
NORTHERN IRELAND ASSEMBLY

Monday 9 March 2009

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

Members observed two minutes' silence.

MATTERS OF THE DAY

Dissident Republican Attack at Massereene Army Base, Antrim

Mr Speaker: I have received notice from the leader of the Democratic Unionist Party — indeed, from the leaders of all the main parties — seeking leave to make a statement on a matter that fulfils the criteria set out in Standing Order 24. I will call the Rt Hon Peter Robinson to speak first on the subject, and I will then call the leaders of each of the other parties in order. There will be no opportunity for interventions, questions or for a vote on the matter, and I will take no points of order until this issue is dealt with. In addition, because of the serious nature of events over the weekend, there will be no time limit on the speeches of party leaders.

Mr P Robinson: A dark shadow hangs over our proceedings today. On Saturday evening, while in the rest of Northern Ireland people were getting on with their lives, evil men, claiming to represent the Real IRA, brutally murdered two young men and tried to kill many others. In doing so, they threw down a challenge to us all. It is a challenge to not just this Assembly and its Executive, but to those whom we collectively represent.

The two murdered soldiers were only 21 and 23 years of age. They were callously gunned down just hours before they were due to leave Northern Ireland to serve in Afghanistan. They were off duty and unarmed, and were shot as they went to collect a pizza at the gates of the Massereene Army base. Two other soldiers were injured in the horrific attack, and the same gunmen then cold-bloodedly turned their weapons on the civilian pizza delivery men.

I know that the Assembly extends its condolences to the sorrowing families, and prays that the Lord comfort them at this most tragic time. One of the injured civilians is a local man, 19-year-old Anthony Watson. The other is a young man from Poland, who came here in search

of a better life. Today, we prayerfully uphold all those innocent victims of that terrorist attack. No words of ours can ease the pain and devastation that has been brought to those families. However, as First Minister, and as leader of the Democratic Unionist Party, I want, on behalf of all those for whom I speak, to offer deepest sympathy for the loss that has been suffered.

There is no cause that can justify those actions. No goal will be achieved. The killers will not win.

Some Members: Hear, hear.

Mr P Robinson: It was a futile act and a terrible waste. The contrast between those brave soldiers and the wicked murderers could not be more stark. The soldiers who fell at the Massereene base will be remembered with honour and with pride. Their killers will live with the shame, and they and their cause will be thought of with contempt and loathing.

Today, and in the time ahead, we have a decision to make as a community. The choice is clear and will determine our future as a people. At the weekend, we saw in bold and terrible relief a glimpse of what we had left behind. It was an act intended to divide us. It was calculated as a means to raise fear and hatred, and planned to cause us to stumble. It was designed to force us to turn back.

It is certainly not a time to raise the flag of party politics. It is a time for every corner of the House, and of our community, to unite in condemnation, and to resolve that those people will never win and that we will not be diverted from the course that we have set. What we have here is far from perfect. What we have here is often difficult to operate. Many differences between our traditions remain. However, it is here in the Assembly that we will work to resolve our problems.

The events of Saturday evening were a throwback to a previous era. We must never return to such terrible days. As a people, we can defeat the murder gangs by refusing to be dragged back to the bad and bloody days of the past. In the face of the tragedy that Saturday's events have brought, silence and disengagement are not options. If we want to rid our society of violence and division, the struggle for all of us continues every day.

We offer the Chief Constable, and those who serve with him, the support that they require and deserve in order to do their jobs and to bring the killers to justice. However, the responsibility to bring those people to justice does not fall to the PSNI alone. It is a duty that is placed on all of us. The police can be effective only with the entire community's support and co-operation.

The continued existence of this institution will be evidence of the failure of the campaign of murder. However, this institution exists only with the consent and support of the community. Today we are being tested. However, we should remember that our future

is not dependent on the evil of those who seek to destroy our society. Rather, it depends on the good that is found in those people, throughout our community, who want to build a stable, peaceful, democratic and shared society. It is a moment of truth for us all. We all have a choice to make.

On Saturday night, the challenge was issued. Today, in the House and outside of it, let the answer be loud and clear: we are not turning back.

Mr Adams: Go raibh maith agat, a Cheann Comhairle. I stand here as an unrepentant and unapologetic Irish republican. I want to see an end to British rule on this island, and I want to see the unity of orange and green. That can only be achieved by peaceful and democratic means, and Sinn Féin is wedded to that. I know that other Members are unapologetic, unrepentant unionists and that they want to see the retention of the Union, but here we are as republicans and unionists, united in an effort to make politics work, to set aside divisions and differences and, in an ongoing process, to build peace based on equality.

Many of us from all sides in the Assembly have lost loved ones and friends over decades of conflict, and we know only too well the pain and grief that accompanies such events. Some of us have been targets in the past, and some of us are still targets, so we understand grief, loss and violent bereavement. I want to extend my sympathies, and the sympathies of Sinn Féin, to the families of those who were killed and injured on Saturday night. The Assembly is united in that solidarity, and I join with the First Minister in his condolences to the bereaved families. I underpin his commitment that the Assembly is resolved to work through our difficulties. There is, as he said, no turning back.

Saturday night's attack was a deliberate and calculated attack on the peace process. It was wrong — let there be no ambiguity about that. The perpetrators want to destroy the hard-won progress of recent years.

Tá mé fíor-chinnte gur ionsaí ar an phróiseas síochána a bhí san ionsaí sin, agus gníomh mícheart a bhí ann. Tá mé cinnte fosta, a Cheann Comhairle, nach bhfuil aon tacaíocht ón phobal ag an dream a rinne é agus nach bhfuil aon straitéis ar aghaidh ná straitéis aontaithe acu.

Let us also be very clear that those who perpetrated this attack and who, perhaps, have set their sights on other actions do not have any support in broad republicanism or nationalism. The progress made for the people of this island and the people of the North cannot be surrendered. There is a huge onus on us not only to talk or to engage in the genuine remarks that have been made about the attack but we need, by action, to make politics work. There is also an onus on the British Government and the PSNI to resist any temptation, and for others to resist any temptation, for

a return to the bad practices of the past or to sideline the peace process or the political leaders. That means, in particular, that the transparency and accountability arrangements around the PSNI must be adhered to and actively promoted.

Sinn Féin does support, and Sinn Féin will support, the police in the apprehension of those involved in Saturday night's killings. We have a responsibility to defend the peace and these institutions, and to oppose the actions of those who would attack or seek to undermine them.

I believe that all of us, collectively, have successfully constructed a political strategy and a way forward to deal with the issues that are pressing down on our people. It is not a perfect process; everyone here has difficulties with some dimension of what we have achieved. However, there is a widespread common view that there can be no excuse or justification for incidents such as the one that we have just seen.

12.15 pm

Sinn Féin will, not just here and in the media, but in the communities that it represents, go toe to toe with those who would try to drag the people of the island, particularly the North, back into conflict. The popular will is for peaceful political change; the popular will is for democratic change. It is our responsibility to deliver for all the people whom we represent.

I appeal particularly to republicans. I reiterate my certain view — and the deputy First Minister made the same point — that there can be no ambiguity about the incident. It is time for calm and thoughtful, but decisive, leadership. The peace process was built against the odds. It will endure. That is our responsibility. We will not be deflected from peaceful pursuance of our republican and democratic objectives. However, never will we stand back from combating, contesting and resisting the people who want to bring us all back to the past that we have left behind. Go raibh míle maith agat.

Sir Reg Empey: This is a day that Northern Ireland should never again have seen. The fact that the Assembly meets to condemn the murder of two soldiers and the injury of four other persons is a painful reminder of the dark years that we had hoped would never revisit society.

On Saturday 7 March 2009, evil terrorists murdered two young soldiers. To their families and to those of the people who were wounded, Members on these Benches offer their condolences and sympathies, inadequate though that is. Now, and in the days to come, I trust that the families who mourn, grieve and suffer will know that the people of Northern Ireland respect and honour the sacrifice that was made by those young men.

Those of us who are in positions of political responsibility have a solemn obligation to ensure that

our words that condemn that act of terror and that express our support for the forces of law and order contain no ambiguity or equivocation. It is a matter of regret to me and my colleagues that the initial response from the honourable Member for West Belfast did not contain that clarity. Initially, there was ambiguity. Although the response has been added to in subsequent statements by others, I believe that that lack of clarity at the initial stage, nevertheless, undermines confidence that the Assembly is collectively capable of resisting the activities of the people who carried out those attacks on Saturday.

However, condemnation is not enough; there must be active support for the police and the rule of law. That means calling explicitly for all sections of the community to co-operate with the PSNI in pursuing the people who committed those murders on Saturday. For the Executive and the Assembly to be truly united in their response to Saturday's murders, all parties must be unambiguous in their condemnation of that act of terrorism and be explicit in their co-operation with the PSNI in its determination to bring the perpetrators to justice.

Given the nature of the attack — the ruthless manner in which it was carried out — it amounted to nothing less than an execution. It did not give me or my colleagues the belief that it was carried out by mere amateurs who have little experience. I trust that the honourable Member for West Belfast and his colleagues in the republican movement will search their memories to see whether they or anyone whom they know would have knowledge of the type of people who are capable of carrying out that act. I hope that that message gets through to the wider republican movement.

Those people did not carry out that act in isolation: there had to be support, arms dumps, training, surveillance, and all the paraphernalia that goes into a terrorist attack.

This act did not happen in five minutes; it was pre-planned, deliberate, wilful and evil. Clearly, a large number of people must have knowledge of, and involvement in, that process. Therefore, it seems that in order to signify a starting point, those in the republican movement who have knowledge of who could be involved in such a process, should, without let or hindrance, pass that information to the security forces.

I know that such an approach goes against the grain that has been established over many years. However, if we are to move to the new beginning to which we all ascribe, this test — as the First Minister indicated — is an opportunity for all of us to prove that we really have moved on and that we have put the past behind us.

The Assembly is a political institution, and its purpose is to provide political leadership and direction

to our society. In the aftermath of Saturday's brutal events, it is now clearer than ever that the devolution of policing and justice at this stage would, in our view, threaten political stability and the proper operation of policing and the rule of law in Northern Ireland.

Some Members: Hear, hear.

Sir Reg Empey: Sir Hugh Orde must receive any additional resources that he needs to pursue and prevent terrorists. However, given the stresses and strains that were evident last week, I am not convinced that the House has reached the level of maturity that is necessary to handle such sensitive matters. Given that the Executive were inactive for five of the previous 12 months and have not dealt with many basic bread-and-butter issues, such as education, the doubt that hangs over the transfer of policing and justice — a process that is, largely, shrouded in secrecy — should be brought to an end.

The First Minister and the deputy First Minister should state clearly that they do not intend to pursue the devolution of policing and justice at this stage. We need to decide collectively how we will handle that matter. What are the full implications? Is the House mature enough to handle the ensuing operational responsibilities? Can we support the Chief Constable? Do we understand and fully accept that we must progress through actions that we all support? The House must think long and hard about that matter.

We must warn about another danger. There may be elements in loyalism that see an opportunity for retaliation. On behalf of my colleagues, I want to make it clear that we strongly urge anybody who is contemplating such action to desist without delay. Retaliatory action will have no benefit. The House will agree that none of us wants to see more families at a graveside or at a hospital bed. Any elements who are contemplating retaliation should look at what the country has gone through in the past. Nobody wants to return to that situation, and such actions would propel us in that direction. The people who carried out Saturday's act would welcome and benefit from such an approach.

In the days to come, we must reflect further on the implications of Saturday's events. However, today, our primary thoughts and prayers are with the families of the two young soldiers who were brutally murdered and those who were injured. The solidarity shown by the people of Antrim has sent a positive message and signal to the rest of Northern Ireland, and their elected representatives in the council will, undoubtedly, express that opinion later this week. We all should follow their example. We should support them and hope and pray that the sacrifices that were made on Saturday will not be forgotten. The loss borne by the families always elicits our deepest sympathies.

Some Members: Hear, hear.

Mr Durkan: I join other party leaders in, sadly, offering sincere condolences to the families of the two murdered soldiers. Those families were conscious that their sons were going to Afghanistan and, subsequently, received the awful news — which must have caused total shock and disbelief — that their sons had been killed in Northern Ireland.

We are very conscious, too, of those who were injured — people from here and a young man from Poland who is living here with his partner and child. Our thoughts go to all those families, and to the Polish community in Northern Ireland, which makes a very positive contribution and must be in utter shock at what has happened.

There is shock right across the community, but also a very real anger, and it is right that we express that in a proper, constructive and, as far as possible, united way. Party leaders have, I believe, tried to do that this morning.

In this day and age, given all that we have agreed and the process in which we are involved, the presence of a place such as Massereene barracks is not an affront to the people of Ireland. The attack on Massereene barracks is an affront to the people of Ireland. Those who did it are steeped in the mindset and methods that gave us so much violence in the past, and the chilling language of legitimate targets and collaborators. Although they may be steeped there, they must not be allowed to plunge the rest of us back into that ugliness, and all the suffering and sterility that goes with it.

We need to be sure that those who set out to murder on Saturday night do not succeed in their goal, which is to subvert the democratic arrangements in which we are involved here and elsewhere, and to subvert the new beginning to policing and all that that is helping to underpin. We have to send out a strong and united message from the Chamber, and through all other democratic means at our disposal, that although that group may have been able to cut down two young men, it will not cut down political stability and the peace that it reinforces. It may have been able to gravely wound other young people, but it must not be able to injure the integrity of the new beginning to policing, which has helped to ensure the unity of the democratic response that we have witnessed to this atrocity.

Although the atrocity of the weekend has not in itself plumbed new depths, because of the nature of the violence and the language that was used to justify it, we have, perhaps, seen at least some new heights of political consensus and democratic determination in trying to face down those who would use that violence.

We have to send out the clear message that if anyone out there, in any quarter, has information that could be used to apprehend those responsible or to

prevent further murders and atrocities by them, it is their bounden duty — as citizens, as Irish citizens, as democrats — to give that information to the police so that they can act in all our interests and on behalf of us all for the good of peace and for the name of Ireland.

We need to be clear, strong and united. Yes, there will be political differences and difficulties on issues such as devolution of justice and policing and other things, but now is not the time to be setting tests for one party or another, and trying to set party against party. Now is the time to show a determined, democratic resolve on behalf of all the people who have given us their mandate.

