importance of proper funding and of ensuring that her office is placed on a proper statutory footing, so that a proper watchdog is in place to oversee what is happening in prisons.

Colin Bell belonged in prison. I am familiar with the crime that he committed in Bangor in 2003. It was an arson attack, which led to a murder. However, the duty of protection, which Mr Cree outlined, works both ways. There is a duty on the Prison Service to protect society as a whole from people who have committed crimes and who are at risk of committing further crimes. Equally, there is a duty of care on the Prison Service to protect prisoners, particularly those who are in a very vulnerable situation. We need to be very conscious of the sheer number of vulnerable prisoners at this time.

The report from the Prisoner Ombudsman is extremely serious, and it points to major systemic failures in the overall system, at an individual level — although perhaps we should not go into too much detail about that, because disciplinary proceedings will, undoubtedly, be unfolding — and at a managerial level, which, again, may be addressed through formal procedures elsewhere.

We also need to be conscious of the mental health and personality disorder aspect behind this case. The report does, I believe, accept that, on balance, the direct decisions that were taken at a clinical level were correct, and I think that the input from Professor Roy McClelland bears that out. However, it recognises that there is an importance in bringing a wider range of psychological or psychotherapeutic inputs to the table, particularly in very complex cases such as that of Colin Bell.

We need to be mindful that there is a much higher incidence of mental-health problems in the prisoner population than in the population as a whole. Even beyond that, there is a very strong incidence of personality disorder issues in the prisoner population than in the population as a whole. That whole issue of how to address personality disorders, as opposed to direct depressive or psychotic aspects of mental health, is a challenge right across the board with regard to Bamford and the current consultations in the Department of Health. However, it is an extremely acute issue in prisons.

The report is a watershed for the Prison Service, and for those who manage it, and I take comfort from the response from the Minister of State, Paul Goggins, and the director general of the Prison Service, Robin Masefield. However, the report highlights some broader issues to which we need to face up in relation to our prisons. We need to look at the working practices of prison officers. Clearly, we are still suffering from the legacy of the Troubles when prison officers had to adopt a particular approach to managing the situation in prisons. We must also recognise how our prison officers withstood actual violence and the threat of violence during the Troubles, including that which was directed at their families on the outside.

On Friday, I attended the funeral of a gentleman from my constituency who was extremely badly beaten during the Maze breakout, and who was retired from the Prison Service as a consequence. Furthermore, when I was Mayor of North Down in 2007, I also had the privilege of hosting a freedom of the borough ceremony to recognise the contribution of the Prison Service.

We need to have a change in culture and a move away from simply guarding prisoners to protecting prisoners and actively working towards their rehabilitation.

Mr Paisley Jnr: Does the Member accept that that issue goes right to the heart of what I said? If there is a situation whereby prison staff do these things off their own bat, then yes, they are ultimately to blame. However, if there is a policy directive and a political impetus behind that policy, the blame ought to go to the heart of where it rests, which is with the political masters and the people at the NIO, instead of simply saying that it is about the governor or the deputy governor and the staff. It is much more problematic than the report allows us to believe.

Dr Farry: I am grateful to the Member for his intervention. We need a twin-track approach to the issue. A clear policy decision has to be taken at the top level, with co-operation from those who are in a delivery position in the Prison Service at a managerial level and from those who are on the prison floor with regard to moving the issue forward.

That points to the wider challenge of resources. The running costs per prisoner in Northern Ireland are significantly greater than those of England and Wales. We do not enjoy the economies of scale that exist elsewhere. There is a need for further capital investment in our prisons, whether they be women's prisons or open prisons. We need improvements to Maghaberry Prison, in addition to the plans that exist for Magilligan Prison. Things may have to be done differently in the Prison Service in order to better manage the scarce resources that are available.

2.00 pm

It is also important that the debate on policing and justice does not focus too much on policing, to the neglect of what happens after people are arrested, go to court and to prison. In particular, there should be a focus on mental-health issues. Much more resources must go into prisons to ensure that we do not leave people vulnerable.

Mr Poots: I am concerned that the issue is being looked at in a simplistic light and, therefore, I am concerned about the motion and the report from the Prisoner Ombudsman. The motion clearly levels blame at the Prison Service and the governors of prisons.

I find the whole affair very sad. It is sad that Colin Bell has died, that he was in prison in the first instance and that another family suffered as a consequence of Colin Bell's actions. That family still grieves for the loss of its loved one — we should never lose sight of that.

Nonetheless, the Prison Service has a responsibility, when members of the public are found guilty of crimes and incarcerated, to look after those individuals while they are in its care and under its authority. I recognise that there are many Members in the Chamber who have much more experience of prison than I have. Nonetheless, I represent the constituency in which the prison in question is located.

Many of the recommendations of the report are practical, sensible and acceptable. However, I take issue with the recommendation that picks out the governor and deputy governor and suggests that they go through a disciplinary process. The governor and deputy governor have had to go through a process imposed on them by the Northern Ireland Office. If we had a Minister for justice in the Chamber, we could challenge him as to why he imposed policies on the Prison Service. One cannot blame the governor and deputy governor for introducing night custody officers at a considerably lower cost than prison officers; they had no choice. They had to implement the policy of the Northern Ireland Office, which was to bring in people on the cheap to carry out that duty. Therefore, because the Prisoner Ombudsman has gone after the governor and deputy governor and absolutely missed the Northern Ireland Office Minister who brought that policy about, the report is fundamentally flawed and we cannot accept the motion.

Colin Bell's death is something that we all regret. We can apply the recommendations so that nothing like it happens again. However, we must not use the Prison Service as a scapegoat in this situation. The Prison Service does its difficult job to the best of its ability. A sizeable number of prisoners wish to have political status. All sorts of problems exist in that prison — not because of the workings of the Prison Service or the staff, but because of external influences.

Members need to state that they support the Prison Service, that they support prison officers in doing their difficult task and that they will not go down the route of putting the boot into the Prison Service because of this event. This was a problem that was handed to it; it was not of its making.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I apologise for not being here for the beginning of the debate. I welcome the opportunity to take part in this very important debate. As previous Members have said, it is very clear that Colin Bell was a very vulnerable person and that when he needed the help of the prison system, that system failed him. His death in custody highlighted how the system fails most prisoners.

He is not the first person to die in prison custody; throughout the years, quite a number of people have died in custody, such as two women, Annie Kelly, who died in September 2002, and Roseanne Irvine, who died in 2004. There were several reports into prison conditions at that time, and there needs to be a root and branch change to the prison system and prison conditions.

I want to speak about the vulnerability of some women prisoners in particular. Last year, I visited Hydebank Wood and saw, at first hand, the conditions that women prisoners there were living in. They were

being locked up for long periods of time; they had the humiliation of strip searches; and there was a lack of contact with family and friends. Those women were in an all-male prison and, therefore, their movements were very restricted. As a former political prisoner, I empathise with those women, as I also experienced those degrading conditions at first hand. The conditions were unacceptable then and they are unacceptable now. People in prison have rights, and those rights need to be respected.

I welcome the ombudsman's report, which is very clear and concise. The ombudsman makes a number of recommendations, which, if implemented, would improve prison conditions. The mental and physical health of prisoners is important, but their emotional health is of particular importance, and the lack of constructive programmes to assist personal or social development is a core problem.

The Prison Service has been referred to, and, I have to say that — root and branch, from the administration staff to the staff on the wings — there has been no change in the Prison Service since the time when people such as me were in prison. The same attitude is visible now. Change is needed, and the recommendations must be implemented. Therefore, I support the motion, Go raibh maith agat.

Mr B McCrea: Prison is not supposed to be a holiday camp. I listened to the Member who spoke previously, talking about injustices and about how things are not right. I have to say, the world has gone mad. Victims of crime are the issue; the people who are in prison are there because they have done wrong. I am all for looking after people's human rights and for making sure that those are not abused unnecessarily; however, we must not lose sight of the fact that society has a right to rid itself of people who are trying to do it wrong.

Ms J McCann: Does the Member agree that there are a number of people in prison who really should not be there? Their mental, emotional and psychological health is at risk in prison, and they could be in other community-based systems. I am talking about the non-payment of fines. There are a number of women who are in Hydebank Wood because of non-payment of television licences and non-payment of the resulting fines. Does the Member agree that not everyone in prison should be there in the first place?

Mr B McCrea: It may astonish the Member to hear that I agree with her about the reasons why certain people are in prison. However, the point that I was reacting to is that the primary role of the criminal justice system is to protect society from people who cause damage to life or limb.

I have had the privilege of attending the graduations of newly qualified night custody officers. An illuminating

part of that was to understand the real challenges that they face.

Some Members have raised the issue of the cost of prisons. Prisons used to be — and probably still are — very dangerous places in which to work, not only for the people who work there but for their families. If costs are to be reduced, and if we are to get things right, we have to become a normal society in which everyone supports the rule of law and order.

Along with my party colleagues, I am prepared to support the motion, but only in the context that we want to see the Northern Ireland Prison Service at its professional best. There are working processes that no matter what way one looks at them, are not satisfactory. There are also issues for which there is no defence. We do not defend those issues, and we have taken the strong position of saying that they should be addressed. DUP colleagues have asked who was to blame, but I do not seek to highlight governors or deputy governors. There is systemic failure, and people need help to address it. The simplistic notion of pointing fingers at particular people will not fix the system and is not correct. I want to find a way of making it better.

Mr Paisley Jnr: Does the Member agree that by accepting the report in full, he is limiting the responsibility and the changes that are possible? The report does not ask the Northern Ireland Office, the policymakers or Ministers to be responsible and politically accountable for their actions.

Mr B McCrea: I understood the arguments made by Mr Paisley and Mr Poots. Although the Ulster Unionist Party accepts those arguments, ultimately, we are supporting the report because we recognise that there have been serious failings. In doing so, we do not think that the buck stops with the governors or with those who have been identified. We take the DUP's argument in the context of what we are voting on; we want to find ways of improving the Prison Service for the whole of society.

I find it strange that in a previous debate on another subject, we were looking at saving money on postage, whereas in other areas being debated, there is massive underinvestment and people are being asked to do things that are simply not right.

There are dangerous prisoners who try to abscond, and they use hospital wings as their way out. In addition, some prisoners need to be moved securely from one area to another. Those people know what they are about, and they are not the people to whom Ms McCann referred earlier. There are issues about the withdrawal of privileges and the management of the system. Many of the recommendations outlined by Mr Poots contain aspects that we can support.

The Ulster Unionist Party supports the recommendations; we want the Prison Service to fix its working

practices. We wholeheartedly support the brave men and women who act as prison officers. However, shoddy work, Spanish practices, and people not doing the jobs that they are paid for are not acceptable to us or to anyone else in the Assembly. Therefore, we support the motion with the caveats that we outlined.

Mr A Maginness: If there is one thing that this disturbing report highlights, it is the need for the Assembly to have confidence and control over the Prison Service as soon as possible. Therefore, I reiterate the argument that the SDLP has made many times from these Benches: policing and justice powers should be transferred to the Assembly as soon as possible.

2.15 pm

Mr Paisley Jnr: Does the Member accept, therefore, that if policing and justice powers had been devolved at the time of the report's publication, the person who would be held to account would not be the prison governor, deputy governor or night-duty clerk? The Minister would be held to account. The person who would be responsible, yet who is left out of the report, would be the Minister, and thereby the NIO.

Mr A Maginness: I certainly accept that. That is the nature of democratic accountability. In fact, it should be the standard that is applied in dealing with a situation that happens on a justice Minister's watch.

I re-emphasise the point that it is important that the Assembly expedite the devolution of policing and justice powers to Northern Ireland. In some ways, the debate is futile, because the Assembly does not have direct responsibility. It is simply an observer — a bystander — when it should be a participant in the control of the Prison Service.

I will direct my remarks to the report in particular. Colleagues have mentioned several aspects, which I will not re-examine. However, I will comment on the narrative of that unfortunate man's death. For more than three years, he had been a conforming prisoner. Indeed, he had shown few signs of disturbance. The fact is that in March 2008, he was dealt with for stealing a photograph frame. The incident triggered something in the man's behaviour. It caused him to misbehave. I wonder whether the original decision on his stealing the frame was the correct one. Should the man not have been dealt with on a different level? Was the reaction to the man's misdemeanour disproportionate? I ask that question of people who examine such issues.

Furthermore, the man seems to have suffered not from mental illness but from a personality disorder. That is an important distinction. Professor McClelland makes that plain in his report to the Prisoner Ombudsman. In his report, he talks about a power struggle between the prison authorities and the prisoner. Is that the correct way for the prison authorities to conduct their relationship with a prisoner who has

offended? Is it a matter of beating the man down, so to speak, and showing him who is boss? I am not convinced that that is the right way in which to proceed with a prisoner who may be suffering from a personality disorder.

Dr Farry: Will the Member give way?

Mr A Maginness: I cannot give way, because I will run out of time.

Dr Farry: The Member would get an extra minute.

Mr A Maginness: I would not, because I have already been given an extra minute.

Furthermore, the man manifested his disturbance by talking about what he deemed to be paramilitary threats, which were assessed to be non-existent by the prison authorities. He was moved 30 times. I wonder whether that action was appropriate.

Mr Paisley mentioned the night-custody officers. My understanding of the Prison Service is that night-custody officers are specially trained for those duties. Obviously, they failed in respect of that man — manifestly so. Everyone can acknowledge that. I wonder whether that was due to penny-pinching and saving costs.

Mr Poots: Will the Member give way?

Mr A Maginness: I cannot give way. At present, in the Northern Ireland Prison Service, costs per prisoner are excessive compared with those of any other part of the UK or, I believe, the Republic.

We have to examine that, because we cannot keep ploughing excessive amounts of money into the Prison Service. I do not want the service provided for prisoners to be undermined in any way, but we must examine the whole cost base of the Prison Service and the prison estate.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún.

I support the motion. I am grateful for the opportunity to bring the motion before the Chamber, and I thank all the Members who contributed to the debate.

There has been a huge deal of concern throughout the community about Colin Bell's death and the findings of the Prisoner Ombudsman's subsequent investigation. I am extremely conscious of the feelings of the family of Colin Bell's victim. They cannot and should not be forgotten, and all of us must acknowledge their hurt and be conscious of their ongoing grief and anguish throughout this process.

Nevertheless, the fact remains that the ombudsman's investigation was a damning indictment of the Prison Service. Warders were found to have been sleeping on duty, and Colin Bell's repeated attempts to take his own life were not observed, despite the fact that CCTV

footage of his cell was supposed to be monitored constantly. Members have recognised those concerns in the Chamber today.

My colleague Raymond McCartney spoke of the failings of the prison system and said that Colin Bell's cry for help went unheard. He also talked about the lack of care shown in the behaviour of prison staff and recommended the full implementation of the Prisoner Ombudsman's report; I fully endorse those views.

Mr Ian Paisley Jnr spoke of the circumstances that led to Colin Bell's death and those that led to him being in prison, and he said that those were equally disgraceful. He said that although he agrees with many of the recommendations, he has issues with some of them and would have preferred the ombudsman's report to have gone much further. He also talked about prison warders on night duty not being properly trained. I do not know what training one needs to do night duty when one is being paid to do night duty as opposed to being asleep.

Leslie Cree mentioned the shocking nature of the report and said that there appears to have been no duty of care on the part of the night staff on duty on the evening of Colin Bell's death and spoke of the need for the recommendations to be implemented in full.

Mr Alex Attwood spoke about the devolution of policing and justice and how that Ministry will fall to someone in the Chamber. Therefore, the consequences of this incident and the ombudsman's report will have to be considered by a local Minister. Mr Attwood also said that the Prisoner Ombudsman needs a budget line to carry out her work fully; we endorse that view.

Stephen Farry also endorsed what Mr Attwood had said. He said that the Prisoner Ombudsman should not only be properly funded but put on a statutory footing; once again, Raymond McCartney and I concur with that feeling. Mr Farry spoke about the issue of mental illness and how it related to the case of Colin Bell. He also said that there is a higher incidence of mental-health problems in the prison population as a whole. All MLAs know constituents who have ended up in prison but who should have been placed in mental-health units. My colleague Jennifer McCann spoke about that issue. Indeed, one governor told me that the prison was full of prisoners who should be in mental-health units instead.

Edwin Poots expressed concerns about many of the recommendations. Although he views many of the recommendations to be practical and sensible, he took issue with the one relating to the governor and deputy governor. He focused on the NIO's policy of bringing people into prison to perform a duty on the cheap.

My colleague Jennifer McCann spoke of Annie Kelly and Roseanne Irvine, two other prisoners who took their own lives, and the fact that the reports and

recommendations that followed their deaths had not been fully implemented.

Basil McCrea said that prison is not supposed to be a holiday camp. As one who has been there, I assure him that it certainly is not. He said that he will support the motion in order to ensure that the Prison Service is at its best, and he discussed the systematic failures and said that help is needed to address those failings.

The Prisoner Ombudsman's 44 recommendations must now be implemented fully. Some Members made points about policy, but the motion does not limit the scope of holding those responsible to account, and DUP Members who spoke should take that into account. Sinn Féin supports any examination of prison policy that will ensure that the issues outlined during the debate are addressed.

The issue goes much further than the Colin Bell case: there were 11 jail suicides between 1996 and 2008, 10 of which occurred in Maghaberry. In many cases, the inquest coroner's recommendations have gone unheeded and unheard. Indeed, the Ombudsman's investigation is the latest in a line of similar reports in recent years that have expressed grave concerns about the prison system.

Unfortunately, the warnings have been ignored, recommendations have not been implemented and vulnerable prisoners will continue to die. A fundamental sea change is needed in the prison system. As we emerged from conflict, there was no Patten-style reform of the prison system. That must happen. The long overdue transfer of policing and justice — as some Members referred to — will help to overhaul the system's failings. However, we can make a start now by ensuring that the Ombudsman's recommendations are implemented fully.

Article 2 of the European Convention on Human Rights states that authorities have a positive obligation to protect life, which arises when they know, or ought to know, of a real and imminent risk to a prisoner's life, even if the threat comes from the individuals themselves.

The Prison Service policy on self-harm and suicide prevention aims to identify prisoners at risk of suicide or self-harm and provides the necessary support and care in order to minimise the harm that an individual may cause to himself or herself. That policy has obviously not been implemented fully, because in a 30-hour period before his death, Colin Bell tried to contact the Samaritans 73 times via a link-up facility in his cell. Sixty-three attempts were unsuccessful because of technical difficulties. Prison staff lay on a makeshift bed, watched TV, drank tea and coffee and smoked, while ignoring Colin Bell's suicide attempts.

As Raymond McCartney said, for two days, Colin Bell wrapped toilet paper round his feet to stay warm. That is absolutely appalling. He killed himself at the

fourth attempt, but for almost 40 minutes, officers did not realise that he was dead. Three days before Colin Bell's death, prison staff assured his mother that his life was not under threat.

In the North, there are more prison staff than inmates; there are approximately 2,300 prison staff, about 1,800 of whom are prison officers. That amounts to a higher number than the prison population. Therefore, a failure to implement the policy of self-harm and suicide prevention cannot be blamed on understaffing or lack of training. Although it is regrettable that policing and justice powers have not been devolved, I acknowledge the British Minister's comments that —

Mr Deputy Speaker: Order. As Question Time begins at 2.30 pm, I suggest that the House take its ease until that time. The debate will continue immediately after Question Time, when Ms Anderson will continue her winding-up speech.

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

Mr Speaker: Questions 1 and 2 have been withdrawn.