We have to make sure that no difficulty and no difference is exploited by those behind that atrocity, or by others who would emulate them or take it upon themselves to retaliate. We must unite in a determined way to make it very clear that they will get no profit for their agenda from what they did, and they will find no comfort from their subversion. They will not be allowed to set the agenda for here or elsewhere.

I regret — as, I am sure, do others — that circumstances forced the First Minister and deputy First Minister to postpone their trip to the United States, with all that that was meant to represent and to promote. I am glad that that trip is to go forward soon, and I hope that that, too, will be an expression of the determination of everyone in the Chamber to go forward to seize and shape a positive future, and not to sink back to a negative past.

Some Members: Hear, hear.

12.30 pm

Mr Ford: On behalf of my party in the Assembly and in the wider community, I have words this morning of sympathy, condemnation and solidarity. Our first words must be of sympathy for the families of Mark Quinsey and Patrick Azimkar, the two young sappers who were killed on Saturday night. Those two young men were doing their duty and serving this community before they proceeded to do their duty in Afghanistan in uniform. Our sympathy goes out to their families, friends and comrades, some of whom were still in Antrim while others were already in Afghanistan, and in particular, to their two wounded comrades, who are being treated in hospital here.

We all knew the dangers that they would face when they got to Afghanistan; few of us could have thought that there was such a danger in ordering a pizza on a Saturday night in the United Kingdom. Added to that, we must have sympathy for the two local men who were earning an honest living by delivering those pizzas. One of them is from an Antrim family; the other established a home here because he wanted to better himself and his family. Our thoughts and prayers are with them, and with those in the emergency

services who looked after them on Saturday night, and the staff of Antrim Area Hospital, who continue to care for them and continue to seek to preserve life today.

It is right that all of us in this place condemn this atrocity, regardless of our background or our perception of the way things are. I cannot understand how any evil minds could have thought that the murders that were carried out on Saturday night could serve any cause or could produce anything but sorrow and suffering for the families concerned.

The two soldiers who died were both at primary school when we started on the process that led to agreement on Good Friday in 1998 and to the establishment of this Assembly. Last year, 38 Engineer Regiment was honoured with the freedom of the borough of Antrim because of the work that its members had done in helping the local community. That is a measure of who they were, where they came from and what they had done for society. It was a sign of how much this community has moved on in the past decade. We must make it absolutely clear from this Chamber today that we will not allow ourselves to be dragged back; that whatever the difficulties, we will continue to ensure that the process works.

I do not believe that there was ever such a thing as a legitimate target. However, the horror of the assault on Saturday night, and the way in which it was perpetrated, not just on those who wore uniforms, but on the civilians who were serving the local community in Antrim, adds a perverted twist to any of that kind of logic. It is important that we stand here in solidarity together in order to show that politics works, and let people know that whatever death and suffering may be inflicted on society, there will be no going back on the concept of a process that is bringing people together.

It is no secret that I am not the greatest fan of the way in which the Executive have worked. However, let us be absolutely clear that we are showing the way forward, whatever faltering steps we take or whatever criticisms I may have about the detail. This Assembly is giving the way forward for the people of Northern Ireland, and it must continue to do so; even more so in the face of what we had to put up with.

I have a different take on things from the other four party leaders who have spoken because I have lived in Antrim all my adult life. I have had the honour of representing Antrim people since 1993. I now face the prospect, because of the way that we so often refer to events by place names, that when people talk about Antrim in future, they will think of Saturday night. However, that was not Antrim; Antrim was Sunday lunchtime. Antrim was the people of the town standing in simple and quiet dignity as an expression of sympathy to the soldiers who had lost their lives and to their comrades, and as an expression of solidarity as

they stood together. That was the message that we should take from the weekend.

When Father Tony Devlin, who has provided huge leadership to our community, led his parishioners across the road and stood at the tape, he gave a clear statement:

“You do not act in our name.”

When people from the Church of Ireland, the Methodist and Presbyterian Churches joined them, they said: we stand together. Whatever you throw at us, we stand together. That message, which was an Antrim message yesterday, must be an Assembly message today.

I thank the First Minister and the deputy First Minister for the comments that they made and the leadership that they gave yesterday. I do not share their backgrounds, and I would not have used exactly the same words that they used, but they spoke — although separately — together for us all. We have to move that process forward. We have to ensure in this place that we make politics work. We have to show the tiny minority that politics can work. Indeed, we have to show the world — in the face of that atrocity — that politics does work.

Talking to my colleagues this morning, we recalled the dreadful deaths in Poyntzpass in March 1998 of Damien Trainor and Philip Allen. That was a terrible tragedy for those two families, and yet, somehow, they provided a catalyst to ensure that people came together and built something better. I hope and pray that the lesson of Saturday night at Massereene barracks gates is one that we can all take forward, and I pledge my colleagues and myself to that end.

Some Members: Hear, hear.

Ms Purvis: As events were taking place over the weekend for International Women’s Day, on Saturday night, two mothers lost their sons. Wives, sisters, daughters, fathers and brothers are all suffering anguish at the minute, and I send my thoughts, and those of my party, to those families and those mothers who have lost their sons and to those families that wait at the bedside of those who are injured.

The message that we send out today, from all sides of the House, is one of unity — united in our condemnation of that terrible, despicable act, that attack on our political process, our peace process and our community. We are united in that condemnation. We are also united in our determination to ensure that all the political progress that has been made so far — however one wants to describe it — will continue. We must continue to make progress and move forward.

We are all united in our support for the Police Service of Northern Ireland in order for it to do its job. We are united in our call for assistance from all sections of the community in order that the police can

arrest those responsible and take them off the streets. I make a particular appeal to the mothers, wives, daughters and sisters of those who carried out that attack. I say to them: search your hearts and your consciences, and ask yourselves what type of society you want to live in. Do you want to take us back to the dark days? Do you want to see mothers and sisters mourning at graves? Search your souls and give those people up.

Nothing should distract the police from directing their full focus on catching those criminals, because that is what they are — criminals. They are a small, criminal gang that has no mandate. They have a warped sense of struggle or cause, but they are criminals. They are kidnappers, bank robbers, fuel smugglers and launderers, extortionists and murderers — they are criminals. I appeal to those who are thinking of retaliation in any form to listen to the united response of our community and politicians. We do not want any retaliation for that attack. Do not respond to those criminals, because that is what they are. Do not give them any credibility, and do not legitimise their actions.

Help the police to bring them to court. Help the police to take them off the streets. Do not distract the police from doing their job. We are united in the House today, and we must go forward united in sending, loudly and clearly, the message that we are moving forward and will continue to move forward.

Mr B Wilson: On behalf of my party, I join Members in condemning the murder of the two soldiers on Saturday night. Our thoughts and prayers are with the families of those killed and injured, and I pray that the injured men make a speedy recovery.

Our priority must be to ensure that the police are given the necessary resources to enable them to bring the perpetrators of the atrocity to justice. However, we must remember that the aim of those who carried out the atrocity is to bring down the Assembly and take us backwards into a spiral of violence. Therefore, it is important that we, as the elected representatives of the people of Northern Ireland, stand together at this time and present a united front. We must not give any comfort to the murderers. I welcome the fact that all the party leaders have united in condemning those appalling murders.

Therefore, it is important that we unite and show no divisions. It is also important that we use considered language, because disputes can give only succour to those who carried out the attack, and those people have no support or mandate to commit such atrocities. The Assembly must stand firm and provide leadership to ensure that we succeed in building a united community and are not dragged back to the violence of the past.

EXECUTIVE COMMITTEE BUSINESS

Budget Bill

Royal Assent

Mr Speaker: I wish to inform Members that the Budget Bill has received Royal Assent. The Budget Act (Northern Ireland) 2009 became law on 6 March 2009.

I ask Members to take their ease for a few moments before we move on to the next item of business.

Presumption of Death Bill

Consideration Stage

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are three groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 2, 5, 8 and 9, which deal with the standing of those entitled to make applications to the High Court; a discretionary power for the High Court to compel disclosure of information from someone who is not a party to proceedings; and commencement arrangements to enable the rules of court to be made quickly.

The second debate will be on amendment Nos 3, 4, 6 and 7. Those amendments deal with annuities and other periodical payments paid as a result of a declaration of presumed death, and they will reduce the requirement for insurance on the part of recipients of such payments. They further deal with amending the definition of “insurer”.

12.45 pm

The third debate will be on amendment No 10, which deals with changing, from a discretionary power to a statutory duty, the role of the Registrar General in annotating the register where it emerges that a death certificate has been issued outside Northern Ireland.

I remind Members who are intending to speak that, during the debates on the three groups of amendments, they should address all the amendments in each particular group on which they wish to comment. Once the initial debate on each group is completed, any subsequent amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 (Declarations of presumed death)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 5, 8 and 9. Those deal with the standing of those entitled to make applications to the High Court; a discretionary power for the High Court to compel disclosure of information; and commencement arrangements to enable the rules of court to be made quickly.

The Minister of Finance and Personnel (Mr Dodds): I beg to move amendment No 1: In page 1, line 17, at end insert

“or

(c) the applicant is a close relative of the missing person where the missing person is a victim of violence (within the meaning of section 1(4) of the Northern Ireland (Location of Victims’ Remains) Act 1999).”

The following amendments stood on the Marshalled List:

No 2: In page 2, line 4, leave out “subsection” and insert “subsections (2)(c) and”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

No 5: After clause 10, insert the following new clause:

“Disclosure of information

10A.—(1) Where the High Court is of the opinion that it is necessary for the purpose of disposing of proceedings under section 1 or section 5, the Court may, of its own motion or on the application of a party to the proceedings, make an order requiring any person who is not a party to the proceedings to disclose to the Court such information as the Court considers relevant to the determination of the question of whether a missing person is alive or dead as may be specified in the order.

(2) Nothing in subsection (1) shall impose a duty to disclose information—

- (a) which is permitted or required by any rule of law to be withheld on grounds of public interest immunity;
- (b) which any person would be entitled to refuse to provide on grounds of legal professional privilege;
- (c) if the disclosure of that information might incriminate the person disclosing the information, or his or her spouse or civil partner, of an offence.

(3) Before making an order under subsection (1), the High Court must serve notice of its intention to make the order on any person who, in the opinion of the Court, is likely to be affected by the order.

(4) The High Court may discharge or vary an order made by it under this section on an application made to the Court by any person affected by the order.

(5) Rules of court may make provision as to the practice and procedure to be followed in connection with proceedings relating to orders under this section.

(6) This section binds the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.” — [*The Minister of Finance and Personnel (Mr Dodds).*]

No 8: In clause 19, page 9, line 10, at end insert “() section 9(1);”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

No 9: In clause 19, page 9, line 10, at end insert “() section 10A(5);”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

In explaining amendment No 1, I will also deal with amendment Nos 2, 5, 8 and 9, which have been grouped. Amendment No 1 adds a third jurisdictional rule to clause 1. At present, the Bill provides that the High Court has jurisdiction to hear a case in which either the missing person, or an applicant’s spouse or civil partner, satisfies certain domicile or habitual residence requirements. During both public consultation and scrutiny at Committee Stage, some families of the

disappeared requested that my officials consider an amendment to the Bill to make explicit that the High Court will have jurisdiction to hear applications brought by family members of the disappeared, without their necessarily having to satisfy the normal domicile or habitual residence tests.

Amendment No 1, therefore, provides that the High Court will have jurisdiction to hear a case in which:

“the applicant is a close relative of the missing person where the missing person is a victim of violence (within the meaning of section 1(4) of the Northern Ireland (Location of Victims’ Remains) Act 1999.”

Reference to the statutory remit of the Independent Commission on the Location of Victims’ Remains is simply a technical way of referring to the disappeared.

Amendment No 2 is a consequential amendment to the new jurisdictional rule dealt with in amendment No 1. It ensures that the definition of “close relative” in clause 1(4) covers the reference to close relative in the new jurisdictional rule, as well as in clause 1(3).

Amendment No 5 inserts a new clause after clause 10. During the debate on the Second Stage of the Bill, I gave notice that officials were working with departmental colleagues across Great Britain and Northern Ireland and legislative counsel to draw up a new clause dealing with the disclosure of information. The new clause allows the High Court to order a person who is not a party to the proceedings to disclose relevant information to the court. In that context, the information sought must be relevant to the determination of the question of whether the person is alive or dead. The High Court will be able to exercise that power if asked to do so by a party to the proceedings, or if it considers that obtaining such information is necessary, even though no party to the proceedings has sought a disclosure order.

Subsection 2 of the new clause sets out the grounds on which information may be withheld from the court. First, the withholding of information is permitted or required on the grounds of public interest immunity. Secondly, the person holding the information is entitled to refuse to provide it on the grounds of legal professional privilege. Thirdly, information may be withheld if it might incriminate the person disclosing it, or his or her spouse or civil partner, of an offence.

Those three grounds for non-disclosure are similar to those available in proceedings under the corresponding Scottish legislation, and they are common in other civil contexts in which a court has the power to order a third party to disclose information.

Subsection 3 of the new clause provides that, before making an order, the High Court must serve notice of its intention to do so on any person who might be affected by that order. If an order is made, subsection 4 provides that a person affected by an order may apply

to the High Court to have the order discharged or varied. I do not expect that the court will use the new disclosure provision often. Rather, I expect that in the majority of cases, the affidavit evidence presented by the applicant, in addition to any other supporting documentation, would provide the court with sufficient information on which to decide whether the grounds for making a declaration of presumed death, or a variation under clause 5, were satisfied.

During the Committee Stage of the Bill, there was some suggestion that certain agencies should be under an obligation or duty to disclose information held by them about a missing person to the High Court. Our view is that imposing a general duty on third parties to disclose information would be disproportionate and might well result in a large volume of information being produced that offers the High Court little or no assistance in deciding the issue that is before it.

The purpose of proceedings under the Presumption of Death Bill is not to reopen the investigation into the circumstances surrounding the disappearance of any particular individual, nor to determine who may be responsible for, or have knowledge of, the disappearance. In these proceedings, the role of the High Court is to decide whether, on the evidence before it, the court ought to make the declaration of presumed death, either on the grounds that the missing person is thought to have died, or that the person has not been known to be alive for a period of at least seven years.

Amendment Nos 8 and 9 are technical amendments to clause 19 of the Bill, dealing with commencement. These amendments identify additional provisions of the Bill, which will come into operation one month after the date on which the Bill receives Royal Assent.