Post-Primary Transfer

3. **Mr D Bradley** asked the Office of the First Minister and deputy First Minister when the proposals of the Minister of Education on the future of post-primary transfer were last discussed at an Executive meeting. (AQO 2108/09)

The deputy First Minister (Mr M McGuinness): Go raibh maith agat, a Cheann Comhairle. It is not our practice to disclose details of Executive business. The contents of Executive papers are confidential, as are all aspects of Executive business. The Member will be aware of the statement made to the Assembly by the Minister of Education on 2 February.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Does the deputy First Minister agree that, in the light of the chaos surrounding the future of post-primary education, including an unregulated system of transfer and the unions' threat to instruct their members not to prepare children for potential tests, the Executive should hold a special meeting with a single-item agenda — namely, the future of our children's education — as proposed by my party colleague Margaret Ritchie, as long ago as last May?

The deputy First Minister: The issue of post-primary transfer reform was raised at a number of Executive meetings in 2007 and 2008, but no agreed Executive position was reached. The Minister of Education submitted a draft Executive paper on post-primary transfer arrangements for the Executive meeting of the 17 January 2008. It was agreed that consideration of that paper would be deferred and that a dedicated meeting of the Executive should be scheduled to address the issue.

The Minister of Education submitted a draft Executive paper on post-primary transfer reform for the Executive meeting on 15 May. At that meeting, there was detailed discussion of the process that could be put in place to consider the Minister's paper, but the content of the paper was not considered by the Executive.

At the Executive meeting of 15 January 2009, the Minister of Education indicated that she would shortly submit a memorandum to the Executive. That paper was circulated on 27 January but was not tabled for discussion at the Executive meeting on 29 January. The Minister of Education wrote to the First Minister and me on 30 January to inform us that she intended to make a statement to the Assembly on transfer 2010; that statement was made on 2 February.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. First, does the deputy First Minister share my surprise that the Member who spoke previously does not welcome the fact that teachers are refusing to prepare children for transfer tests? Secondly, is it not the case that the Minister of Education can, and does, issue guidelines from time to time?

The deputy First Minister: In her statement of 2 February, the Minister of Education advised that she was issuing guidance on post-primary admissions under article 30 of the Education Order 2006, which states:

“The Department may issue, and from time to time revise, such guidance as it thinks appropriate in respect of the arrangements for the admission of pupils to grant-aided schools”.

Mr B McCrea: I assure the Minister that I know who he is and what he is. How many papers has the Education Minister circulated to the Executive since assuming office? How many of those papers related to post-primary transfer? Were there any key differences between those various papers?

The deputy First Minister: In the answer that I gave previously, I gave a clear and detailed rundown of the number of papers and requests that were submitted by the Minister of Education to the Executive.

Dr Farry: Does the deputy First Minister believe that the decisions that were taken by the Education Minister fall under the definition of a “significant or controversial” item that is outside the context of the Programme for Government, which, under the ministerial code, would therefore require an Executive decision?

The deputy First Minister: The Minister of Education, acting as the Minister of Education, has made her position absolutely clear, and she has, on a number of occasions, submitted to the Executive clear indications of how she intended to proceed. I have given a full answer today in relation to all of the contributions made to the Executive by the Minister.

We all clearly understand that, as a result of the decisions that were taken by those who were responsible for putting an Executive agenda in place, we now have a situation in which the Minister of Education has decided that she must issue guidance. Given her responsibility as a Minister, and the fact that the debate

has been going on for quite some time, we must see the outworking of that situation. There may be a determination on whether decisions are significant or controversial at a later stage in the process.

Mr Speaker: Question 4 has been withdrawn.

Single Equality Bill

5. **Mr McCarthy** asked the Office of the First Minister and deputy First Minister to detail the timetable for the single equality Bill. (AQO 2110/09)

The deputy First Minister: We continue to legislate in order to provide legal protection against discrimination and to promote equality of opportunity. Since the restoration of the institutions, we have introduced legislation to strengthen and improve the rights of individuals in a number of different areas. We have introduced several changes to disability discrimination legislation in order to improve the lives of disabled people here. For example, we have amended the definition of disability so that people with progressive conditions are deemed to be disabled from the point of diagnosis. We have made it unlawful to treat a disabled person less favourably than others for a disability reason in the disposal or management of residential, commercial and other premises. We have also imposed new duties on public authorities and private clubs to make reasonable adjustments for disabled people.

In the area of gender equality, our law was amended in order to give effect to the European gender goods and services directive. We also brought forward regulations to amend the Sex Discrimination Order 1976 in order to ensure that we fully complied with the European equal treatment amendment directive. We are currently consulting on the removal of the transport exemption that pertains to the right of access to goods, facilities and services contained in the Disability Discrimination Act 2005 in order to make it unlawful for transport operators to discriminate against a disabled person.

Following the close of the consultation period, we will move quickly to amend the law. In addition to strengthening the framework of equality legislation, the Executive have agreed the policy approach that is intended to reduce inequalities further in the areas of age, gender and race, and the inequalities that result from poverty and exclusion. The Executive will soon consider proposals to tackle the inequalities that are experienced by people with disabilities, in line with their statutory section 75 duty.

We are aware that the European Commission has produced a draft directive to extend protection against discrimination on the grounds of religion, belief, disability, age or sexual orientation in the area of goods

and services. We must ensure that our citizens enjoy the same protections as others do across the European Union. We will therefore consider the implications of those developments in deciding the future direction of equality legislation here.

Mr Speaker: Minister, before I call Mr McCarthy to ask a supplementary question, we were informed that you were going to answer questions 5 and 11 together.

The deputy First Minister: That is news to me.

Mr McCarthy: Given the horrendous delay by the Office of the First Minister and deputy First Minister in making progress on the single equality Bill — which was the subject of my original question — is it not abundantly clear to any observer that the Bill has, in effect, been abandoned by that Department?

The deputy First Minister: We will continue to keep the broad spectrum of equality legislation under review. Our Department is committed to the principle of equality for all people here. Policy proposals on equality legislation will be considered in consultation with the Committee for the Office of the First Minister and deputy First Minister and the Executive. It would not be appropriate to comment on timescales until policy decisions have been taken.

Our officials continue to assess the situation and keep us informed of developments in Britain and Europe on proposals for equality legislation. Work on equality legislation continues in order to deliver on our Programme for Government commitments, EU obligations, case law requirements and emerging issues. It is a mistake to say that all possible avenues have been closed down by the Executive — they clearly have not.

Mr A Maginness: I thank the Minister for his reply. Is this not another example of Sinn Féin's surrendering of a vital political issue, this time on equality legislation, to the whims and fancies of the DUP, in the same way that it did on the Irish-language Act, the Maze and education?

The deputy First Minister: That is wishful thinking on the Member's part. The reality is that we are part of a coalition Government. If a member of the SDLP were the deputy First Minister, he or she would have to deal with the same issues and difficulties that I do. Clearly, it is quite easy for one to seize on issues if one wants to score political points and be involved in one-upmanship. However, that does not work for the simple reason that we — and I speak as a member of Sinn Féin and as the deputy First Minister — have accomplished something that the SDLP failed to do, which was to bring about a fully inclusive Executive. *[Laughter.]*

The SDLP, and its two deputy First Ministers, never managed to bring about a situation in which all parties sat at the Executive table, but Sinn Féin did, and that is important. Of course, the Democratic Unionist Party, the First Minister and I have said that being in Government together is not easy. It is difficult. However, the political situation in the North of Ireland has been transformed by the decisions —

Mrs D Kelly: Paralysis.

Mr Speaker: Order.

The deputy First Minister: The situation has been transformed as a result of the decisions that both the DUP and Sinn Féin have taken. The SDLP finds that hard to take, because it told everyone, prior to the restoration of the institutions, that there would never be an agreement between the DUP and Sinn Féin.

Mr A Maginness: Never.

The deputy First Minister: That is absolutely true. The Member can shake his head for as long as he likes, but it is on public record that the SDLP told the world and his mother that the DUP and Sinn Féin would never come to an agreement. That party was, therefore, confounded when we did.

A Cheann Comhairle, the next toot from the SDLP was that, although we had managed to get the institutions up and running, it would never last. Through our recent efforts and work, we have clearly shown that the process is sustainable, that it is lasting, and that it has produced results in the interests of all of the people that we represent. That does not mean to say that we agree on everything; there are issues on the agenda that remain to be resolved. However, rather than giving up, Sinn Féin works day and daily. Members of the SDLP can heckle, mutter and moan as much as they like on the sidelines, because the reality is that Sinn Féin and the DUP accomplished something that the SDLP and the Ulster Unionists failed to do.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr P Maskey: Go raibh maith agat. When some parties do not get their own way, they try to butt in, shout and heckle; however, that gets them nowhere.

Will the Minister outline the main pieces of equality legislation that have been enacted since the restoration of the institutions?

The deputy First Minister: Since May 2007, our Department has made seven pieces of equality legislation: the Disability Discrimination (Premises) Regulations 2007; the Disability Discrimination (Service Providers and Public Authorities Carrying Out Functions) Regulations 2007; the Disability Discrimination (Private Clubs, etc.) Regulations 2008;

the Disabilities Discrimination (Questions and Replies) Order 2007; the Disability Discrimination (Guidance on the Definition of Disability) (Appointed Day) Order 2008; the Sex Discrimination Order 1976 (Amendment) Regulations 2008; and the Sex Discrimination (Amendment of Legislation) Regulations 2008.

In addition, we launched a consultation on the draft Disability Discrimination (Transport Vehicles) Regulations in December 2008. That consultation will run until 13 March.

2.45 pm

Mr Burnside: I hate to intervene in the nationalist/republican debate. *[Laughter.]*

With the depth and extent of the equality and human-rights legislation that exists in Northern Ireland, is there no time in the future that the deputy First Minister envisages this Assembly evolving into the same formation of a Government and Executive as every other democratic country in the world, whether that be a voluntary coalition or a weighted majority?