Amendment No 8 provides that the rule-making provisions of clause 9(1) shall come into force without the need for a formal commencement by my Department. Clause 9 of the Bill sets out the role that the Attorney General for Northern Ireland has in relation to proceedings under the Bill, and provides that the Attorney General shall receive papers and the right to intervene in proceedings and argue questions before the High Court. Clause 9(1) provides that rules of court must set out the procedure that enables the Attorney to receive notices of applications made under the Bill for a declaration of a variation order.

Amendment No 9 provides that the new rule-making provision in subsection 5 of the new disclosure clause will also come into operation one month after receipt of Royal Assent. These amendments, together with some of the other provisions of clause 19, will allow the necessary rules of court to be drafted and approved by the Supreme Court rules committee in

time for the commencement of the substantive provisions of the Bill later this year.

The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his introductory remarks.

In addressing this group of amendments, I will refer briefly to the Committee Stage of the Bill and the Committee's work in that regard. As part of its scrutiny of the Bill, the Committee received written and oral evidence from the WAVE Trauma Centre, representing some of the families of the disappeared. It also received written evidence from the Northern Ireland Human Rights Commission. The Committee also received an acknowledgement of support for the provisions of the Bill from Lisburn City Council.

A range of issues and concerns was identified by witnesses and by the Committee arising from the evidence. Those were subsequently raised with the Department of Finance and Personnel. The key issues included concerns around the scope of the jurisdictional rules that require domicile or habitual residence in this region, including whether these rules could potentially exclude consideration of the cases of some of the disappeared, and whether that would disadvantage a cohabitant of a missing person in the determination of an application.

Assurances were sought from the Department on the need to periodically review the seven-year absence requirement. Clarification was sought on the treatment of annuities and other periodical payments in relation to reducing the number of instances when insurance may be required under the legislation. Clarification was also sought on whether there will be sufficient provision to ensure privacy of proceedings and the protection of sensitive information. Careful consideration was also given to the disclosure of information and to provision of how a death may be re-registered.

At a later date in the legislative process, I shall detail the issues set out in the Committee's report of the Bill, including the various commitments relating to policy and administrative issues that have been given by the Department of Finance and Personnel (DFP) in addressing the Committee's concerns.

I want to put on record the Committee's gratitude to the WAVE Trauma Centre, the family representatives of the disappeared, and to the Northern Ireland Human Rights Commission. All have provided valuable evidence.

I also thank the Minister and his officials for their continued co-operation, and for the good working relationship that the Department has maintained with the Committee in progressing the Bill. The Committee recognises that, in general terms, the changes that the Bill will introduce will be welcomed by the public.

In particular, the Committee believes that the Bill will assist in meeting the needs of the families of people who go missing, including the families of the disappeared.

With respect to amendment No 1, the Committee raised with DFP the concerns that were expressed in evidence from the Northern Ireland Human Rights Commission and the WAVE Trauma Centre about the scope of the jurisdictional rules that require domicile or habitual residency in this jurisdiction. In particular, there were concerns that some of the disappeared might fall outside of the scope of the jurisdictional rules as originally drafted.

In response, departmental officials agreed to put a recommendation to the Minister concerning an additional, third, jurisdictional rule that would give the High Court the power to hear cases in which the applicant is a close relative of a victim of violence, within the meaning of the Northern Ireland (Location of Victims' Remains) Act 1999. The Committee welcomes the Department's willingness to provide an additional jurisdictional rule, which will help to address concerns that some of the disappeared might fall outside the scope of the jurisdictional rules.

Also with respect to clause 1, the seven-year absence requirement was subject to considerable debate, and the Committee called for it to be reviewed periodically in light of relevant international legislative developments. The Department subsequently updated the Committee on the latest assessment of the Council of Europe's working group, which presently favours a seven-year approach. In addition, the Minister referred the Committee to the flexibility afforded by clause 12, which gives the Department the power to vary the seven-year time period in the future.

In conclusion, with respect to clause 1, the Committee is content with amendment No 1 and with the consequential amendment No 2, concerning the additional jurisdictional rule.

Amendment No 5, which provides for a new disclosure of information clause after clause 10, received careful consideration in the Committee following evidence from the WAVE Trauma Centre and the Northern Ireland Human Rights Commission, which highlighted the need for robust provision in the Bill to ensure that the High Court will be able to obtain the information necessary to dispose of applications before it.

The Department proposed a new disclosure of information clause, which would provide a discretionary power for the High Court to order someone who is not a party to proceedings to disclose information to the court. DFP provided the Committee with an initial draft clause for consideration and, subsequently, an updated version, which included a new subsection providing that before the High Court makes an order

for disclosure, it shall serve notice of its intention to any person who is likely to be affected by the order.

While the Committee considered the updated version of the new clause, DFP was awaiting responses from Whitehall Departments before finalising the new document. Subsequently, on 19 January, the Department advised the Committee that it had secured the agreement of those Departments to the updated version of the clause.

Although the Committee broadly welcomed the proposed new clause, it deliberated on the inclusion of a duty to disclose information, similar to that contained in section 9 of the Presumption of Death (Scotland) Act 1977. The Committee noted that DFP cautioned that such a duty could result, as the Minister said, in the provision of large quantities of information to the court, and that that might place an unnecessary burden on the providers of information and on the court in its consideration of that information. Furthermore, given that the duty of disclosure in Scotland had not actually produced information to the Scottish courts, the Committee noted that the Department considered that a targeted, discretionary power for the High Court would be preferable.

Although the Committee carefully considered the case for including a statutory duty of disclosure on third parties holding information pertinent to the application before the court, it concluded that, on balance, the Department's proposed approach of giving the High Court a discretionary power to order such disclosure was appropriate in the circumstances. The Committee, therefore, welcomes amendment No 5.

I support amendment Nos 1 and 2 to clause 1, amendment No 5, which provides a new disclosure of information clause after clause 10, and amendment Nos 8 and 9 with respect to clause 19, which the Committee agreed with the Department.

Mr Hamilton: Given this morning's first item of business concerning the unfortunate killings on Saturday night, which the Secretary of State referred to yesterday as an echo from the past, there is surely something poignant about the fact that we are now discussing a piece of legislation that, ostensibly, deals with the disappeared.

That is one of the most horrific crimes associated with the Troubles, as they were called. Of course, all the murders and deaths of the Troubles were horrific, unwarranted and unnecessary, but there was always a particular issue with those affected by the so-called disappeared. Some families did not have a body to bury, and that, in part, is why this legislation is before the Assembly today.

1.00 pm

I want to speak on amendment Nos 1 and 2 in respect of the jurisdictional rule, and on amendment

No 5, which will create a new clause — clause 10A. As has been said, amendment Nos 1 and 2 stem from discussions with the families of the disappeared. As the Bill stands, where a missing person or an applicant — their spouse or civil partner — satisfies certain domiciliary or habitual residency requirements — the High Court can hear the application. During the Bill's Committee Stage, the families of the disappeared informed the Committee that that would not mean that all their cases could be heard in court.

Members must do everything in their power to make the process as easy as possible for the families of the disappeared. That must be foremost in the minds of Members as they deal with the legislation, given its particular reference to the disappeared. It has not been an easy situation for the families from day one. They did not ask to be put in the situation that they are in. The legislation is attempting to assist them in some small and technical way, and the process should not be made any more difficult than it is already.

I hope that the proposed changes, which were supported by the Committee — and which, I am sure, will be supported by the House — will make it easier for families of the disappeared to apply in those circumstances where the legislation, as drafted, would not make it simple or straightforward. To give the High Court the jurisdiction to hear cases where:

“the applicant is a close relative of the missing person where the missing person is a victim of violence”

should be helpful in that respect.

Amendment No 5 will create new clause 10A in relation to disclosure of information. That was a subject that garnered much discussion within the Committee. As has been said, the new clause will allow the High Court to order a person who is not party to the proceedings to disclose certain relevant information. However, it is worth bearing in mind that that information must be relevant to the determination of a question in respect of the case or information on whether the missing person is alive or dead.

One must remember that the purpose of amendment No 5 and the creation of clause 10A is not to reopen investigations in court. I do not think that the device will have to be used in a great number of cases, but, where it is used, it will be for a specific reason. The purpose is not to reopen investigations or to attribute some level of responsibility to anyone in respect of the horrific circumstances that created the situation.

Amendment No 5 is a proportionate and reasonable amendment. It is in line with similar Scottish legislation, which the Minister mentioned and from which so much of the Bill has been taken. I support the first group of amendments.

Mr O'Loan: I support the principles of the Bill, as I said at the Committee Stage. It is good that such a

mechanism should exist and that it will apply in ordinary cases that occur from time to time in which persons, sadly, go missing.

The Bill has particular relevance in relation to the disappeared. Mr Hamilton was right to make reference to the tragic events of the weekend in relation to that, and the Assembly has expressed its view on that.

I support the first group of amendments. The process should be opened up to any person who might have a legitimate need or desire to go to the court to seek a declaration.

I appreciate the fact that the Department listened to the view that it was possible that the existing clauses were overly restrictive and that it has accepted the amendments in relation to that matter.

I want to focus on the disclosure-of-information clause, the new clause 10A, which is created by amendment No 5. The Presumption of Death (Scotland) Act 1977, on which this piece of legislation is based, has a clause requiring anyone with information relevant to an investigation to bring it before the court. Some respondents to the initial consultation agreed that such a clause should be included. In particular, I noted that such a view came from the judiciary and from the organisation WAVE, which represents the families of the disappeared. At the outset, my instinct also was that there ought to be full disclosure and a duty for full disclosure on anyone with knowledge pertinent to the matter being considered by the court. If there is any hint that any public body is resisting the disclosure of its information, my instinct is that it should not be permitted to do that.

That matter is particularly relevant to the issue of the disappeared, which involves deaths that have been the subject of much examination and scrutiny. Therefore, there are *prima facie* grounds for believing that considerable information might be held by such bodies as the Police Service of Northern Ireland, the Army, the security services, and the Independent Commission for the Location of Victims' Remains.

I probed that issue very considerably at the Committee, and I want to state why I am now prepared to support the weaker clause on disclosure, as presented in amendment No 5. I have listened seriously to the advice on the matter that was given by the Department of Finance and Personnel (DFP) officials, who stated that the intention is to create as simple a mechanism as possible for the families of the disappeared. Those officials said that a general obligation on disclosure might result in a large amount of information being produced. If that were to happen, it would mean that they, with their legal representatives, would have a duty to examine and study the information that came forward and respond to it. That would produce a

considerable burden, including an emotional burden, on the families of the disappeared.

I hear what is being said: that — in relation to this piece of legislation and in relation to a decision on a declaration — the task of the court is not to have a full investigation of a disappearance; its task is to decide whether a declaration of presumption of death ought to be awarded. That can be done either on the basis of there being evidence that a person has died or on the basis that a person has not been known to be alive for the period of seven years.

Having examined exactly what the judiciary said about this matter, I note that their view was not particularly detailed or specific. I hope that, as events work their way through in the future, I am not proven wrong on this matter. Even if no legal requirement exists, there remains a very strong moral burden on anyone who knows of information relevant to a matter under consideration by a court to present that to the court.

In accepting amendment No 5, I will comment further on the concerns that were expressed by the families of the disappeared, as represented by WAVE. When the legislation is passed, everyone involved in its implementation must consider the concerns of those families. It is important to note that not all the families of the disappeared want to avail themselves of this process. There are, essentially, two views about that. There are families who see the process and the obtaining of a declaration of a presumption of death to be beneficial — it might be referred to as “closure”. I am never comfortable using the word “closure” in relation to these sad circumstances, but we can understand the intention behind using it.

There are other families who take a very understandable and different view. What they — and all families — want to achieve is to have the remains of their loved ones returned to them so that they can give them a proper Christian burial. They would not want any suggestion that because this legal process is due to them, their righteous demands for the return of remains are in any way diminished. For that reason, some families will not want to avail of this process, and that must be fully understood.

It is important that the process of obtaining such declarations through the courts should be simple and straightforward, and everything should be done by all concerned to ensure that it is so. Those families who choose to go through such a process need and deserve both practical and emotional support: they need practical assistance before the process starts and as it continues.

The issue of costs is also involved. A great wrong has been brought to those families in the first instance through the removal of their loved ones. They have lived through uncertain times in the initial days. In some cases they have hoped for the safe return of their

loved one, only to have to come to terms with the fact that that loved one will never return alive, and they have then entered into the long years of waiting and hoping that the remains of that loved one will be returned. They have already carried that great burden. It is reasonable to say that the costs associated with obtaining some degree of closure should be carried at the public expense, not at the expense of those families.

Finally, I will comment on the seven-year rule. That time period is regarded internationally as the norm. However, some recent thinking suggests that, in certain cases, seven years is too long a period to show that a missing person has not been known to be alive. Other families who seek closure in relation to a likely death — for family, business and administrative reasons — feel that the seven-year rule ought to be altered. I am satisfied that the Bill, which contains the seven-year rule, but which also contains a mechanism whereby it can be altered in the future without primary legislation, is a satisfactory outcome.

Dr Farry: I support the first group of amendments. I welcome the fact that the Bill is moving towards its Final Stage.

As regards amendment No 1, it is worth stressing that the Bill is a general piece of legislation that should be on our books to deal with a situation where a death is presumed to have occurred. We have a particular set of circumstances in Northern Ireland, relating to those people who are deemed to be the disappeared. However, it is worth stressing that the legislation is much more wide-ranging than that.

It is also worth stressing that the disappeared form a particular category of individuals, which has been defined through a British/Irish treaty and subsequent legislation in the UK Parliament and the Oireachtas, and which refers to a particular set of circumstances with a time limit. Other people may not meet the legal definition of those described as the disappeared, but, to all intents and purposes, they fall into a similar category. I have in mind the tragic case of one of my constituents, Lisa Dorrian, who disappeared from the Ards Peninsula three or four years ago. It is important that that case does not disappear from the public's imagination and that pressure remains on those who have information to come forward to the authorities with that information and to give some sense of closure to the Dorrian family — although I accept that closure is a very loaded word, as Declan O'Loan has said.

Although that family does not necessarily come under the definition of the disappeared, it does come under the Bill's more general provisions.

1.15 pm

Amendment No 1 does not introduce the special category of the disappeared: that was covered under the legislation to begin with. The purpose of the

amendment is much more limited. It addresses any questions about the standing of anyone taking a case — whether the victim was properly domiciled in Northern Ireland at the time of the disappearance or the person who takes the case is properly domiciled in Northern Ireland.

Amendment No 1 removes any issues in that respect and ensures that anyone related to one of the disappeared is given sufficient standing to instigate High Court proceedings in order to address the situation pertaining to their family member. In so far as the Bill is intended to deal with that problem, it is important for the Assembly to dot every i and cross every t, and I am satisfied that amendment No 1 does so.

Amendment No 5 relates to a point that has already been well stressed. I began this process thinking that the best way forward would be to impose a general obligation on people to bring forward what information they had to the courts. However, having listened to arguments from the Department, and quite vigorous and lengthy debate among Committee members and officials, I am satisfied that amendment No 5 is the most effective way forward.

I will not use the language that Mr O'Loan used when describing this as a weaker version of the way forward. It is probably best to refer to it as the most effective way in which to ensure that information comes forward without creating unrealistic burdens and expectations and avoiding an almost unmanageable flow of information.

Tragically, there are situations that require the presumption of death to be invoked. Thankfully, such occasions are very few. Important as it is to have the Bill on the statute book, I hope that it will be used sparingly. I welcome the progress made today, and support the amendments in group 1.

The Minister of Finance and Personnel: As has been said, it is poignant that we are discussing this important issue, which seeks to deliver practical assistance to families dealing with the loss of loved ones in harrowing and difficult circumstances. Given the events of the weekend, it is all the more important that the Assembly deals with such issues in a very considered and appropriate way.

Therefore, I am grateful to all Members who have spoken and commented on the proposals and measures in the Bill. I am also grateful to the Committee for Finance and Personnel, which has considered, debated and taken evidence on the Bill in considerable detail, and to every Member who has looked closely at the Bill. Their work and representations have resulted in a better Bill overall, which is what we want to have. It is good that the legislative process is shown to work, and that it can make changes for the better for those whom the Bill is intended to help.

I am grateful to the Committee Chairperson for his comments. He reprised the discussions that took place at Committee Stage. As I said, I am pleased that the measures and steps that the Department and I have taken have gone some way towards reassuring the families of the disappeared through moving amendment No 1. I am also pleased that the Committee's report endorses the new clause on "disclosure of information".

Mr Hamilton raised issues about amendment No 1 and on the new jurisdictional rule. He also endorsed the new disclosure clause. I welcome his support for the measures that were taken.

Mr O'Loan raised a number of issues, and I listened carefully to what he said about his initial approach and then his consideration of the matters as they went through the Committee. He mentioned the duty of disclosure and the fact that there was an opportunity to consider that issue in Committee. He knows that, during consultation, there was support for a duty of disclosure, but that there are difficulties with the Assembly being able to bind United Kingdom Departments. However, I am pleased that he is now reasonably content to accept the Department's position on the way forward, as has been set out.

I entirely understand that some of the families of the disappeared seek only the return of the bodies. The families who wish to avail of the new procedures will be assisted as far as possible. My officials are also examining funding issues in addition to the availability of legal aid.

I am grateful for Dr Farry's remarks, and also for his general support for the Bill and its provisions. He mentioned his constituent Lisa Dorrian and the particular circumstances of that case. I hope and pray that all of those families ultimately get what they wish for, which is to have the bodies of their loved ones returned to them so that they can have a proper burial, and also to find some degree of closure to what are very difficult and trying circumstances.

I thank everybody who took part — both today and in the Committee — for their work on this most important piece of legislation.

Amendment No 1 agreed to.

Amendment No 2 made: In page 2, line 4, Leave out "subsection" and insert "subsections (2)(c) and". —
[*The Minister of Finance and Personnel (Mr Dodds).*]

Clause 1, as amended, ordered to stand part of the Bill.

Clauses 2 to 5 ordered to stand part of the Bill.

Clause 6 (Effect on property rights of variation order)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 3, it will be convenient to debate amendment Nos 4, 6 and 7. Those amendments deal with annuities and other

periodical payments that are paid as a result of a declaration of presumed death, and they will reduce the requirement for insurance on the part of recipients of such payments. They further deal with amending the definition of "insurer".

The Minister of Finance and Personnel: I beg to move amendment No 3: In page 4, line 12, after "declaration" insert

"(other than a capital sum which has been distributed by way of an annuity or other periodical payment)".

The following amendments stood on the Marshalled List:

No 4: In clause 7, page 4, line 42, after "sum" insert
"(other than in respect of an annuity or other periodical payment)". — [*The Minister of Finance and Personnel (Mr Dodds).*]

No 6: In clause 16, page 8, line 4, at end insert
"insurer' means any person who provides for the payment of benefits on the death of any person;". — [*The Minister of Finance and Personnel (Mr Dodds).*]

No 7: In clause 16, page 8, leave out lines 20 to 32. — [*The Minister of Finance and Personnel (Mr Dodds).*]

The Minister of Finance and Personnel: Amendment Nos 3 and 4 seek to modify the treatment of capital sums that are paid out by insurers in clauses 6 and 7 of the Bill. The purpose of the amendments is to make sure that this Bill treats payments to insurers in the same way as they are treated under the Presumption of Death (Scotland) Act 1977. Under the Scottish Act, payments of capital sums by way of annuity or other periodical payments are excluded from the scope of the obligation on the courts to take into account the need to return capital sums to insurers when making a property variation order on foot of an order that varies the original declaration of death. The payments are also excluded from the scope of the right of insurers to require the recipient of capital insurance sums to take out indemnity insurance.

Under clauses 6 and 7 of our Bill, no special provision is made in relation to capital sums that are paid out by way of annuity or other periodical payments. The practical effect of the amendments will be that in those cases in which life insurance is paid out in periodical payments, or by way of annuity, the insurer making the payment will not be able to require the recipient to take out reinsurance to cater for the possibility that the missing person may not, in fact, be dead.

Those two technical amendments have been raised with the insurance industry, which agrees that the Northern Ireland legislation should treat those payments and repayments in the same way as they are treated under the corresponding Scottish legislation.

Amendment Nos 6 and 7 are technical amendments to replace the definition of insurer at clause 16(2) and 16(3). The current definition of insurer is unnecessarily

complex and is tied to the regulatory framework for the carrying out of insurance business as set out in the Financial Services and Markets Act 2000. Although legally correct, that cumbersome definition is not required for the purposes of the Bill.

Amendment No 6 would insert a new single definition of insurer:

“insurer” means any person who provides for the payment of benefits on the death of any person;”.

That simpler definition is modelled on the definition of insurer in the Presumption of Death (Scotland) Act 1977. Indeed, it is also to be found in the current definition at clause 16(2)(c) as a catch-all provision to cover those persons providing for the payment of benefits on the death of a person who is not included in the regulatory framework of the Financial Services and Markets Act 2000.

To be clear, that simpler definition does not extend the scope of the Bill in any way. It is a technical, presentational amendment to make it easier for the general reader to understand the circumstances when insurance moneys or other death benefits may have to be repaid, should the missing person who has been presumed to be dead turn out to be alive.

Amendment No 7 is consequential to amendment No 6 and removes from the Bill the current definition of insurer in clause 16(2) and 16(3). I beg to move the amendments.

The Chairperson of the Committee for Finance and Personnel: Go raibh maith agat, a Cheann Comhairle. The Minister set out this group of amendments in significant detail, so I will dwell on the Committee’s consideration of it.

I will deal first with amendment No 3, which would amend clause 6, and amendment No 4, which would amend clause 7. The Committee discussed concerns that were expressed by the Northern Ireland Human Rights Commission about the need for clarification from the insurance industry on the likely costs of payments associated with the requirement for certain persons, including trustees or the recipient of a missing person’s life insurance money, to take out insurance to cover the costs of returning insurance money should it be subsequently established that the missing person is still alive. At that time, the Department advised the Committee that the insurance industry was unable to provide specific information on likely premium rates to be paid in those cases in which either the legislation or an insurer imposes an obligation on a person to take out insurance to cover the possibility that a missing person may not be dead.

However, information on premiums that are payable in comparable circumstances, including in respect of missing beneficiary insurance, was provided to the Committee. In addition, the Department emphasised that

the courts retain the power to disapply the requirement in certain circumstances. Therefore, it is not always the case that there will be a requirement for insurance.

I confirm that the Committee welcomes the proposed amendments, which will clarify the treatment of annuities and other periodical payments and which will reduce the number of instances when insurance may be required under the legislation.

I now turn to the Committee’s consideration of amendment Nos 6 and 7, which would amend clause 16. The Department advised of its plans to provide a simpler definition of insurer that is not tied into the regulatory framework. The Committee was content with that proposal and welcomes a more streamlined approach to dealing with insurance issues.

In summary, I support amendment No 3, which would amend clause 6, and the associated amendment No 4, which would amend clause 7. On behalf of the Committee, I also support amendment No 6, which would amend clause 16, along with the consequential amendment No 7.

The Minister of Finance and Personnel: I am grateful to the Chairperson of the Committee for his comments, and I have nothing further to add to previous remarks.

Amendment No 3 agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 (Insurance against claims)

Amendment No 4 made: In page 4, line 42, after “sum” insert

“(other than in respect of an annuity or other periodical payment)”.
— [The Minister of Finance and Personnel (Mr Dodds).]

Clause 7, as amended, ordered to stand part of the Bill.

Clauses 8 to 10 ordered to stand part of the Bill.

New Clause

Amendment No 5 made: After clause 10, insert the following new clause:

“Disclosure of information

10A.—(1) Where the High Court is of the opinion that it is necessary for the purpose of disposing of proceedings under section 1 or section 5, the Court may, of its own motion or on the application of a party to the proceedings, make an order requiring any person who is not a party to the proceedings to disclose to the Court such information as the Court considers relevant to the determination of the question of whether a missing person is alive or dead as may be specified in the order.

(2) Nothing in subsection (1) shall impose a duty to disclose information—

(a) which is permitted or required by any rule of law to be withheld on grounds of public interest immunity;

(b) which any person would be entitled to refuse to provide on grounds of legal professional privilege;

(c) if the disclosure of that information might incriminate the person disclosing the information, or his or her spouse or civil partner, of an offence.

(3) Before making an order under subsection (1), the High Court must serve notice of its intention to make the order on any person who, in the opinion of the Court, is likely to be affected by the order.

(4) The High Court may discharge or vary an order made by it under this section on an application made to the Court by any person affected by the order.

(5) Rules of court may make provision as to the practice and procedure to be followed in connection with proceedings relating to orders under this section.

(6) This section binds the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.” — [*The Minister of Finance and Personnel (Mr Dodds).*]

New clause ordered to stand part of the Bill.

Clauses 11 to 15 ordered to stand part of the Bill.

Clause 16 (Interpretation)

Amendment No 6 made: In page 8, line 4, at end insert

“‘insurer’ means any person who provides for the payment of benefits on the death of any person;”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

Amendment No 7 made: In page 8, leave out lines 20 to 32. — [*The Minister of Finance and Personnel (Mr Dodds).*]

Clause 16, as amended, ordered to stand part of the Bill.

Clauses 17 and 18 ordered to stand part of the Bill.

Clause 19 (Commencement)

Amendment No 8 made: In page 9, line 10, at end insert “() section 9(1);”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

Amendment No 9 made: In page 9, line 10, at end insert “() section 10A(5);”. — [*The Minister of Finance and Personnel (Mr Dodds).*]

Clause 19, as amended, ordered to stand part of the Bill.

Clause 20 ordered to stand part of the Bill.

Schedule 1 (Register of Presumed Deaths)

Mr Speaker: We now come to the third group of amendments. There is only one amendment for debate. Amendment No 10 deals with changing, from a discretionary power to a statutory duty, the role of the Registrar General in annotating the register, where it emerges that a death certificate has been issued outside Northern Ireland.

The Minister of Finance and Personnel: I beg to move amendment No 10: In page 11, line 18, at end insert

“() Where it appears to the Registrar General that the death of a missing person, being a person to whom an entry in the Register of Presumed Deaths relates, has been registered in the register of deaths or recorded in any register kept or maintained under the law of a country or territory outside Northern Ireland corresponding in nature to the register of deaths, the Registrar General must mark or annotate the relevant entry in the Register of Presumed Deaths accordingly.”

The amendment will impose a duty on the Registrar General for Northern Ireland to mark or annotate an entry in the register of presumed deaths in certain circumstances. Paragraph 4(2) of schedule 1 to the Bill already allows the Registrar General to mark or annotate, or to cancel the marking or annotation of, any entry in the register of presumed deaths.

We intend the power to provide the Registrar General with a wide discretion to annotate an entry in such circumstances as he sees fit. Therefore, if the Registrar General became aware that a missing person was still alive, even though no revocation order had been obtained from the High Court, he would be able to mark the entry so that any further certified copies obtained of the entry would indicate that the missing person had been reported to be alive.

At Committee Stage, some of the families of the disappeared gave evidence to the Committee for Finance and Personnel, stating that, where the remains of any of the disappeared have been located subsequent to a finding of presumed death, the entry in the register of presumed deaths should be cancelled, or at least annotated in some way. My officials explained to the Committee that, given that an entry in the register of presumed deaths is made on foot of a High Court order, it is necessary to obtain a variation order from the High Court before any entry can be cancelled.

In order to go some way to meeting the concerns of the families of the disappeared, we have decided to spell out the circumstances in which the Registrar General shall be under a duty to mark or annotate an entry in the register of presumed deaths. I am sure that other families of missing persons who are presumed dead will also welcome that measure.

The duty will arise where the Registrar General becomes aware that the death of a missing person has been recorded in the register of deaths that he keeps in Northern Ireland or in any register of deaths that is kept or maintained under the law of a country or territory outside Northern Ireland. That covers other registers of death in the rest of United Kingdom and those of other countries such as the Irish Republic and France, where bodies of the disappeared are believed to have been buried. Amendment No 10 is a small, technical amendment to the schedule 1 provisions, which deal with the register of presumed deaths.

The Chairperson of the Committee for Finance and Personnel: Go raibh maith agat, a Cheann

Comhairle. Thank you very much, Mr Speaker. The Committee discussed the concerns that the WAVE Trauma Centre raised about how a death may be re-registered if the body of one of the disappeared is located, and the death has already been included in the register of presumed deaths.

In response to those concerns, the Committee proposed to the Department of Finance and Personnel that the discretionary power of the Registrar General to annotate an entry in the register be amended to a statutory duty in cases in which he becomes aware that a missing person's death has been registered outside Northern Ireland. Amendment No 10, which the Minister tabled, responds positively to the Committee's proposition.