The deputy First Minister: It is quite clear that the Member wishes to draw me into a revision of the speech that I made during the course of last weekend. Clearly, the answer is no. We have to work with the institutions and the agreements that have been made over the course of recent times. Those have been hugely beneficial to all of the people whom we represent. As a result of the Good Friday Agreement and the St Andrews Agreement, we clearly have a responsibility — as an Executive and as an Assembly — to continue to work those institutions.

The future is unquantifiable for all of us. Over the course of recent times, people have failed to predict the future as regards the economic situation. People are now trying to predict what will happen economically over the course of the next while. From our perspective, we want to work the institutions that currently exist. The people who hanker after changes to the situation surely know that change can only come about as a result of agreements that are forged among the main parties that receive mandates from the electorate.

Fuel Poverty

6. **Mrs M Bradley** asked the Office of the First Minister and deputy First Minister (OFMDFM) on what date the Minister for Social Development made it aware that her Department did not have legislative authority to make payments from her proposed fuel poverty package. (AQO 2111/09)

The deputy First Minister: It is not our practice to disclose details of Executive business or to divulge the content of correspondence among Ministers of the

Executive. However, the Member will be aware that the First Minister and I were required to respond on this matter during the passage of the Financial Assistance Bill. Our responses are available in the record of those debates, and we have nothing further to add.

Rather than seeking to revive an old argument, it would be better to focus on the positive developments since then. The Financial Assistance Act 2009 is now law, and the Executive have approved our proposal for the first determination and designation under its provisions. We made that determination and designation on 17 February, and it will enable the Minister for Social Development to introduce a scheme for financial assistance in respect of fuel payments. We expect that that will be discussed and agreed at the Executive meeting this coming Thursday.

Mrs M Bradley: I am disappointed that the Minister cannot properly answer the question. I take it that what was said in the House on 13 January was wrong.

The deputy First Minister: I disagree with the Member.

Mr K Robinson: I listened carefully to the deputy First Minister's response. Will he indicate whether OFMDFM has any plans to expand the power, legislative authority and policy remits that are under its control during the next session of this Assembly?

The deputy First Minister: That question clearly flows from the debate that we had in the House about the contents of the Financial Assistance Bill. During the course of countless contributions, the First Minister and I made it absolutely clear that the Bill had a specific purpose. All sorts of expletives were used, particularly by SDLP members, to describe how dangerous the Bill was.

The First Minister and I did not cook up any plan whatsoever to use the Financial Assistance Bill for anything other than the purposes that we explained to this House.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. Will the Minister tell the House when the payments for those living in fuel poverty will be made?

The deputy First Minister: As the necessary legislation has now passed through the Assembly, the Executive will discuss the scheme on Thursday. We are committed to making the payments as soon as possible after the regulations setting out the scheme come into operation.

North/South Ministerial Council: Single-Issue Meeting

7. **Mr McElduff** asked the Office of the First Minister and deputy First Minister what plans it has to

seek a single-issue meeting of the North/South Ministerial Council to discuss the economic challenges on the island of Ireland. (AQO 2112/09)

The deputy First Minister: The economic crisis affects the entire island of Ireland and, indeed, the world. It was discussed in detail with the Taoiseach and Irish Government Ministers at a plenary meeting of the North/South Ministerial Council on 23 January 2009, and at a meeting of the British-Irish Council in Cardiff on Friday 20 February 2009.

Members will be aware of the high level of daily cross-border economic activity on the island. It is therefore essential to address the current economic challenges. The North/South Ministerial Council website www.borderpeople.info is the central access point for all cross-border mobility information on the island of Ireland.

Working groups that were set up by the North/South Ministerial Council are examining in detail the issues of cross-border banking and the transfer of public-sector pensions. Over the coming months, sectoral meetings will provide further opportunities for the relevant Ministers to discuss how the North/South Ministerial Council's work can contribute to addressing the serious effects of the economic downturn.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as a fhreagra.

I thank the deputy First Minister for his answer. Will he assure Members that the particular difficulties being experienced by the construction industry and in the engineering and manufacturing sectors will be discussed and that the two Governments on this island will engage in joined-up working to address those problems at future meetings of the North/South Ministerial Council?

The deputy First Minister: At the meetings in Derry and Cardiff, we had broad discussions on the economic difficulties facing many Governments in this part of the world, not least the crisis in the construction industry, which exercises and concerns everyone.

The merits of the private sector versus the public sector have been debated for many years. I have made it clear that the size of the public sector has assisted the North, where unemployment currently stands at about 5%. That figure is too high, and it is unacceptable to OFMDFM, but the unemployment figure in the South is approaching 10%. As I told the House in the past week or so, when the First Minister and I were in Brussels, senior officials told us that they feared that the level of unemployment in Spain, for example, could reach 20% by the end of the year.

That illustrates the extent of the crisis that we face. It is incumbent on everyone, through the North/South Ministerial Council and the British-Irish Council, to

ensure that, during our deliberations and at the cross-sectoral meetings, we address how we can work together to mutual benefit to combat the worst effects of the extremely serious worldwide economic downturn.

Mr Kennedy: Will the deputy First Minister tell the House when he and the First Minister are next scheduled to meet the Prime Minister, Gordon Brown, to address the economic challenges? Will he undertake to take that opportunity to raise the plight of the Presbyterian Mutual Society?

The deputy First Minister: The First Minister and I, together with the First Ministers of Scotland and Wales, will meet the Prime Minister in Downing Street next Wednesday, and we intend to raise the plight of investors in the Presbyterian Mutual Society on the margins of that meeting.

Mr Attwood: I thank the deputy First Minister for confirming that, despite my hope — and that of Mr McElduff — that a single-issue meeting of the North/South Ministerial Council would be held on economic challenges, no such meeting is planned. That is another example of Peter Robinson saying no and Sinn Féin saying OK.

I ask the deputy First Minister — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr Attwood: Can the deputy First Minister confirm that, until today, not only the First Minister and the DUP; not only the deputy First Minister and Sinn Féin, but the Alliance Party, have had prior sight of the Northern Ireland Bill, which deals with the devolution of justice, and which is being introduced today at Westminster? Will the deputy First Minister explain why he, Peter Robinson, and the Alliance Party should have that information?

Mr Speaker: Order. I have said on many occasions in the House that the supplementary question should relate to the original question. That supplementary question was in no way related to the substantive question. I will move on.

Expenditure Plans

8. **Mr Moutray** asked the Office of the First Minister and deputy First Minister what expenditure plans it has in relation to victims of the Troubles in the next financial year. (AQO 2113/09)

The deputy First Minister: A total of £36 million has been allocated to the sector over the three-year period 2008-2011, and £12 million is earmarked for the 2009-2010 financial year — an increase of approximately £4 million over this year's allocation. We hope to make an announcement on funding for victims and survivors soon.

Themes 1 and 2 of the European Union's Peace III programme are dedicated entirely to work with victims and survivors. Those themes have set aside €50 million over the period 2006-2013. Although Peace III has taken time to become established, projects totalling approximately €20 million have now been approved for funding the victims and survivors theme within the programme. As part of its initial work programme, the Commission for Victims and Survivors has undertaken to advise OFMDFM on spending priorities in the next financial year, and we look forward to receiving those views.

Mr Moutray: I thank the deputy First Minister for his answer. Will he indicate what measures will be taken to ensure that the many victims who are not represented by victims' groups will be treated fairly in respect of funding?

The deputy First Minister: All of us absolutely sympathise with the substance of that question. There is a responsibility, and I think that we have the mechanisms and the organisational structures to deal with that.

All of us clearly understand the importance of ensuring that the strategy for victims and survivors brings benefits to everyone in society. The consultation on the draft strategic approach for victims and survivors closed on 31 October 2008. The Committee for the Office of the First and deputy First Minister has discussed the responses to the consultation paper with officials, and I understand that, given the relationship between the strategy and the service, the Committee is currently awaiting a copy of the draft consultation paper on the victims and survivors' service, which was proposed in the draft strategy, before making any response on the strategy itself.

We look forward to hearing comments from the Committee, which will no doubt encompass the question that was asked, in the foreseeable future.

Mr O'Loan: Will the deputy First Minister explain whether the work programme for the victims' commissioners has been signed off and agreed between himself and the First Minister — and if not, why not?

The deputy First Minister: Although the commission's work programme has been approved by the First Minister and myself, our approval of the programme is a fundamental part of our accountability relationship with the commission — in particular, the budgetary dimension. We are now satisfied with that aspect, and have approved the draft work programme.

The commission has recently appointed a secretary. That is a key appointment that will accelerate many procedural matters for the commission, and I have no doubt that the Member will be disappointed that I was able to give him an answer that involved an agreement between the First Minister and myself. His party has

been very critical in its comments on the actions of the First Minister, given that it attempted to form an alliance with the Democratic Unionist Party and the Ulster Unionist Party against Sinn Féin last year, at a time when its Minister was sandwiched between two leading Members of both of those parties. That was not that party's position just a few short weeks ago.

3.00 pm

EMPLOYMENT AND LEARNING

Mr Speaker: I remind Members that supplementary questions must relate to the original question. If a Member rises, knowing quite well that his or her supplementary question does not relate to the original question, it will be a long time before he or she will catch my eye again for a supplementary question.

Redundancies in Upper Bann

1. **Mr Savage** asked the Minister for Employment and Learning how his Department has responded to recent redundancies in Upper Bann. (AQO 2126/09)

The Minister for Employment and Learning (Sir Reg Empey): The Department for Employment and Learning (DEL) has provided information and advice to people who have been made redundant in Upper Bann in order that they might find alternative employment, or identify opportunities to retrain under the Department's employment training or further education programmes.

In several cases, local jobs and benefits offices were able to deliver on-site clinics directly to those who had received notice of redundancy, including those employed by Moy Park, Huhtamaki, Seagoe Technologies, R A Irwin and Company, Ulster Weavers, NACCO Materials Handling Group, and Woolworths in Banbridge. Further clinics have been arranged for NACCO Materials Handling Group and Henry Denny and Sons.

Mr Savage: Does the Minister agree that priority must be given to training — especially in Lurgan, Portadown and Banbridge — that would be likely to promote inward investment and new business start-ups?