The Committee believes that the amendment could help to allay some of the concerns that witnesses raised, and address the need to facilitate the updating of records subsequent to the recovery of remains and the issuing of a death certificate. Therefore, on behalf of the Committee, I support amendment No 10.

The Minister of Finance and Personnel: Once again, I am grateful for the Chairperson's remarks and for the Committee's support.

Amendment No 10 agreed to.

Schedule 1, as amended, agreed to.

Schedules 2 and 3 agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Presumption of Death Bill. The Bill stands referred to the Speaker.

PRIVATE MEMBERS' BUSINESS

Social Security Offices

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 in which to make a winding-up speech. All other Members who speak will have five minutes.

Mr G Robinson: I beg to move

That this Assembly calls on the Minister for Social Development to withdraw her plans to revise services at Social Security Offices as recommended under the Strategic Business Review, following a similar decision being taken in England.

At the outset, I offer my heartfelt condolences to the families of the soldiers who were so brutally murdered in Antrim on Saturday night, and I wish all those who were injured a complete and speedy recovery.

I am honoured to propose this important motion. I want to pay tribute to the staff in our social security offices, who provide a personal service — daily and under severe pressure — to help customers and local communities in need of their expertise to claim benefit. I commend those staff for their daily efforts and loyal service.

I am pleased that the Minister is in the Chamber for this very important debate and hope that she will appreciate that the motion is not a personal attack on her. Today's debate is about tackling a growing problem in Northern Ireland — how we deal with the growing number of people who are becoming unemployed.

It is not an opportunity for political point-scoring, because the issue is much too serious. The motion simply enables the Assembly to debate this important issue. Its wording was carefully thought out. It does not call for the Minister to abandon the process of service provision but asks her to withdraw the proposals.

That terminology is a carefully measured response to the growing need for local office services in the Social Security Agency (SSA). I hope that the Minister will appreciate that the motion seeks to address an immediate and urgent need. I understand that no local office will be closed but that services that are available in local offices will be severely curtailed due to the proposed establishment of 16 benefit-processing centres that will each deal with only one benefit and to which the public will not have access. I find that unacceptable.

The additional pressure put on local office staff means that maintaining and strengthening the service that those offices provide is an essential response to the rise in unemployment. Devolution was intended to provide local solutions to local problems, and that is

one local solution that is required urgently and that can be delivered. The strategic business review proposals will see many offices being reduced to counter service only. Counter staff will be fewer in number, warm telephone lines will be provided, for which I understand that calls will be limited to 10 minutes, or a computer-based claim process will be implemented. That contradicts the findings of the PricewaterhouseCoopers survey that showed that the majority of SSA customers consider face-to-face interviews with staff as the only way that they can resolve their problems. I note that that survey was commissioned by the management of the SSA, but the findings have obviously made no impact on its thinking.

Why will every office not be equipped with a telephony service? Why is the great reliance on the telephony service being used to promote the strategic business review recommendations? In truth, the two are like chalk and cheese. At a time when we need to process more claims, that is neither a practical nor an advisable route to follow. It is my belief that the current proposals hinge on a wing and a prayer and are based on the hope that footfall in each local office will drop considerably due to the introduction of untried telephony and new IT systems. To base a discussion on such a hope is acceptable, but to put forward proposals on that basis is ludicrous.

Staff in our local offices face a backlog of cases that grows daily. Revision of the services that local offices provide, as suggested in 'Delivering a Better Service for Customers', will only impede staff and will, in fact, reduce that service. Part of the pressure on the local office staff goes back to the 2004 Fit for Purpose initiative, which resulted in the loss of 674 posts in the Social Security Agency. Given that local office staff are barely able to cope at present, how will they cope with a further reduction in staff numbers? The answer is simple: they will be unable to cope.

The Minister should examine the course of action followed by the Department for Work and Pensions in GB, which has suspended a planned efficiency drive and has recruited the additional staff that are needed to deal with the increasing backlog. The people of Northern Ireland — the local office staff — deserve the same recognition.

At present, many offices are working with a claims-processing backlog of up to five weeks, and staff are working on Saturdays to try to reduce it. The strategic business review proposals will serve only to compound the backlog and demoralise staff. Only by reinforcing and enhancing the staff provision in every local office — as the Department for Work and Pensions (DWP) has done in England — can the Department look properly after those who have lost their jobs. Such people are sometimes in great distress and are often in urgent need of money. The present staff are doing their

job while being overwhelmed by a backlog of work. We must ensure that staff in local offices will not suffer burnout due to the additional workload.

I also have grave concern for those who claim benefit and have literacy or numeracy problems. A telephone or computer system may result in claimants not receiving the full benefit to which they are entitled, or they may perhaps be entirely put off claiming the benefits that they need. We must also be concerned about older people, who may not be computer-literate and who find face-to-face interviews the only way to resolve their problems. Such vulnerable people desperately need to see someone in person to guide them through the process of claiming the benefit. The strategic business review proposals will result in people having to wait for the member of staff who is dealing with their benefit to make an appointment for them to be seen. In the worst-case scenario, that could take weeks. At present, people can see someone with specialist knowledge of their particular benefit in the local office after a short wait. What will people do for money if they have to wait weeks to see an adviser? I am sure that all Members can see the drawbacks in the proposed changes.

It is my firm belief that these proposals will result in confusion for claimants while heaping intense additional pressure on the SSA staff in local offices who at present are barely coping. That is not acceptable.

1.45 pm

I know that the recruitment of 150 new staff is under way. That is a welcome move, and I congratulate the Minister for implementing that. However, the current proposals will lead to a reduction of approximately 200 staff, and I calculate that that leaves an overall reduction of 50 staff. I find that unacceptable.

At meetings that I have had with staff and union representatives it has become obvious that, as they stand, the proposals will put some people in the position in which they will be unable to continue working because of care duties. Some people have told me that if they have to relocate, they may no longer be able to work for the SSA — and I emphasise the word "may" — rather, they will become one of its customers. One member of staff informed me that if they were relocated they would have to leave home at about 6.00 am, and would not return home until around 8.00 pm, because they depend on public transport. That is a totally unacceptable state of affairs when it comes to the work/life balance, and one which almost guarantees burnout.

I believe that the proposals are in direct contravention of the Bain report, which proposed the decentralisation of jobs. I ask the Assembly to recognise that now is the time to push aside the proposals that are in the strategic business review. I ask the Minister to indicate that she

is in agreement with the motion and with halting the implementation of the proposals due to the negative impact that they will have. At the very least, I hope that the Minister will be able to say that although the consultation exercise has been interesting, due to the change in economic circumstances, any service provision must be placed in a new context. I ask all Members to support the very important motion.

Mr Brady: Go raibh míle maith agat. I support the motion. In his foreword to the strategic business review into how services are provided within local offices, the chief executive of the Social Security Agency stated that the purpose of the review is:

“to ensure the future delivery of high quality services for customers.”

At least he got one thing right; the provision of a quality service to the customer is paramount. The customer is the most important person in all this and deserves the best service available.

Although Sinn Féin welcomes the consultation, the party is very concerned at the level of upheaval that will no doubt be caused if the proposed changes are implemented, particularly given the huge economic downturn that we are experiencing throughout the island of Ireland. In the current economic climate such a dramatic overhaul would lead to further disarray and confusion for an already hard hit public.

Sinn Féin believes that the current proposals will serve only to further deteriorate the service that is in place, and will not lead to a better service for customers or to enhanced benefit take-up. I think that the current approach undermines any commitment by the Minister for Social Development to protect the most vulnerable sections of the community and those employed in the Social Security Agency.

In the strategic business review, all front line service proposals put forward are predicated on what happens in England, where 80% of claims are dealt with by phone. I challenge the assumption that front line services will not be affected by the proposed changes. There are many people claiming benefit who need face to face contact in their claim. The strategic business review does not take into account the views and concerns of those vulnerable people who need the reassurance and support that face to face contact can provide. The Minister has to take into account the unique nature of benefit provision and uptake.

A major point is that the social security staff and the unions have yet to endorse the proposals. I have met extensively with social security staff in the Northern Ireland Public Service Alliance (NIPSA) who feel that their concerns are being ignored and undermined, almost to the point of arrogance. Staff morale in local offices is already very low and nothing has been done to constructively address that.

Under the proposed efficiency savings it is likely that up to 200 jobs will be phased out by 2011. However, the Minister and the Social Security Agency chiefs continue to state that there will be no job losses. I simply do not believe that to be the case. The Social Security Agency is making much of the enhanced telephony service which will deal with the projected number of claims. However, unless some miracle occurs, that will not be fit for purpose. Staff will be asked to travel much longer distances with the added problems of sorting out childcare and accessing transport. Once again, Social Security Agency executives are downplaying those real concerns.

On 27 October 2008, the introduction of employment support allowance added to the confusion, and is already proving to be problematical.

The Committee for Social Development has called on the Minister to scrap the strategic business review, and, indeed, some Committee members from her own party expressed misgivings about it. Perhaps that was playing to the electorate. The strategic business review continues apace. That makes one wonder who is pulling the strings — the Social Security Agency executives, who appear to be leading the charge, or the Minister, who is ultimately responsible. The proposals can only compound failures that are already inherent in the system, and duty and commitment to the customer must remain paramount. I call on the Minister to think again. Go raibh míle maith agat.

The Deputy Chairperson of the Committee for Social Development (Mr Hilditch): The Committee has considered the Social Security Agency's strategic business review at a number of meetings. In order to better understand the issues in contention, the Committee heard from the Social Security Agency, NIPSA and a number of other advice providers. The Committee has considered the advice that all of those witnesses have provided. To further inform their understanding, Committee members visited a jobs and benefits office and the Belfast benefit delivery centre. Members made a point of speaking to operational staff in order to get a feeling about the proposed changes from those who would be directly affected.

As has been said, the strategic business review proposes a degree of rationalisation of back-office activities and their relocation to a number of offices in Northern Ireland. That will mean that some Social Security Agency staff will be obliged to change their place of work. In addition, a number of staff are to be redeployed outside the jobs and benefits office network. The Social Security Agency has also set out plans for the enhanced use of telephone appointments and for appointments for its front-office activities.

The Committee viewed all of the proposals with great concern, for a number of reasons. First, as has

been said, the economic downturn has put considerable strain on the jobs and benefits office system. The last thing that the Committee wants to see is those who have lost their jobs experience difficulty or delay in accessing the benefits to which they are entitled. For that reason alone, the Committee agreed that, in the current economic climate, the strategic business review was ill-timed and should be set aside. The Committee welcomed the Minister's announcement relating to additional recruitment for the Social Security Agency, but it remains concerned about the timing of the review.

Secondly, the Committee was concerned about the impact of the review on members of staff of the Social Security Agency. Those individuals do an important job in providing care, which requires training. The Committee was advised that many of the staff members had childcare or other caring responsibilities and consequently made use of family-friendly working arrangements. The proposal to relocate the place of work of those staff members long distances from their homes could make continued employment untenable. The Committee was particularly concerned that that aspect of the proposals could have a disproportionate effect on working mothers and women with other caring responsibilities. The Committee, therefore, strongly urged the Minister to review that aspect of the proposals.

Thirdly, the Committee considered the enhanced use of telephony for social security claimants. To inform our review of that, the Committee took evidence from independent advice providers, who highlighted concerns to do with how a telephony-based system would deal with vulnerable people with, for instance, learning difficulties or those for whom English was not their first language. Committee members were impressed by the measures that have been adopted by Social Security Agency at its Belfast benefit delivery centre to manage vulnerable and other claimants. Nonetheless, the Committee takes the view that face-to-face contact is an essential part of the jobs and benefits office service and that that, with challenging customer service standards, must be maintained.

The Committee has made its views clear on the strategic business review of the Social Security Agency. Recently, the agency appeared to indicate that it wants the Committee to consider mitigating measures that it intends to adopt in response to the Committee's criticisms. The Committee has indicated its unanimous opposition to the strategic business review, but it will, of course, hear the agency's proposals and make its view known on those in due course.

Mr Armstrong: The Ulster Unionist Party has no objection to the strategic business review of the Social Security Agency. However, it has grave concerns about the wisdom of seeking to implement major reforms when there is rising unemployment, the onset of recession

and chaos in the world's financial systems with little prospect of a swift recovery.

The key aim of any benefit system is to provide the best possible service to the public and to ensure that people who are entitled to benefits receive them. During the past 12 months, there has been a dramatic increase in unemployment. I declare an interest, because the situation in Mid Ulster is particularly worrying. Official figures that were released in January indicate that the Magherafelt District Council and Cookstown District Council areas are among the worst-affected local authority areas in the United Kingdom for percentage increases in the number of people who claim unemployment benefit.

Indeed, no fewer than six Northern Ireland council areas were placed in the 10 worst-affected areas in the entire United Kingdom. Although, as a representative for Mid Ulster, I am, obviously, concerned that Cookstown and Magherafelt are ranked as the worst two council areas in the region, I am mindful that Dungannon, Banbridge, Ballymoney and Limavady also appear in the top 10. Those figures should bring home to all Members the seriousness of the current situation throughout Northern Ireland.

The severity of the situation is confirmed by data that shows that unemployment in Northern Ireland rose by 12,200 between January 2008 and December 2008 to a total of 35,900. There is fear that unemployment figures could eventually rise to 50,000.

Mid Ulster has been hit badly by the decline in the construction industry, particularly as it affects small building firms. Those losses are in addition to the decline in traditional employment sectors, such as the agrifood industry and the textile industry in particular, which has been in a state of crisis for the past decade.

With that in mind, the Assembly must question the wisdom of seeking to implement major reform at a time when the claimant count increases daily. Staff in benefits offices have had a difficult enough time keeping up with their workload and the large influx of new claimants. The Assembly must also be concerned about the untried and untested nature of some of the proposals, including those for a new telephony system and the increased use of customer access phones.

Although those innovations have been worked out, sufficient doubts have been raised to warrant further consultation. I am also worried about how the strategic business review worked out in Great Britain, where 492 job centres have closed since 2002, and one has closed every week since January 2008. In the current economic climate, that is a huge gamble and is not one that I believe that Northern Ireland should take.

I support the motion.

Mr Burns: I am happy to have the chance to say a few words on the motion, which I oppose. Many Members have made claims about the review, some of which might cause concern among the general public. A few points must be made clear. I am sure that the Minister will go into them in more detail when she speaks to the motion later in the debate.

As regards changes, the situation in England is not the same as the situation in Northern Ireland. The review is not about job cuts or office closures: it is about improving the Social Security Agency. The current system is around 40 years old, and a change is long overdue.

Let us be clear about the review of the Social Security Agency: the proposals are still the subject of public consultation; there are no plans to close public offices; large numbers of staff will not have to change offices; people will not have to travel long distances to their place of work; and there are no plans to shed large numbers of jobs.

2.00 pm

Mr McCarthy: Will the Member give way?

Mr Burns: No, you are all right.

No one will lose their jobs. In fact, it will be necessary to hire more staff, and 150 extra staff will be brought in to cope with rising unemployment during the credit crunch. The Minister is committed to providing the best possible service to people who use the Social Security Agency.

Mr McClarty: Will the Member give way?

Mr Burns: There is plenty of room for Members to speak.

People are entitled to, and deserve no less than, a top-class service, particularly now when they need it most and when many people are being made unemployed because of the credit crunch. This review will help to ensure that the Minister delivers the best possible service, not only now but in the future. The review is concerned not with cuts, but with improvements. I oppose the motion.

Ms Lo: The Alliance Party supports the motion.

I understand that as a result of the comprehensive spending review and other budgetary requirements, DSD is under enormous pressure to make efficiency savings. Furthermore, I understand the rationale behind DSD's attempt to change the balance of service delivery to telephony and appointment-based systems in social security offices. Moreover, I understand the concerns that were expressed by Members who spoke previously about the loss of face-to-face appointments and the proposed telephony services, which might disadvantage many groups in our community.

Mr McCarthy: I thank the Member for giving way. I will ask my colleague the question that I wanted to ask the Member who spoke previously, who has now left the Chamber. Does she agree that people find it difficult enough to go into those offices to be questioned, but that it is even more humiliating, almost, to have to stand and queue to ask questions through a telephone system?

Mr Speaker: The Member has an extra minute in which to speak.

Ms Lo: I agree with my colleague.

It is, perhaps, worth noting that the Committee visited the Belfast benefit delivery centre, which employs 800 staff and provides centralised benefit processing for approximately 177,000 customers in several London districts on behalf of the Department for Work and Pensions. Given Northern Ireland's small population, if it were to follow the same system as in Great Britain, it would require one or two processing centres, rather than the 18 that are proposed.

However, I have a major problem with the timing of the proposed changes that will arise from the review. Given the severe economic downturn, an unprecedented number of people will be registering as unemployed and seeking benefits. Is October the right time to make such fundamental changes to our system, given that it is very likely that we will still be in a deep recession?

I have a reservation, too, about the relocation of offices, with back offices to be centralised in 18 centres on 16 sites.

Mr McClarty: I thank the Member for giving way. The Member who spoke previously on behalf of the SDLP said that staff will not have to travel great distances. That may be so. However, some people depend on public transport. For instance, in my constituency, although Coleraine to Magherafelt is not a great distance, making that journey by public transport would add three hours to a person's day.

Ms Lo: Absolutely; I will mention that matter, too.

Of the 1,050 staff, 850 will be moved from their current offices, and 200 may be redeployed in the Northern Ireland Civil Service. That is a major upheaval for many people.

All MLAs have received correspondence from their constituents expressing concerns. Someone in Bangor wrote to me to say that a move of office from Bangor to Downpatrick would involve a journey by car in excess of one hour each way. That is obviously worse if the person has to travel by public transport, as there is no public-transport route between Bangor and Downpatrick. That would involve hours of journey time each way.

DSD officials say that it is reasonable to expect staff to travel an extra 30 miles to a new location and that there will be a compensation payment for extra travel. At peak times, surely travelling 30 miles would take one, two, or even more, hours each way. Is it reasonable to expect staff to do that?

People choose to work near their homes for various reasons, mostly to care for family or relatives. That is of particular relevance to female staff. People also prefer a work/life balance, and that should be taken into consideration. I am very concerned that staff who can find jobs elsewhere will leave their current positions in social security offices. Those are very experienced staff, and if many of them leave, it will be a great loss at a time when they are most needed to cope with increased demands, due to the higher level of unemployment as a result of the economic downturn.

I call on the Minister to suspend the proposal, to review the timing and to roll it out at a future date, when the climate is right.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. I support and welcome the motion, particularly because, as the Minister will be aware, it is a very big issue in my area of Strabane. I know that the Minister has met with the MP for the area on the matter. I would not go so far as to say that there was a meeting of minds about the way forward, but, as I understand it, the Minister made the point that it is difficult for her to do anything when the consultation is ongoing. I can understand that, but having said that, this is a good opportunity for me and others to make the case for our own areas — I will repeat some of the points made by my colleagues.

The front-office staff in Strabane will, as I understand, be reduced from around 43 to 10. There is rising unemployment, on top of an already existing situation in the area, where the jobs profile and employment situation is so poor. It was only last week that I saw on one of the media outlets — probably the BBC — reference to the exact situation. If I remember the figures correctly, there are 1,400 people on the register seeking jobs, but there are only 20 jobs available in Strabane. That is a very big issue.

I hope that the Minister is listening; I believe that she does listen on many occasions. However, we must in some way make the jump between listening and understanding the situation and actually putting something in place. I appeal to the Minister to look at the issue again, particularly in the case of Strabane, where, as I have said, the jobs profile is poor.

Mr McClarty, Ms Lo and other Members mentioned travel arrangements. The question:

“What is the longest distance staff will be expected to travel and will staff receive travelling expenses?”

was raised in the consultation document. The answer was:

“There is no definitive distance however the Agency will seek to ensure that staff who move do so within reasonable daily travel, in line with the mobility requirements that presently exist.”

That is not reassuring. At the weekend, I spoke to someone who may well be put in that position, and who was not convinced, on asking those questions, that the answers were available about excess travel and that people will get whatever it is that they are entitled to receive.

When I spoke to someone about this issue at the weekend, I was told that staff were processing claims in the Strabane office from 8.00 am to 4.00 pm on Saturday and Sunday of last weekend, and over three recent weekends. The management of the situation must be looked into. People say that I talk too much about Strabane, but there is a particular issue here. The Minister knows the place well, and I appeal to her to have another look, particularly at what is happening in Strabane. I have heard from people there that that is necessary. Go raibh maith agat.

Mr McQuillan: I welcome the opportunity to speak in this debate. I endorse this motion along with my colleagues, having given consideration to the public's opinion and the staff who are affected by the implementation of the review. As can be seen in all the current information that is presented by the Department for Social Development, the review relates to outdated information on unemployment figures and does not truly reflect the requirements of the current economic situation.

Unemployment figures have risen sharply to 38,400 at the end of January — an increase of 2,200 in that month. It seems unrealistic to act on outdated information and to hope or expect the same proposed improvement to the delivery of our benefits system that would have primarily been anticipated by the review. If the Minister decides to implement the review, I can only see it as a disadvantage to the most vulnerable people in society. Surely those are the individuals whom we should protect the most. If we are trying to encourage the uptake of benefits by way of the review, we must concentrate on the availability of resources to address the current increase in unemployment.

How can the Minister assure the Assembly that the most vulnerable, including elderly people and adults with learning difficulties, will not be isolated by replacing human contact with call-handling systems? That will surely not assist the most disadvantaged. The Minister appears to be ignoring the Bain Report's recommendations on the decentralisation of public-sector jobs, by rotating approximately 40 to 50 posts from Coleraine to Magherafelt.

Mr McClarty has already made the point about how such a rotation of jobs will affect my constituency. If relocated, the staff in Coleraine benefits office will be given the normal allowance associated with re-employment, which would mean leaving Coleraine by Ulsterbus at 7.30 am and arriving in Magherafelt at 8.26 am. At the end of the working day, those staff would have to leave Magherafelt at 5.35 pm, arrive in Antrim at 6.23 pm, and then take another bus at 6.29 pm, eventually arriving back in Coleraine at 7.30 pm. Does the Minister feel that that is a reasonable request to make of public servants? Does she realise the negative effect that such arrangements might have on their family lives, and, in turn, on their performance in work? That knock-on effect could result in an increase in sickness levels.

Prior to the review, the assumption was that the Social Security Agency would retain parity with the Department for Work and Pensions on the issues of social security policy, legislation, benefits, and, where possible, IT systems. Has consideration been given to that? Why has the Minister not acted in the same manner as her counterparts on the mainland and suspended this exercise? I support the motion.

2.15 pm

Mr Savage: I support the motion and call on the Minister for Social Development to withdraw her plans to revise services at social security offices as recommended by the strategic business review following a similar decision in England.

The outworkings of the strategic business review will have a significant detrimental effect on my constituency of Upper Bann. Income support processing will be centralised in Newry, with staff from Banbridge, Lurgan, Armagh, Dungannon and Portadown having little or no choice but to move there from October 2009. Jobseeker's allowance processing staff will have no option but to relocate to Dungannon. All processing staff in the Banbridge and Lurgan offices will be forced to move out of their current premises.

Those proposals represent serious upheaval for those who, day in and day out, do a sterling job in administering social security benefits. Throughout this entire process staff have been treated with contempt. The Department for Social Development's strategic business review team merely brushed aside the questions that staff at the Banbridge social security office asked. In this day and age, that is not on.

The Minister has assured staff across Northern Ireland that there will be no pay-offs. However, one point that is missed out is that she chooses selectively to ignore the fact that there exists the potential for mass resignations. Recently, the Minister brought on board 150 new staff, 12 of whom were sent to the

south district. I find it deliberate and outrageous that not one of those 12 new staff was sent to Banbridge.

In addition, staff concerns about the effectiveness of the proposed changes in the telephone, Internet and appointments system have been ignored. Along with that, it is the customers — the public — who want face-to-face consultations to continue. Major concerns also exist about back-office staff in the Banbridge, Lurgan and Portadown offices. The south district has been designated as the pilot area for the strategic business review. That means that if there are teething problems and hiccups — which is most likely — it will be the staff and customers of the south district who will suffer.

I support the motion, and I call on the Minister — for whom I have the greatest respect and regard — to see the folly of the proposals and to withdraw them as a matter of urgency. Mr Burns said that the social security system is 40 years old. However, it is working, and, in this day and age of unemployment, it is doing a good job.

Some Members: Hear, hear.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I support the motion. The current economic climate is one in which we see more and more workers flooding to social security offices, among them construction, manufacturing and public-sector workers, and many others. The proposed changes will cause a lot of confusion, upheaval and stress to staff and members of the public. I represent a large rural constituency in North Antrim, and like many other Members, I have been inundated with letters, telephone calls and e-mails from Social Security Agency staff. They do not want those changes, and they do not see any need for them given the ever-growing queues of the unemployed at their offices.

As my party colleague Claire McGill and the Member for East Derry Mr McClarty outlined, the proposals will have a large impact on rural workers and families, some of whom are already in great financial difficulties. The Minister needs to take that into account. As Mr McQuillan outlined, face-to-face communication is much better than any other form of communication. That should be blatantly obvious to us as elected representatives, because for people who are already vulnerable and disadvantaged, the telephone is a very poor means of communication when dealing with complicated issues such as benefits and claims. Face-to-face contact should continue to be available for those who require it.

The Minister needs to listen to the workers, to the unemployed and, above all, to every other political party in the Assembly and immediately withdraw her proposals. Go raibh maith agat.

Miss McIlveen: I am surprised by Mr Burns's remarks: since 22 January 2009, he has clearly had a road to Damascus experience. On that date, Mr Burns and his colleague Alban Maginness agreed with other members of the Committee to write to the Minister asking her to withdraw her proposals to implement the review. Those sentiments were echoed publicly by other members of the Minister's party.

Nevertheless, this debate comes at a time when the world is facing possibly the worst financial crisis in living memory. We received news today that the unemployment total will be worse than feared and that the economy is expected to decrease in the face of less investment. It is expected that there will be 3.2 million people unemployed in the UK by the second half of 2009. Between October 2008 and December 2008, that figure was 1.97 million — the worst figure since 1997.

The Federal Reserve has said that it does not expect to see any improvement in the US economy until late 2009 and possibly early 2010. That is the outlook despite the huge investment by the previous Administration and the new Administration. The US economy shrunk by 6.3% in the final three months of 2008; such hardship is being seen in countries all over the world, and we are all intrinsically tied into the peaks and troughs of the US economy.

Today, we are debating the delivery service that assists those hardest hit by the catastrophic circumstances of recent times. The DUP prides itself on the need to streamline and make efficiency savings, and I would generally support what the Minister and the Department are trying to achieve in this instance. Perhaps it is unfortunate that the current climate makes those changes neither palatable nor appropriate.

It cannot be disputed that the delivery of a high-quality and efficient public service is a key theme of the Programme for Government or that the key objective of the strategic business review is to secure the delivery of an efficient, modern and more accessible service in the longer term. In the current economic climate, people in the private sector are critical of those in the public sector and the perception of there being a job for life. We should be careful that we are not seen as providing a firewall for the public sector when the private sector is being hit so hard. Similarly, we cannot be seen to sit on our hands and do nothing.

The problem is that the strategic business review was undertaken at a time of relative economic prosperity — it was certainly not undertaken with knowledge of the storm that was on the horizon.

We have seen a phenomenal increase in demand for SSA services in recent months, which will only increase for the foreseeable future. We need to deliver an efficient, modern and more accessible service in the longer term, but we cannot leave a service in the short

and medium term that is not fit to cope with current demands.

I could naively say from a constituency viewpoint that the strategic business review will be good for my constituency because of job increases in Ards from the revised services. The Minister could also say that with respect to Downpatrick. Those jobs are merely located in the constituency and are not necessarily for people from the borough, never mind the wider constituency.

Mr K Robinson: Does the Member agree that the luxury of having public-sector jobs in a constituency is something that the people of East Antrim find very difficult to accept, since we have the lowest number of public-sector jobs of all the 18 constituencies?

Mr Speaker: The Member has an extra minute.

Miss McIlveen: I agree with the Member.

The increased number of jobs in Ards creates knock-on benefits for the local business community because of spending by the workforce, which is very welcome. That aside, a number of concerns have been raised by Members today on the proposed restructuring: for the sake of brevity, I will not repeat those concerns. A loss of between 200 and 500 posts is expected in addition to the 674 jobs that have been lost as a result of the "fit for purpose" initiative in 2004.