The Minister for Employment and Learning: Recently, I visited the Banbridge jobs and benefits office, and I saw for myself the situation for unemployed people. Sadly, very few vacancies were available.

The Member is correct, and all indicators and commentators point to the same thing; we must train people now for the anticipated upturn, whenever it comes. For many companies, that is easy to say but difficult to deliver, because they are attempting to

conserve cash flow, and training, maintenance and marketing are the sort of expenditures that get cut back. We are urging companies to talk to us about those things in order to discover what we can do to help them, what the colleges can do, and what other arrangements can be made, particularly for apprentices, who are suffering job losses as a result of the current cutbacks.

Mr Simpson: The Minister has outlined the position with respect to further education colleges and apprenticeships. In the Upper Bann constituency, approximately 400 jobs have been lost, and I understand from phone calls today that more announcements will be made shortly, all of which is a sad reflection of the economic situation. Will the Minister outline further the help that his Department can give to companies with respect to apprenticeships?

The Minister for Employment and Learning: We have been looking closely at the subject of apprenticeships. Indeed, there is a question further down the list that refers directly to this subject. We are continuously reviewing the help that we offer. The situation is not static, and actions that were appropriate in October may not be appropriate today. Therefore, the Department of Enterprise, Trade and Investment (DETI), my Department and others must respond as flexibly as possible.

The picture is improving for apprentices, in so far as they now have several options. We have offered help in several areas, including the motor industry and the construction industry, in which we were losing significant numbers of apprenticeships. We are preparing to extend the range of apprentice categories. Although we began by addressing the areas that are suffering the greatest losses, they are not necessarily the only ones in which we will act. If a case can be made for extending the special arrangements for apprentices to other industries and sectors, I am prepared to consider it.

Mrs D Kelly: Will the Minister agree to review the practice whereby apprentices, particularly in the construction industry, who are undertaking a one-day-a-week course and have now been paid off must choose between claiming jobseeker's allowance and remaining on their course?

If an apprentice applies for benefit allowance, he or she has to resign from his or her course. At this time of the year, some of them are two or three years into their courses. Will the Minister, therefore, review the students' status and entitlement to benefits and courses?

The Minister for Employment and Learning: There is a menu of options from which individuals can choose, depending on their age and circumstances. Individuals who are prepared to join Training for Success can go into an assimilated work environment; some take up full-time college courses; some are still

in outplacements; and some, depending on age, are still in receipt of benefits.

I will be happy to look at any particular case of which the Member is aware. Our objective is to ensure that apprentices do not lose out if they have put work into an apprenticeship. We do not want them to have done two years' work for nothing. If Members find that apprentices are struggling and that cases are emerging in which people are losing out, I will be happy to look at them.

Interpoint: University Site

2. **Mr Neeson** asked the Minister for Employment and Learning to provide a timescale for the development of the university site at Interpoint.

(AQO 2127/09)

The Minister for Employment and Learning:

Recently, the University of Ulster announced proposals to relocate some course provision from its Jordanstown site to a redeveloped Belfast campus. I appreciate that the university has announced proposals for major capital investment as part of its redevelopment plans. Some of that will require public funding that has not yet been agreed with my Department, which is considering the economic appraisal.

Mr Neeson: I thank the Minister for his answer. I am disappointed that such an important facility is moving out of East Antrim, but it is still an important campus site for the area. Can the Minister assure me that the university will continue to develop its centre of sporting excellence, along with other facilities?

The Minister for Employment and Learning: In mid-November, I received a proposal from the University of Ulster. The university has a master plan, but we received only the part that refers to the Jordanstown campus. I have not received any proposals in respect of the remaining University of Ulster campuses. Consequently, there is a process of ensuring that the proposals that we received match green book standards. Following completion of that process, the proposals will be sent to the Department of Finance and Personnel for consideration. If that Department is satisfied, the matter will come back to my Department for a policy appraisal. However, that has not yet happened.

I understand that the Jordanstown campus is to continue along the lines that the Member mentioned, but that has not been finalised. The process is in its early stages, and I am not in a position to be definitive about where it will take us. The Department will be in a better position to make a judgement when it receives the entire master plan and is able to see the overall picture.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. Will the Minister clarify whether he has had any discussions or consultations in relation to the development at the Interpoint building? How does he feel about the recent media articles on the proposals? Go raibh maith agat.

The Minister for Employment and Learning: As I said in my response to the Member for East Antrim Mr Neeson, there was a media announcement, but I have received only the part of the plan that is relevant to the Jordanstown campus. I have not received the complete master plan that covers all the campuses of the University of Ulster. We will assess that master plan on receipt of it.

We will also have to establish what the capital availability will be, because, at present, we can consider the plan only in respect of the current comprehensive spending review period. Work arising from the master plan will go on for over 20 years, so I have not yet been able to satisfy myself that we have funding to deal with it. However, we are taking the issue seriously. There will be a meeting with senior officials from the University of Ulster later this week, which will enable us to come to terms with the proposals. The Department will give those proposals a high priority.

Mr K Robinson: Does the Minister agree that the proposed move of a significant number of faculties from the Jordanstown site by the University of Ulster will constitute the loss of a neutral site and impact in a detrimental manner on the overall third-level education package provided in East Antrim? Does he also agree that the proposed move could have a damaging impact on the critical research and development potential of the university and the high-tech firms in East Antrim?

The Minister for Employment and Learning: There is no doubt that moving a significant number of faculties from East Antrim to another site could create issues for local companies. However, I hope that if the proposals are agreed, the university would put in place mechanisms to ensure that no companies in Northern Ireland or in the environments of its campuses are disadvantaged, as that would not be in the interest of the companies or the university. That is one of the issues that we will have to address when appraising the plans. I cannot pre-empt that process. We must work through the issues with the university, and that process has not happened yet.

Mr A Maginness: I thank the Minister for his replies. Is there not a fundamental contradiction between the University of Ulster proposing to move many of its courses and students from Jordanstown to Belfast and its decision to pull out of Springvale?

The Minister for Employment and Learning: The proposal is in the gift of the University of Ulster; it is the university's proposal. We have received one

proposal in respect of the Belfast campus, but we have not received the total master-planning exercise. It is fair to say that Springvale did not work out as had been hoped. The Department is conscious of that, and we must be careful that we do not see any repeat performances. The issue was extremely sensitive, and many people in west Belfast were disappointed that that project did not go ahead. However, we are past that point, and all I can say is that we will be looking at the proposals when we receive them all. I have no doubt that the proposals will be discussed with the Committee for Employment and Learning before any decisions are taken.

Apprentices

3. **Ms Lo** asked the Minister for Employment and Learning for an update on his Department's monitoring exercise on apprentices who have been made redundant, and their current training provisions.

(AQO 2128/09)

The Minister for Employment and Learning: The Department introduced contingency arrangements to allow apprentices who were made redundant from the construction, engineering and motor-vehicle sectors to continue with training, because those were the sectors most affected by the economic downturn. The Department is also examining data on other sectors, and as I said to a Member previously, it will introduce similar arrangements if that is shown to be necessary. Three hundred and three apprentices were made redundant from those priority-skill areas: 205 in construction, 78 in engineering, and 20 in the motor-vehicle sector.

Ms Lo: I thank the Minister for his reply. Will the Minister comment on the suggestion that was put to the Committee for Employment and Learning that given the downturn, contractors that have been awarded capital projects should be required to take on a certain number of apprentices?

The Minister for Employment and Learning: Several Members raised that issue. I have been in touch with the Minister of Finance and Personnel with regard to that because the Central Procurement Directorate is under his Department's control, and he is very sympathetic. I believe that such conditions can be applied to contracts already, although I may be corrected if I am wrong. I am not sure at what point that compliance has commenced, and I am happy to write to the Member to confirm those details, but my understanding is that the Department of Finance and Personnel is agreeable to that process.

Mr Shannon: I thank the Minister for his detailed response. The Minister said that 205 apprentices in the construction industry had lost their jobs.

I am concerned about those who have completed two years of their apprenticeships and who may find themselves with no opportunity to conclude them. All apprentices are important, but what help can the Minister give to those particular apprentices?

3.15 pm

The Minister for Employment and Learning: As the Member points out, those key people are the focus of our attention, and I will give him some details on what has happened to the 303 apprentices who have, so far, been made redundant: 157 have been referred to the Careers Service for advice and further training, they are still being processed and have not been allocated an alternative; 51 are continuing their training under Training for Success, which may mean that they are working in a simulated work environment in a college; 26 are continuing their training under Steps to Work, which means that they have placements with employers for one day a week and come into college for four days a week; 43 have found alternative employment, including continued apprenticeship training or a return to their previous employer; 16 have entered further education; and the remaining 10 apprentices have not maintained contact with the training supplier.

A number of apprentices have been dealt with to their satisfaction, quite a few have found alternative employment, and we are still processing 157 out of the aforementioned 303.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I am interested in the geographical distribution of apprentices in the construction and engineering sectors. Will the Minister provide more information on where those apprentices are located? Will he also tell the House about the fostering programme?

The Minister for Employment and Learning: Dealing with the latter point, Michelin, Northern Ireland Water, Phoenix Gas and Dale Farm have, so far, agreed to offer a fostering service, which happens when we cannot place the apprentices in any other scheme.

I do not have any information on the geographical distribution to hand, but I am happy to write to the Member with more details.

Mr Speaker: Question 4 has been withdrawn.

Jobs and Benefits Offices: Staffing

5. **Mr Beggs** asked the Minister for Employment and Learning what plans his Department has to review staffing levels in the Jobs and Benefits Offices.
(AQO 2130/09)

The Minister for Employment and Learning: My Department has already increased the front line resources available in the jobs and benefits offices through increasing the hours of part-time staff, implementing

overtime, and recruiting temporary and permanent staff. At this stage, I have committed to recruiting up to 130 additional front line staff to meet the needs of the rising number of people claiming unemployment-related benefits. I will continue to review staffing requirements.

Mr Beggs: Will the Minister confirm that the current review of the Social Security Agency, and the handling arrangements for the proposal to remove some staff to other district offices, is a matter for the Department for Social Development? Will he continue to ensure the dispersal of his staff in the various offices, such as those in Larne, Carrickfergus and Newtownabbey, so that a service can be ensured?

The Minister for Employment and Learning: I am aware that a major reorganisation is going on in the Social Security Agency, and my Department shares 25 offices with it. As the Member said, that is a matter for my colleague the Minister for Social Development. Nevertheless, DEL staff are not moving from any of the offices that are on its books. Regrettably, due to present circumstances, it is likely that we will be increasing the number of staff in those offices over the coming months. However, we have no plans to move staff from any of the existing offices.

Mr Wells: The Minister will be aware that there is huge concern throughout the community regarding the review of staffing in social security offices. I accept that that does not fall within his bailiwick. Nevertheless, because there is an overlap in 25 offices, it does concern his Department. Has he met the Minister for Social Development to discuss that issue and to express his concerns about the proposals?

The Minister for Employment and Learning: Yes. Senior officials are in constant communication on the matter because it involves issues about premises.

For example, staff from the Social Security Agency might work on the upper floor of an office, while DEL staff work on the lower floor. If they leave, are we left to pay the bills for the entire office? The consultation with staff is ongoing, and I have visited a number of offices recently, including some in the Member's constituency. I recently visited the Social Security Agency office in Kilkeel. Indeed, a couple of MLAs brought a significant delegation of staff to the Building, many of whom are based in Kilkeel, and they told me about their concerns that they might be moved to Newtownards. I have written to the Minister for Social Development on that matter, and I am aware of the problem that the Member has raised.

As I said, it is a matter for the Social Security Agency. I have also received a letter from Banbridge District Council inviting me and the Minister for Social Development to appear before it to discuss the issue. We are not moving any of our staff out of any

offices, and the offices will continue to operate with DEL staff in them. However, we must have help from the Social Security Agency; when people enter an office, the first person whom they deal with is a staff member from the Social Security Agency. Therefore, we must work together very closely. We are doing so, but the back-office facilities are entirely a matter for the Minister for Social Development.

A consultation is ongoing, and many of the concerns that I have heard — which are similar to those that the Member has heard — are being referred to the Department for Social Development. I am sure that the Minister for Social Development will deal with them in due course.

Jobs and Benefits Offices: Flexibility

6. **Mr McClarty** asked the Minister for Employment and Learning what plans his Department has to review the flexibility that staff in the jobs and benefits offices have when dealing with clients.

(AQO 2131/09)

The Minister for Employment and Learning: The Department is reviewing, on an ongoing basis, operational matters in jobs and benefits offices and job centres in response to demands arising from the economic downturn. That internal review is separate from the Department for Social Development's strategic business review, to which I have just referred. Personal advisers already have the flexibility to alter the frequency of some interviews. Further discretion on the frequency and duration of interviews is being introduced.

Along with the Social Security Agency, the Department is implementing rapid reclaim arrangements for clients. Through the Steps to Work programme, personal advisers have the flexibility to agree a tailored range of provision for anyone who is unemployed or economically inactive, based on the needs of the individual.

To provide our personal advisers with the necessary skills, we have developed an adviser core skills training programme based on our training for Pathways to Work personal advisers, which won an award in this year's national training awards.

Mr McClarty: I thank the Minister for his comprehensive response. Will he confirm whether the Pathways to Work programme has been successful in encouraging many people to get off benefits and into work?

The Minister for Employment and Learning: I can confirm that. For Members' benefit, the Pathways to Work programme is aimed at the former incapacity benefit claimant count, of which there are about 113,000 in Northern Ireland. The last time that I

looked at the figures, approximately 3,000 people had been brought off that list and into work.

However, the Member will be aware that, in the current economic circumstances, it is extremely difficult to find the opportunities that were once available; things are much more difficult now. The interesting point about the programme is that it involves staff training that is much more intensive than the previous training. It involves six interviews with each client, on a compulsory basis for those who were applying for incapacity benefit at the time, and on a voluntary basis for those who were already on it.

The programme has been successful in getting people in both categories back to work, but the fact remains that since the programme was envisaged a number of years ago, and implemented throughout Northern Ireland last year, circumstances have radically changed. It is true to say that it is becoming an uphill struggle. Nevertheless, the principle is a good one, and I strongly commend the staff for the efforts that they are making.

Review of Student Fees

7. **Mr Elliott** asked the Minister for Employment and Learning for an update on progress on the review of student fees. (AQO 2132/09)

The Minister for Employment and Learning: The review of variable fees and student finance arrangements is under way.

Northern Ireland is the first region in the UK where variable fees apply, and a review of those arrangements has commenced. An independent research project is considering existing data sources to provide sound evidence for the review. A stakeholder steering group has been established, chaired independently by Joanne Stuart. On 11 February 2009, she briefed the Committee for Employment and Learning on progress. I anticipate that an interim report will be produced for consideration in May. I will bring that report before the Committee prior to it going out for public consultation, which is scheduled for autumn 2009. The final report is expected early in 2010.

Mr Elliott: I thank the Minister for his reply. Now that we are ahead of the rest of the UK, what impact will that have on students from Northern Ireland who are studying in other parts of the United Kingdom?

The Minister for Employment and Learning: It does not have any impact at this stage, but, clearly, it is one of the factors that must be taken into account. As Members know, there are a variety of mechanisms for dealing with fees in the United Kingdom. Scotland has its own system, and the Department for Innovation, Universities and Skills announced a review of its

policy. It made announcements in the summer of 2007, without consulting us, and it set targets for itself. However, it has had to retract those targets, because it felt that they were unachievable. Therefore, there is a danger that those different reviews will get out of kilter, causing imbalances throughout the United Kingdom.

As the review has started and stakeholders are now taking evidence — and they will be addressed by the Committee and others — it is important that we take into account the current situation and the impact that it will have. The early signs are encouraging in so far as student numbers appear to be on the up, including for the current year, but the impact that current circumstances will have on that remains to be seen.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. Will the Minister ensure that the review is completely independent? Why will an interim report be published in May? The Minister has already told the House that we would have to wait until there are figures for three years. Go raibh maith agat.

The Minister for Employment and Learning: The review is independent. As I said, it is chaired by Joanne Stuart, who is the chairman of the Institute of Directors. That stakeholder group includes students, financial advisers to students, as well as representatives from education and library boards, colleges and universities. Therefore, a broad spectrum of people is represented on the group. No one has criticised or complained about the number of people on it, or about their independence.

I have asked for an interim report in May, but that is all that it will be. Two years' data has already been gathered, and a third year's data will be available in January 2010. A fellow on the review team is working on the analysis of that data. However, if any proposals were to emerge from the review, which would require further public assistance, the Department of Finance and Personnel would insist on a very rigorous database, and I am advised that that requires at least three years' figures to draw any significant conclusions. Therefore, we will have the figure for the third year by January 2010.

Mr Newton: The Minister will remember that he pleaded with the House in December 2007, for the sake of a year, to be allowed to carry out the review. He will also remember that on his last visit to the House, when I asked him when the final report might be available, he was unable to give a date. The Minister is now indicating that the report will be available early in 2010. However, when Joanne Stuart — to whom the Minister has referred — appeared before the Committee on 11 February and was asked when the report would be made available, she said she could not give a date for the report at that point.

Mr Speaker: Do I detect a question?

Mr Newton: Will the Minister confirm when the report will be available?

3.30 pm

The Minister for Employment and Learning: I cannot confirm a date, because I am not in control of that; it is a matter for the independent review. I offer estimates when Members ask when the report is likely to appear. The Member has asked me that on a number of occasions. I have not tied the Committee to a particular date. As the Member knows, when reports come in, they must be assessed by the Department, and the Committee will want to look at it.

I have indicated to the Member that I will apprise the Committee quarterly on how things are going and that I expect to receive an interim report, probably in May 2009. That is at an early stage, and it will be published just under a year ahead of the final report. It all depends on the analysis, but I offer an indicative timetable. Throughout the process, I have said that it would commence in the academic year 2008-09, and that exactly is what has happened.

FINANCE AND PERSONNEL

Procurement Task Group

1. **Mr Weir** asked the Minister of Finance and Personnel for an update on the work of the Procurement Task Group. (AQO 2146/09)

The Minister of Finance and Personnel (Mr Dodds): I announced the establishment of the construction industry forum procurement task group in my statement to the Assembly on 15 December 2008. The group held its inaugural meeting on 17 December 2008. It has met on three further occasions, and it will continue to meet at two-weekly intervals until the end of March 2009.

A key role of the task group is to monitor and report progress on projects that are scheduled to go to the marketplace this financial year. Departments have indicated that more than 60 projects, with an aggregated value in excess of £400 million, are to be advertised before the end of this financial year or are already at various stages in the procurement process.

In addition, Roads Service has already commenced procurement of the new A5 western transport corridor, which runs from Aughnacloy to Londonderry, and which has an estimated contract value of £600 million. As an interim measure, ahead of the formal launch of the investment strategy website, the Central Procurement Directorate (CPD) has, on behalf of Departments, provided the construction industry representatives at

the task group with a significant amount of information on project progress.

Mr Weir: How will the construction industry be kept up to date on the progress made in rolling out those projects that are scheduled to come onto the market before the end of this financial year and in forthcoming financial years?

The Minister of Finance and Personnel: The Member raises an important point. Part of the thinking behind the establishment of the procurement task group was to ensure close liaison between Government and the construction industry in the private sector. The construction industry forum is recognised as the appropriate and established forum for the industry to discuss with Departments and Government the roll-out of investment strategy projects. The Strategic Investment Board (SIB) and the Central Procurement Directorate have established a delivery-tracking system for major investment strategy projects.