There will be a severe reduction in the current service provision because direct face-to-face contact will no longer be available. The new telephone systems that are being installed are untried, which may lead to additional, unnecessary frustration and anxiety. DWP has suspended its efficiency drive in the rest of the UK because of the increased uptake in benefits.

Given the additional demand on services and the cost of implementing the Minister's plans to revise services at social security offices, she should consider whether that should now happen. I ask the Minister to review her plans in the light of current circumstances and to make a determination based on what is happening today, rather than on what was happening when the strategic business review was undertaken. I look forward to hearing the Minister's remarks.

Mr Speaker: Order. As Question Time will commence at 2.30 pm, I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mr Allan Bresland.

The debate stood suspended.

2.30 pm

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

Oral Answers to Questions

REGIONAL DEVELOPMENT

Street Lights

1. **Mr Easton** asked the Minister for Regional Development to outline his Department's policy on the positioning of new street lights in Housing Executive areas. (AQO 2226/09)

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. Roads Service has one common policy for the provision of street lighting in all housing areas. In all urban areas, roads, footways, footpaths, and car parks maintained by Roads Service will generally be lit. However, light will not normally be provided where footpaths provide only rear access to properties or an alternative route to an already lighted road or footpath.

The Member wrote to me recently about the provision of street lighting to back entries to counter antisocial behaviour. While I wholly sympathise with any residents who are experiencing incidences of antisocial behaviour from unlit back entries, issues regarding antisocial behaviour are for the PSNI to address.

Mr Easton: Can the Minister explain why, when the Housing Executive, the North Down District Policing Partnership and the PSNI have all written to Roads Service complaining about the removal of street lighting from Rathgael estate, that has not been taken into account when removing those lights?

The Minister for Regional Development: We are installing new street lighting in the Rathgael area as part of a programme to replace columns that have reached the end of their useful life. As I indicated, Roads Service policy is to provide lighting on roads, footpaths, and along the frontage of properties. Roads Service does not normally provide lighting to back entries, as to do so would increase costs and energy-consumption levels which cannot be sustained. That policy has been followed in providing the new street lighting system in the Rathgael area.

Roads Service has a policy not to light alternative routes where a route to a house is already lit. There may be an issue with back entries — and, as I have said, I sympathise with that — but there are thousands

of back entries all across the North. To start lighting all of those areas would have substantial implications for Roads Service and the street lighting budget. Where there are issues particularly associated with antisocial behaviour, there are others who need to be involved in addressing them.

Mrs M Bradley: Will the Minister look into increasing the wattage in the street lighting in all housing areas? I am particularly speaking about the Foyle area.

The Minister for Regional Development: We are always looking at ways to improve the street lighting system. The normal lifespan of a street light is around 25 or 30 years. When Roads Service considers the implementation of a new system, it will aim to use the best technology available. There are also issues of light pollution, and people will often raise that issue from an environmental perspective.

There are also issues associated with energy costs. We know from the last six or nine months how energy costs can impact on any of our budgets. Those issues have to be kept in the balance. Wherever technology will allow us to provide the best possible lighting systems, we will do that, but we have to bear in mind the implications of energy costs and light pollution.

Mr McFarland: I thank the Minister for his answer. Does his Department have a system for regular consultation with community safety partnerships and the PSNI on issues such as street lighting?

The Minister for Regional Development: I am not sure if there is a system per se, but where there is a request for Roads Service to attend any of those multi-agency meetings to address such issues, I expect it to come along and play its part. It has a policy in how it provides street lighting, as I have outlined. When it comes to replacing old street lighting, the new policy will be adhered to: for example, there may be a replacement of certain lighting in certain parts of housing areas. If multi-agency groups are getting together to tackle issues around lighting and around housing developments, I expect that Roads Service should play its part.

Roadworks 2008

2. **Mr McClarty** asked the Minister for Regional Development how many roadworks were not completed on schedule in 2008. (AQO 2227/09)

The Minister for Regional Development: Roads Service's business plan targeted five major roadworks schemes for completion in 2007-08. Four of those schemes were completed on schedule. The one scheme that was not completed on schedule was the £2.4 million Frederick Street Link in Newtownards. The

overall development and construction timetable for that particular scheme proved extremely challenging, but I am pleased to say that the scheme was opened to traffic in November 2008.

In any given year, construction on road schemes can be delayed, or postponed, due to problems with, for example, acquiring necessary lands or due to contractual difficulties. However, it is normal practice for Roads Service to bring forward alternative schemes in order to achieve its programmed in-year spend.

Mr McClarty: I thank the Minister for his answer. What steps has he introduced to ensure that his Department can monitor and evaluate the progress of contracts? Furthermore, in light of the inadequate roads' maintenance budget, what is his Department's, or, indeed, the Department of Enterprise, Trade and Investment's, assessment of the cost of poor roads' maintenance to local businesses in Northern Ireland?

The Minister for Regional Development: In fairness, the Roads Service — and the Department for Regional Development (DRD) in general — has a good record, which the Department of Finance and Personnel (DFP) would acknowledge, in spending its capital budget. In cases in which land acquisition or contractual problems arise, Roads Service usually has several other schemes in the pipeline, ready to be brought forward in order to ensure that the budget is spent.

The Member will be aware — it is no secret — that the money allocated to Roads Service for the three-year Budget period is insufficient to meet the cost of structural maintenance. Normally, Roads Service is able to top up funding in the in-year monitoring rounds. However, this year, given the focus, and, in one sense, the success, of the Executive in spending their Budget, there have been negative implications for Roads Service. All Departments have been tight about spending their budgets, so there has been little money available in the monitoring rounds, and therefore, Roads Service has not benefited as much as it would normally expect to from money returned from other Departments in the latter half of the year.

I acknowledge that there is a difficulty with the structural-maintenance budget. In future Budget rounds — I have discussed this with Roads Service — rather than depending on the previous system of being allocated most of what is required and then having that topped-up in year, we must be much more assertive when bidding for overall structural-maintenance requirements. Given the way in which the Executive are approaching their spending programme, which is a good thing, it appears that little money will be surrendered in year, and that will have negative implications for Roads Service. Obviously, if the roads are not up to the required standard, there will be

implications for the economy throughout the North, so, when possible, we will continue to bid for money in order to improve the roads. Nevertheless, that requires money.

Mr Shannon: The Minister is absolutely right; the new Frederick Street roadway in Newtownards has made a tremendous difference, and the traffic flow is much more settled than in the past. In addition, we have had the Castlebawn development, which was at least 90% funded by developers. Where does the next stage of the Comber bypass feature in the Minister's future roads' scheme? Is there a timescale for that work? The last stage took some 35 years, so —

Mr Deputy Speaker: The Member should stick to his question.

Mr Shannon: This time, we hope that the Comber bypass will appear in a much shorter time — perhaps, given the Minister's statement, in the next five years.

The Minister for Regional Development: In recent months, I had the pleasure of visiting the Castlebawn development, which has resulted in a substantial degree of progress in and around Newtownards. I am not sure of the exact time frame for the Comber-bypass scheme, although I sincerely hope that it will not take another 35 years. Nevertheless, I will obtain an up-to-date time frame for the scheme and forward it to the Member.

Mrs Hanna: Bearing in mind what the Minister said about the Road's Service inadequate budget, is its budget adequate enough to maintain footpaths and roads in a safe condition. I am particularly concerned about some areas in south Belfast, where there are high numbers of frail, but independent, people who want to get out, but they are falling regularly on the uneven slabs. When will the criteria for resurfacing be reviewed to take account of the levels of older people in areas?

The Minister for Regional Development: Obviously, safety is the number one concern in respect of roads, footpaths and any other part of the infrastructure for which Roads Service is responsible. If a particular problem is identified, I would expect Roads Service to seriously consider it. I shall not decry my inadequate budget, saying that it is everybody else's fault. Every Department suffers from having less money than it might wish to have.

That becomes more evident at this time of the year, because the roads take a substantial pounding during the winter. Roads Service is used to getting some of the monitoring-round money that becomes available at this time of the year, but that has not happened this year. That is having an impact, but I do not want to make a great song and dance about my budgetary woes.

If there are problems in relation to locations in south Belfast, I will be glad to take details from the Member and ensure that Roads Service looks at them.

Mr McCarthy: I am delighted that the Minister has recognised the progress that we have been making around Newtownards, but I want to know when the funding for the peninsula area will be available. Not so long ago, funding was available for Main Street in Greyabbey and High Street in Portaferry. Those two roads are a disgrace. Can the Minister inform the residents and representatives of those areas when those two roads — and that is only two — will be tackled?

The Minister for Regional Development: I knew that it would be a challenge to get away from talking about roads in the Ards Peninsula without hearing from Mr Shannon or Mr McCarthy. I do not have information to hand on the two schemes that Mr McCarthy mentioned. I will ask for that information and get it to the Member as soon as I can.

A32 Upgrade

3. **Mr Buchanan** asked the Minister for Regional Development what financial commitment he has made to the upgrading of the A32, given its importance as a key transport corridor between Omagh and the new acute hospital in Enniskillen. (AQO 2228/09)

The Minister for Regional Development: The investment delivery plan for roads, published in April 2008, included a package of realignment and widening improvements on the A32 between Omagh and Enniskillen at an estimated cost of £10 million. That was supplemented by additional funding of £5 million from the Department of Health, Social Services and Public Safety to carry out road improvements to facilitate blue-light services on that important road that will serve the new acute hospital in Enniskillen.

Improvements to the A32 at Mossfield and Thornhill have been carried out, and a further scheme at Mullaghbane is under construction. Consultants are preparing road-improvement schemes at Esker Bog between Dromore and Irvinestown, and at Sidaire between Irvinestown and Enniskillen. Roads Service anticipates that those schemes will be delivered prior to the opening of the new acute hospital.

Consultants are also preparing further schemes along that road at locations between Omagh and Dromore, between Dromore and Irvinestown, and between Irvinestown and Enniskillen. However, Roads Service anticipates that due to the statutory procedures that have to be followed, those schemes will not be delivered until after the opening of the new acute hospital.

Mr Buchanan: Following the Health Minister's recent decision to remove all acute services from the Tyrone County Hospital, can the Minister inform the House what meetings the Health Minister has had with him and his Department to highlight the need for the A32 to be upgraded as a matter of urgency, given that it is the key transport corridor from Omagh to Enniskillen and the road that will be used to get all critically-ill patients to the new hospital in Enniskillen?

The Minister for Regional Development: The importance of the road — particularly given the location of the hospital — has been acknowledged by the fact that the Department of Health has made available to Roads Service £5 million for road improvement schemes between Omagh and Enniskillen.

I have been corresponding with Minister McGimpsey about the A32, and I assure the Member that I will continue to keep Minister McGimpsey informed of progress and of any significant changes to the timescale for implementing road improvements on the A32. That correspondence is ongoing. The Department of Health's interest in the issue is reflected in the contribution that it has made to the road improvement.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. My colleague Tom Buchanan anticipated my supplementary question. That is an indication of how closely we work in West Tyrone.

Train Connections – Derry/Londonderry/Dublin Enterprise

4. **Mr P Ramsey** asked the Minister for Regional Development what steps he plans to take to ensure that rail travellers departing from Derry/Londonderry on the first train can connect with the Dublin Enterprise without undue delay. (AQO 2229/09)

The Minister for Regional Development: Timetable changes are operational matters, which are the responsibility of NITHCo and Translink. In December 2008, Translink cancelled the 5.35 am train from Derry. Translink informed me that only one or two people use the 5.35 am train each week to connect with the 8.00 am Enterprise service to Dublin. Translink anticipates that the 6.35 am train will attract a higher number of passengers wishing to travel from Derry to Belfast, thus making the service more viable.

Translink also informed me of the alternatives for people leaving Derry early in the morning with a view to travelling to Dublin. The Goldline Express service 212 leaves Foyle Street in Derry every 15 minutes from 5.30 am; the 5.30 am and 5.45 am departures arrive in Belfast at 7.20 am and 7.35 am and provide connection opportunities with the 8.00 am Enterprise.

Alternatively, Ulsterbus operates a 24/7 direct coach service between Derry and Dublin — service number 274 — with early morning departures at 12.45 am, 4.15 am and 6.15 am, and arrival times in Dublin at 4.10 am, 8.15 am and 10.15 am respectively.

2.45 pm

Mr P Ramsey: I thank the Minister for his reply. The Minister will be aware of the ongoing campaign and lobby to have a cross-border railway connection between Donegal and the north-west. Will the Minister outline any detailed discussions that he has had with his counterpart in the Irish Government and indicate whether — at the risk of using a cliché — there is any light at the end of the tunnel?

The Minister for Regional Development: I am very aware of the lobby for railway provision in the north-west, on both the Derry side and the Donegal side of the border. The Member will be aware that the Northern Corridor Railways Group is conducting a study that my Department has funded. We have discussed the matter with the Minister for Transport at meetings of the North/South Ministerial Council. The Member will also be aware of the substantial budget issues, particularly in the South, which will affect our ability to make progress on the issue.

I have had the opportunity to meet people not only from councils on the northern side, but from Donegal County Council also, to discuss their ideas in relation to the issue. I have encouraged them to develop their ideas and will continue to do so, so that when the economic situation improves, hopefully they will have advanced some plans and designs and will be able to make a substantial case for railway improvement in the north-west. I accept the argument that the north-west is the last remaining part of Ireland without a significant service, a problem that cuts across the western counties in this region and Sligo and Donegal as well. I am sympathetic to that case, and I advise those involved in pursuing it to continue to do so.

Mr Moutray: The Minister may be aware that recently the chief executive of Craigavon Borough Council requested a meeting with the chief executive of Translink, Mrs Catherine Mason, in relation to the proposed rebuilding of Portadown railway station and the difficulties at the Lurgan crossing on the Belfast to Dublin line. Given that the chief executive of Translink has refused to meet Craigavon Borough Council to discuss those important issues, will the Minister give an undertaking to use his influence to try to correct that situation?

The Minister for Regional Development: I was not aware that the chief executive had refused the request for a meeting; I do not know the reasons for that and I am happy to take the matter up with her. I have had the opportunity to visit Lurgan and look at

the railway crossing there, and I am aware of the difficulties that the train service coming through Lurgan poses to traffic progression in the town. Recently, I visited the new facility in south Belfast, where there is a very high-tech operation of all the crossings and signalling right along the railway network, and I raised the issue of Lurgan and asked about the ability to make progress with the length of time that the barriers have to come down and stop traffic while the train comes through. Obviously, safety is a priority consideration for Translink in its operation of all such services. I was not aware of the issue between Craigavon Borough Council and the chief executive of Translink; I am happy to take that matter up with Mrs Mason and to talk to Craigavon Borough Council myself.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Further to his answer to Pat Ramsey's question, will the Minister take this opportunity to outline what proposals he has for increased rail provision on the Derry line and how he intends to address that issue?