It is also intended that the investment strategy website, which will be launched, will be of great benefit to the construction industry. Ahead of the launch of that website, as an interim measure, Departments have, through the CPD, provided the construction industry with a significant amount of information about projects that are scheduled to go to the marketplace this financial year.

Mr P Maskey: Can the Minister tell us how the procurement task group will promote and access good social impacts when contracts and work are undertaken in communities, especially those in social need? Go raibh maith agat, a Cheann Comhairle.

The Minister of Finance and Personnel: I thank the Member for his question: the issue has been raised on a number of occasions. As I have said, the task group has had a number of meetings already and will meet fortnightly. Its terms of reference, or principles, include not only delivering best value for money, taking account of the needs of the local construction industry and keeping bidding cost low, but delivering sustainable development. It is important that that is taken into account with respect to the issues the Member has raised. The task group will take account of it in its deliberations.

As I have said to the House on several occasions, it is essential that we ensure that small and medium-sized enterprises — which are the vast majority of Northern Ireland businesses — have the opportunity to bid for projects and can compete properly for investment from the investment strategy.

Mr Gardiner: Has the Minister made any progress on making Government contracts more accessible to smaller local companies? When does he envisage acting on that?

The Minister of Finance and Personnel: As I said to the House previously, the vast majority of projects — indeed all of them if they are categorised as being accessible to small and medium-sized enterprises (SMEs) — are already going to small and medium-sized enterprises, because the vast majority of companies in Northern Ireland fall within that category. I assure the Member that that is happening now; we must ensure that it continues.

Government clients are required to publicly advertise all construction procurement opportunities estimated to exceed £30,000 for construction works, and £5,000 for construction related services. As I explained to the House before, centres of procurement expertise encourage SMEs to join together as consortia and bid for contracts, or look for opportunities within the supply chains that will be formed by a successful tenderer. The task group is developing proposals for promoting equality and sustainable development through sustainable procurement in construction. All that should reassure the Member that the issue he raised is being very strongly addressed as a result of the work that we are carrying out.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Given that processes have been put in place to improve the procurement procedure and ensure good practice, will he tell me why there are such long delays in the procurement of major projects in the education and health sectors?

The Minister of Finance and Personnel: We are keen to ensure that the process of working through procurement is speeded up as quickly as possible. That is why I announced in my statement to the Assembly in December in relation to the Department of Education and some of the legal challenges to the frameworks that those projects would be taken forward outside the framework; in other words, that there would not be a delay to that. People want to see capital investment speeded up, and the decision to work outside the framework was deliberately and specifically made to ensure that there would not be any delay, or any further delay, to those projects getting started and to work being done under them.

The total value of that work, following the removal of the framework and proceeding on a project-by-project basis through normal procurement methods, will be approximately £115 million this year. Between December and March, a further £400 million will be taken forward into the marketplace through procurement projects. That brings the total investment — whether it be in education, health, roads, housing, and so on — to over £1.3 billion or £1.4 billion net this year; a considerable advance and increase on the previous year, and on previous years under direct rule.

Efficiency Targets

2. **Lord Morrow** asked the Minister of Finance and Personnel what progress is being made by Departments in achieving their efficiency targets. (AQO 2147/09)

The Minister of Finance and Personnel: As part of the 2007 Budget process, the Executive unanimously agreed that Northern Ireland Departments would be set a target of delivering 3% per annum in cash-releasing efficiency savings over the years 2008-09 to 2010-11. That was in the context of the slowdown in public expenditure growth at the United Kingdom level, as planned for in the national comprehensive spending review.

In order to ensure that sufficient funding is available to priority front-line services for the people of Northern Ireland, the efficiency savings programme will release £1.6 billion in resources over the Budget period to be recycled back into departmental budgets. Primary responsibility for the planning and the delivery of efficiency savings lies within each Department with each individual Minister. The Department of Finance and Personnel's (DFP) role is to monitor progress. The latest assessment by officials is that although good progress has been made in meeting the 3% target, there is concern at the delay in publishing efficiency delivery plans and about the level of detail provided in some cases.

Lord Morrow: I thank the Minister for his reply; however, I want to hear from him further. In his pre-Budget report, the Chancellor announced plans for further cuts in 2010-11 of approximately £5 billion. I would like to hear the Minister's assessment of how that will impact on Northern Ireland.

The Minister of Finance and Personnel: I thank the Member for his question, because he raises an important issue, which I flagged up in last week's debates. Discussion on that took place with the Scottish and Welsh Governments and others at the British-Irish Council meeting in Cardiff last Friday. The issue affects all Whitehall Departments, but it also affects all of the devolved Administrations because it is, as the Chancellor of the Exchequer has indicated, a UK-wide efficiency-savings target.

Of course, he describes them as efficiency savings, but the difference, I think, is this: true efficiency savings release money to be recycled and put back into budgets; what we appear to be hearing from the Chancellor of the Exchequer are so-called efficiency savings that will not be recycled back into spending plans. That is a very serious situation. That is an issue on which, as I have indicated, we will fight with regard to its impact on Northern Ireland. The Assembly and the Executive were given a settlement under the comprehensive spending review of 2007, and it is

completely wrong and unjust that that level of funding should be reduced at this time.

As I have already flagged up, that is a serious issue, because there is a clamour in Whitehall, by not just the Government but by the Opposition as well, as to which of them can cut deeper with so-called efficiencies and when that should happen, and not in just 2010-11. Indeed, the Opposition at Westminster has said that the cuts should happen from this April. One can imagine the impact that such cuts would have on the Budget of Northern Ireland without any preparation or time even to plan for that. Therefore, the situation is serious, and we are actively resisting it, along with the devolved Administrations of Scotland and Wales.

Mr O'Loan: At the time of the last report, the only Department that had failed to submit its efficiency plan was the Office of the First Minister and deputy First Minister (OFMDFM). Did the Minister seek an explanation for that failure? If so, what was that explanation, and has that efficiency plan yet been produced?

The Minister of Finance and Personnel: In my answer, I drew attention to the delay in publishing efficiency delivery plans and to the level of detail. Further work will be required by Departments to provide assurance to the Assembly and to the wider public that those efficiency savings are being made, because it must be remembered that the money is already allocated in budgets.

The Member mentioned OFMDFM. It should also be mentioned that the Department of Health, Social Services and Public Safety published its efficiency delivery programme at only the start of October, and the Department of Education published only a summary at the start of November. Four Departments — the Department of Culture, Arts and Leisure, the Department of Education, the Department of the Environment and the Department for Social Development — have published only summaries of their plans. Therefore, this is an issue in which all of those Departments are required to come forward with more transparency and more detail on those matters. I thank the Member for raising the issue, and he may wish to have a word with his ministerial party colleague on that issue.

Dr Farry: In light of the comments that have been made from all quarters of the House — including those from members of the Minister's party — and the inability of some Ministers to make proper efficiency savings rather than cuts, does the Minister feel that lessons are to be learned at an Executive level about giving guidance to Departments about what is meant by efficiency savings?

The Minister of Finance and Personnel: The Member raises a good point, because each Minister on the Executive agreed to the 3% efficiency targets

overall and in their own Departments. Therefore, in developing those plans, it is essential that the impact on front line services is minimised, because the whole purpose of the efficiency savings is to maintain front line services and to reduce costs in the system so that the front line services can still be delivered, but more efficiently. Therefore, it is absolutely right to draw attention to the fact that Assembly Members and Committees will, no doubt, be seeking clear guidance and information from Ministers that the efficiency cuts — to which Ministers agreed — are implemented without the crude approach of cutting front line services, which is not the real purpose of efficiency savings.

Obviously, the Assembly had a debate on the matter earlier which highlighted some of those issues. I hope that that will be productive.

3.45 pm

Treasury Financial Reporting Manual

3. **Mr McLaughlin** asked the Minister of Finance and Personnel to detail the reasons why current regulations, as set out in the Treasury Financial Reporting Manual, could not be changed, even on a temporary basis, to facilitate a proposal by the Quarry Products Association Northern Ireland to offset job losses. (AQO 2148/09)

The Minister of Finance and Personnel: The rules are in place to ensure that Departments are open and accountable to the Assembly and the taxpayer about how money is spent. One key principle in preserving that transparency is to match reporting of expenditure with the year in which the activity took place. To change the rules in order to manipulate the timing of public expenditure, even with the best of intentions, is not only wrong but, in fact, contrary to statute and therefore illegal. It would, undoubtedly, result in criticism from the Northern Ireland Audit Office.

Mr McLaughlin: I thank the Minister for that answer. I recognise that he has given much careful consideration to this proposition and others in order to enable the Executive to come forward with initiatives to help to tackle the economic downturn.

Although I recognise that this proposition perhaps came too late in the financial year to permit the Minister to respond in the way in which he might otherwise have wished to do so, it was novel because that local industry offered to do work in the here and now, as it were, but apply for payment in the year in which payments were scheduled initially under the Budget arrangements.

Will the Minister consider whether that action might be deemed worthwhile by the other regional Assemblies, so that a co-ordinated approach could be

taken to urge the Prime Minister to determine whether accrual regulations and statutory obligations could be relaxed or changed in order to permit that to happen? Its benefit would be that a hole would not be created in future Budget years.

The Minister of Finance and Personnel: I am grateful to the Chairman of the Committee for Finance and Personnel for his comments. On 22 January, I met Gordon Best and his group. We had a fairly thorough discussion on the matter. I must say that, as a layman, I am entirely sympathetic.

As the Member said, that part of the construction industry has turned its attention to how it can get things done and try to solve problems. I understand where it comes from, sympathise with it and applaud it for looking at innovative ways to try to deal with those problems. Unfortunately, its proposal is prevented by the reasons that I have outlined — not least of which is that it is enshrined in statute in the Government Resources and Accounts Act (Northern Ireland) 2001, which requires Departments and public bodies to prepare accounts in accordance with United Kingdom accounting standards. Indeed, the Treasury follows the same accounting conventions.

Therefore, there are practical, legal and other difficulties in doing what the Quarry Products Association has asked. To take that approach to change would present big difficulties, not least because it would change the entire way in which accounting is done at central level by the Treasury. However, that does not deter me from looking at ways in which a case for that could be advanced.

I met the Quarry Products Association to discuss other ways to try to ensure that there is some certainty about money coming forward. I have liaised with the Department for Regional Development on issues that could help the industry in the new financial year. I am always open to new and novel ideas. If there is a way to make them work for the good of people of Northern Ireland and to create construction jobs, I am willing to listen to them.

Mr McNarry: Obviously, the question resonates with road contractors and, I suspect, with many others. I appreciate the Minister's genuine sympathy in the circumstances in which he finds himself. However, I support the Finance Committee's Chairman in pressing this question.

Does the Minister agree that there is an anomaly here and that continuity in a contract is important, not least to prevent layoffs in the current circumstances? Can he move to set in place guidelines to offset such anomalies?

The Minister of Finance and Personnel: I have much sympathy with the industry on the matter — in which all sections of the House have common cause.

Ultimately, we should not allow some accounting procedure to get in the way of rolling money out where we can.

It must be recognised that it is more than that in this case. There is a statutory and legal requirement, which is an impenetrable barrier. However, I fully accept where Members are coming from on this issue. If there is something that can be done to help people at a difficult time that is outwith a dry rule, we will take that action if at all possible. I explored the matter in considerable detail with officials, and I will undoubtedly return to it in discussions with the Treasury.

Mr Dallat: I have listened very carefully to the Minister. I understand the burdens of finance in the Assembly, and my idea is not new or novel. Does the Minister agree that there is a serious problem in how we handle roads maintenance, particularly at the end of the financial year when we depend on the whims of additional money?

Roads maintenance is not just about maintaining the roads; it concerns road safety and people's lives. Therefore, has the Minister given any thought to how a better system could evolve, rather than Roads Service having to rush around and spend money in March that it may not have been aware that it had?

The Minister of Finance and Personnel: I recognise the importance of investment in our road infrastructure. It is worth bearing in mind that the Budget settlement over this three-year period substantially increases capital investment in roads. There has been a 41.4% increase in capital investment in roads in 2008-09; £177 million has been invested in 2008-09 compared to the £103 million that was invested under direct rule in 2007-08. That is a massive increase in capital investment.

There has also been a substantial investment in roads maintenance, and it is essentially for the Minister for Regional Development to allocate the budget that he is given. I appreciate what the Member says about in-year allocations and so on, but there are always competing priorities. The Minister who is responsible for roads will argue that roads maintenance is a good way of giving work to the construction industry. However, there are also cries — from quarters with which Members are familiar — that money should be given to health, social housing and so on.

The Member will understand those pressures. He is putting forward the case for investment in roads, but other members of his party will probably disagree and say that housing is the priority, and others will say something different. I entirely understand the Member's view, but the level of investment that we are making indicates the importance that we place on this subject.

Statement of Rate Levy and Collection 2006-07

4. **Mr Beggs** asked the Minister of Finance and Personnel what action his Department has taken to implement the recommendations in the Public Accounts Committee Report on the Statement of Rate Levy and Collection 2006-07. (AQO 2149/09)

The Minister of Finance and Personnel: Many of the recommendations will be implemented through a full review of the financial aspects of the rate-collection IT system, which is making solid progress in Land and Property Services. That will result in a shadow accruals account being prepared for rate collection in 2008-09, although the cash statement of account will remain the principal account statement for this year.

System-validation controls are also being further reviewed, and appropriate targets for agency performance are being set in the 2009-2010 business-planning process. NI Direct now provides the first-line telephone contact for rate-collection activities in Land and Property Services, and plans are well advanced to ensure that there is sufficient capacity for calls after the 2009-2010 rates bill issue in early April. The Committee for Finance and Personnel has requested a quarterly update on progress, and the first of those will be provided at the end of April.

Mr Beggs: Local councils have been through a very difficult rates process recently, and, indeed, I declare an interest as a local councillor. There were huge fluctuations in the burdens placed on local councils due to inaccuracies or changes in the calculations of the penny product that were made by Land and Property Services (LPS). Will the Minister explain why, some two months after local councils advised of a considerable number of properties that were incorrectly listed as vacant, bills have not been issued and the penny product has not been adjusted accordingly?

The Minister of Finance and Personnel: I am grateful to the Member. He and other Members have raised this matter previously. I have explained the situation to him, and he will no doubt welcome the progress that has been made in relation to vacancies. To date, just over 50,000 inspection forms have been returned by local councils, and there is now good co-operation between local councils and LPS. I think that everyone recognises the importance of that.

Of the 50,000 inspection forms that have been returned, 13,000 confirmed the property as vacant; 3,500 contained the full information that is necessary in order to issue a bill; 6,500 required follow-up action, such as valuation adjustment; and 27,000 required further information, such as the correct person to whom to send the bill, before a bill could be issued.

A massive number of inspections have been carried out. In most cases, further work is required before a bill can be issued. However, that essential work is progressing. The Member will be aware that vacant properties will be rateable in future anyway. Furthermore, he will be aware of the Department's announcement in early January on help to district councils and the freeze on the regional-rate element of the household rates bill. The help that we gave to councils will be, and has been, considerably helpful in minimising the arrears burden at council level across Northern Ireland.

Mr Craig: Will the Minister outline what actions he has taken to improve the level of customer care in Land and Property Services, an area in which it has, unfortunately, been found wanting?

The Minister of Finance and Personnel: I agree that there have been clear cases of lapses, which must be recognised and addressed. For me, it is essential that the public enjoy a proper and good experience when they contact LPS or any part of Government. As I said in my answer, LPS now uses NI Direct for first-line telephone handling, and backlogs have been reduced substantially. Service levels must reach a point at which people who contact LPS through correspondence or by telephone have confidence and an assurance that they are dealing with a professional and competent organisation.

I am determined to ensure that ratepayers and the people of Northern Ireland have such an experience. It is simply not good enough that people continue to report problems or difficulties, and it is the Government's job to ensure that all Departments and agencies for which we are responsible are doing their jobs effectively and properly. Good improvements have been made. We know of the legacy issue about the amount of work that was transferred to LPS at the one time, but it is time for LPS to perform to the standard that customers, rightly, expect.

Mr Gallagher: I want to ask the Minister about the significant problem of rate arrears. Does he agree that there is room for improvement, particularly for individuals or property owners who have fallen well behind in their arrears? At the same time, people who pay their rates one day late are penalised by losing their discounts. Therefore, there seems to be inconsistency. Has any progress been made on addressing those problems?

The Minister of Finance and Personnel: The issue of arrears has been raised many times in the House, and I agree with the Member's comments. Last year, the figure for rate arrears was approximately £124 million, and I am determined to tackle that issue and ensure that that figure is not repeated. It is essential that we bring that money in. It should be borne in mind that the effect on councils is realised only when any

arrears are eventually written off. In any business or Government there will be always be a certain amount that cannot be recovered. However, it is right and proper that rate arrears should be brought in as quickly as possible.

We must recognise that, because of the economic downturn and the difficulty that people are experiencing in paying household bills, LPS is finding it more difficult to recover rate arrears this year. I am sure that Members will have encountered some cases of hardship in their constituencies and in advice centres. We must recognise that, although we want to ensure that money that is owed to the Government is paid, some people are finding it more difficult to pay bills this year. As a result, we must be careful. That tension exists, but we must do everything possible to reduce the arrears bill.

Senior Civil Servants: Bonus Scheme

5. **Mr Attwood** asked the Minister of Finance and Personnel for his assessment of the bonus scheme for senior civil servants. (AQO 2150/09)

4.00 pm

The Minister of Finance and Personnel: The bonus scheme for senior civil servants in the Northern Ireland Civil Service is based on the pay strategy across GB Departments. That in turn is informed by the independent annual report of the Senior Salaries Review Body, which makes recommendations on the total Senior Civil Service pay bill and, within that, what proportion of the pay bill should be paid as non-consolidated bonuses as opposed to consolidated pay rises.

In January 2009, Sir David Normington published a report commissioned by the Cabinet Office. I am analysing that report, along with my officials, and I intend to make further comment in due course.

PRIVATE MEMBERS' BUSINESS

Prison Service

Debate resumed on motion:

That this Assembly calls on the Prison Service to implement in full the recommendations made by the Prisoner Ombudsman in the report into the death of Colin Bell in Maghaberry Prison on 1 August 2008. — [Mr McCartney.]

Ms Anderson: The British Minister, Mr Goggins, said that the tragic death of Colin Bell will be a watershed for the North's Prison Service. He also said:

"I am determined that the Prison Service will instil a consistent culture of care for all prisoners, but especially those who pose a danger to themselves."

We cannot cherry-pick where the responsibility lies to instil a consistent culture of care for all prisoners. We have to shine a bright torch on all those who hold that kind of responsibility to bring about the systematic change that is needed. I move the motion.

Question put.

The Assembly divided: Ayes 51; Noes 35.

AYES

Mr Adams, Ms Anderson, Mr Armstrong, Mr Attwood, Mr Beggs, Mr Boylan, Mr D Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr W Clarke, Mr Cobain, Mr Cree, Mr Dallat, Mr Elliott, Dr Farry, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Ms Lo, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr B McCreagh, Dr McDonnell, Mr McElduff, Mr McFarland, Mrs McGill, Mr McHugh, Mr McKay, Mr McLaughlin, Mr McNarry, Mr Molloy, Mr Murphy, Mr Neeson, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms Purvis, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Ms J McCann and Mr McLaughlin.

NOES

Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Mrs Foster, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr McCausland, Mr I McCreagh, Dr W McCreagh, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr Craig and Mr Simpson.

Question accordingly agreed to.

Resolved:

That this Assembly calls on the Prison Service to implement in full the recommendations made by the Prisoner Ombudsman in the report into the death of Colin Bell in Maghaberry Prison on 1 August 2008.

Adjourned at 4.13 pm.