The Minister for Regional Development: The Member, like other Members, will be aware that I lifted the investment ban in relation to the Derry line when I came into office. Work on that line is ongoing in the areas of Ballymena and Ballymoney. There is a planned investment on the line between Coleraine and Derry at an estimated cost of £70 million, which will create a passing loop. The intention is to speed up the train service between Belfast and Derry and allow commuters to arrive in Derry before 9.00 am for the first time in many years. Therefore, improvements along that line are planned.

There is also an intention to buy a new batch of trains that will be entered into the system. Two additional trains will be deployed on the Derry line, to enable increased services and capacity on that line. Therefore, there are a number of capital projects happening, all of which will lead to improved frequency and an improved service on the Belfast to Derry line.

Mr K Robinson: What action is the Minister taking to enhance the viability of both the Londonderry and Larne lines? Does he accept that the journey times between Belfast and Londonderry, and the quality and age of the rolling stock on the Larne line, are detrimental to the potential of both to offer the public a sustainable alternative transport option?

The Minister for Regional Development: As I outlined in my previous response, substantial capital has been invested in the Belfast/Derry line to improve the passing loop; and track relaying is ongoing. Substantial investment in the Belfast/Derry line is ongoing, and has been planned for the next few years,

which will improve the service. I referred to the purchase of a new batch of trains. Members — particularly from East Antrim — have consistently raised with me the issue of the quality of the train service on the Larne line. As I told them previously, that new batch of trains will allow us to improve the quality of the rolling stock on the Larne line, which will lead to an increase in passenger numbers.

The Member will be pleased to know that passenger numbers have increased steadily and are substantially up on previous years. The service is improving, but there is still a long way to go. However, we will be investing capital in the railway system and in trying to improve services further as we acquire the finances.

Translink Passenger Charter

5. **Mr McCallister** asked the Minister for Regional Development what discussions he has held with Translink in relation to the upcoming review of the passenger charter. (AQO 2230/09)

The Minister for Regional Development: The Translink passengers' charter was reviewed in 2007, and the latest version was launched on 8 September 2008 at the official opening of the new bus station in Lisburn, which I attended. The passengers' charter is not due to be reviewed again until 2011. My officials will be in discussion with Translink and the Consumer Council closer to that time.

Mr McCallister: Does the Minister agree that for passengers at bus stops along a route the current charter is highly unsatisfactory given that it only requires buses to begin and end their journeys on time, and that the times for the stops in between are a rough estimate?

The Minister for Regional Development: I compliment the Member and his fellow Member on their dress choice today. They are almost all in uniform.

Mr Kennedy: We never wore a uniform.

The Minister for Regional Development: He is more of an irregular. *[Interruption.]*

As regards the passengers' charter, a similar standard applies in Britain and Ireland: it is an attempt to try and improve services. I refer back to my answer to the previous question; the number of people using public transport has been increasing steadily. Satisfaction rates with the service provided, punctuality and fares are at levels where the passengers' charter estimates they should be, and if there are ways to improve on those, I am happy to do so.

The Department talks to the Consumer Council about the targets in the passengers' charter, and the results that come from that, which quite vociferously represent the interests of consumers across the region to ensure that they get the best services possible. I do

not doubt that there are issues that people can challenge and say that improvements can be made. Improvements can always be made to any service. However, the charter is comparable to charters and standards set elsewhere. Standards and targets are being met, and the number of people using public transport is increasing.

Mr Boylan: A LeasCheann Comhairle, what role does the Minister play in the review of the passengers charter? Go raibh maith agat, a LeasCheann Comhairle.

The Minister for Regional Development: As I said, Translink undertakes periodic reviews of the charter, and my Department is involved in that. However, it is important from a consumer protection point of view that the Consumer Council is involved in the review of the passengers' charter. Standards can always be improved, and efforts should be made to continuously improve standards. The targets set in the passengers' charter, and the level of achievement of those targets, measure comparably with other areas, and the number of people using public transport is increasing.

Mr P J Bradley: A passengers' charter would certainly benefit passengers in rural areas. Does the Minister agree that free travel for senior citizens in rural areas is somewhat of a misnomer, given that the rural services lack connectivity with major road and rail services and their timetables?

The Minister for Regional Development: If the Member has specific issues in relation to South Down where there is no connectivity, I would be happy to hear from him and see where Translink can improve.

I have not been made aware of any issues, and, as rural dweller, I appreciate that there are issues around public-transport provision, which we must always strive to improve. To that end, additional community-travel schemes have been introduced in rural areas. However, if there are specific timetabling concerns, resulting in a lack of connectivity, I am happy to hear from the Member and to raise those matters with Translink.

Traffic Volumes

6. **Mr Simpson** asked the Minister for Regional Development for his assessment of the impact on traffic volumes that shoppers from the Republic of Ireland will have, in Newry, Enniskillen and Derry/Londonderry. (AQO 2231/09)

The Minister for Regional Development: Members will be aware of the influx of traffic that shoppers from the South have caused in recent months. The effect of that extra traffic is felt most strongly in Newry, while the major junctions of Gaol Square, Henry Street and

the Wellington Road throughpass in Enniskillen have been experiencing increased traffic congestion.

However, there has been no significant effect on traffic volumes in Derry, over and above that normally experienced, and it is not envisaged that that will change. My Department does not have precise details of the increase in traffic volumes owing to the influx of shoppers from the South, but an estimated rise of 30% to 40% in Newry's traffic volumes since December appears reasonable. Although it is expected that shoppers from the South will continue to travel to the North in search of savings, the economic climate will dictate the strength and duration of their interest.

Mr Simpson: I thank the Minister for his answer. Where improvements can be made to alleviate town-centre traffic difficulties, will the Minister state that his Department will consider them, even if only as a temporary measure — by direction signage or whatever — in order to take pressure away from town centres?

The Minister for Regional Development: I agree absolutely with the Member. In a sense, it is a good problem to have. Being a border dweller, I am aware of times when traffic volumes moved in the other direction in search of bargains. The current favourable rates mean that traffic volumes are increasing in towns on the Northern side of the border.

I am happy to work with people to provide, as the Member suggests, temporary solutions where they are required. In the run-up to the Christmas shopping period in Newry, I sat down with traders and with representatives from the council, PSNI, Roads Service and Housing Executive — it had property that was subsequently used as a temporary car park — and we were able to come up with a range of measures. Although those measures did not completely do away with the traffic issues, they alleviated them in some small regard. For example, providing better signage at the Newry bypass made people aware that there was more than one entrance to the town, and meant that not everyone tried to use the Dublin Road.

Where that is the case in other towns, a multi-agency approach to even temporary measures is advisable, because pieces of land that are awaiting development or that will lie unused for a couple can often be used as makeshift car parks. It just so happens that I represent the Newry area, so I was able to meet people to discuss the issues, but a local-level approach to get together Roads Service, the Housing Executive, the council, PSNI and traders to consider solutions can be very effective in the short term.

Mr Gardiner: Will the Minister update the House on the likely completion date for the new dual-carriageway bypass for Newry?

The Minister for Regional Development: As someone who travels past it every day, I can assure the Member

that work is progressing quite well. The completion date is the end of next year — winter 2010. I am not sure whether any sections of the road will be opened before then. I have asked that question of Roads Service, and I am waiting for an answer. If there is a further interim update, I will provide it to the Member.

However, work is progressing well. No significant delays have been experienced, and the anticipated completion date remains the winter of next year.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Is the Minister aware that Amey Lagan Ferroviaal intends to close, from 7.00 pm on Friday 20 March until 6.00 am on Monday 23 March, the Forkhill Road at the Cloghogue roundabout during the construction of the new dual carriageway? During that weekend, confirmation will be taking place in the local church. Will the Minister assure the House that, whatever closure is necessary, the local community's views will be taken into account, and that a time of least inconvenience will be chosen?

I further ask the Minister to ensure that traffic is managed in such a way as to avoid long tailbacks, such as we had at Christmas, from Newry's Dublin Road to the part of the new motorway that is open.

Will the Minister work with the Department for Social Development (DSD) to ameliorate the impact of the A1 dual carriageway on neighbourhood-renewal areas bordering the new road? Go raibh míle maith agat. *[Interruption.]*

Mr Deputy Speaker: I assure the Members to my left that I am more than able to do this job.

3.00 pm

The Minister for Regional Development: I am aware of the proposed closure of Forkhill Road at the Cloghogue roundabout. No road closure occurs without some inconvenience, but the Member is quite right: there should be liaison and discussions with the local community to try to minimise that inconvenience as best we can.

From discussions that I have had with the chairperson of the local liaison group — who co-ordinates meetings among the council, Roads Service, the contractor and the local community — I am aware that an evening is planned to provide information to the local community and to take suggestions. Where road closures are planned, every effort should be made to ensure that the inevitable inconvenience will be minimised. If traffic-management issues arise from closures, they should be managed as sensibly as possible in order to alleviate any possible traffic congestion.

AGRICULTURE AND RURAL DEVELOPMENT

Single Farm Payments

1. **Mr Irwin** asked the Minister of Agriculture and Rural Development, as of 20 February 2009, how many farmers are still to receive single farm payments. (AQO 2246/09)

The Minister of Agriculture and Rural Development (Ms Gildernew): To date, my Department has paid out £230·7 million to 36,123 farmers, which is 93·2% of farmers who claimed single farm payments in 2008. About 6·8% of claims — or 2,631 — have not been finalised for a variety of reasons, including queries on the claims; the need to complete the processing of on-farm inspection reports; challenges by others of the right to claim the land, including duplicated fields; the need to await probates; or because farmers have not provided bank-account details to allow payments to be made by electronic transfer.

Not all of the remaining claims will be due a payment. That is because of ineligibility or the application of penalties under scheme rules. I am pleased that the Department has again improved its payment performance this year, and it will seek to improve that further.

Mr Irwin: In some cases, inspections of farms did not take place until December 2008. In fact, by that time, most payments were due to be made. Will the Minister explain why inspections were held back until so late in the year?

The Minister of Agriculture and Rural Development: As the Member knows, there are a number of on-farm inspections. Obviously, we must take a line from the European Commission as to how many inspections we carry out and when we do them. However, we must deal with a situation where people have been pulled in to do other work, such as carrying out inspections for the farm nutrient management scheme, in order to pay that money as quickly as possible.

We are trying to manage resources as best we can. We try to ensure that we perform all inspections on time, and we try to ensure that farmers who are waiting for inspections are not disadvantaged regarding payment.

Mr Kennedy: I am grateful to the Minister for her initial reply. Since the inception of the scheme, how much single farm payment money has been unspent for various reasons and has been returned to the European Union?

The Minister of Agriculture and Rural Development: I do not have that figure with me today, but I am happy to provide it in writing.

Mr Burns: Does the Minister agree that the map-checking facility that is offered on a first-come, first-served basis could disadvantage some landowners who may not be able to use it in time?

The Minister of Agriculture and Rural Development: We are very keen to ensure that as many applicants as possible are paid as early as possible — whether they are inspection cases or not. My Department is taking steps that will enable it to complete its eligibility inspections earlier this year.

Within the past two weeks, I issued an open invitation to farmers to come into our offices to check their maps with the help of aerial photography. Farmers who ensure that their maps are accurate and up to date — and who ensure that they do not claim on ineligible land — are more likely to have clear inspections, so we need the farmers to meet us halfway on the issue. Farmers and the Department have to work together to make further improvements. However, there is scope for farmers to come into our offices, check their maps and ensure that they are giving us the right information.

Mr Molloy: When will the rest of the farmers receive their 2008 payments?

The Minister of Agriculture and Rural Development: Although I cannot specify when individual cases will be cleared for payment, my Department has made more payments in 2008 at an earlier stage than it did in 2007, and it will continue to make payments as quickly as possible. We exceeded our February targets by completing 92·8% of payments by the end of February, and our target for the end of March 2009 is to complete 95% of claims. Some of the outstanding claims might not receive a payment because of ineligibility or the application of penalties under scheme rules.

Another difficulty is that about 250 farmers have not supplied us with bank details for the purposes of electronic transfer. To help farmers who do not have a bank account to receive their payments, I secured the facility whereby payments can be paid into a credit union, provided that the credit union operates a bank account. Therefore, if those 250 farmers could find a way to get their details to us, we could pay them and take their names off the list.

Rural Development Programme

2. **Mr McCarthy** asked the Minister of Agriculture and Rural Development what progress has been made on the environmental aspects of the rural development programme. (AQO 2247/09)

The Minister of Agriculture and Rural Development: The environmental aspects of the rural

development programme are delivered through measure 2.2 of the agrienvironment programme. Last June, I launched two key elements of the measure — the new countryside management scheme and the new organic farming scheme. Both schemes opened last year, and as a result, about 1,300 countryside management scheme applications and 40 organic farming scheme applications are being processed.

Mr McCarthy: As regards grants for woodland areas, the Programme for Government sets ambitious targets for the creation of new woodlands throughout Northern Ireland. As I understand it, at present, only one third of the targets has been achieved. What action is the Minister taking to improve that situation and to deliver on the Programme for Government?

The Minister of Agriculture and Rural Development: The Member is right: the targets for the expansion of woodland are ambitious. We are exploring a number of issues to help us to achieve those targets. The answer is very long and detailed, and if the Minister is content, I would be happy to supply it in writing.

Mr McCarthy: I am not a Minister. *[Laughter.]*

The Minister of Agriculture and Rural Development: Sorry, I meant Member — you never know; someday, Kieran. *[Laughter.]*

Mr Deputy Speaker: I am sure that Mr McCarthy would not object to that.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Can I ask the Minister how many applications were received to each scheme?

The Minister of Agriculture and Rural Development: I am pleased to say that there was a high degree of interest in both schemes. We received about 4,500 applications to the new countryside management scheme, and 102 applications to the organic farming scheme.

Mr McCallister: Given that there have been various indications of timescales over the past 16 months, when will money be delivered to projects under axis 3 of the rural development programme?

The Minister of Agriculture and Rural Development: We have had to prioritise applications and consider where they are from. Some 1,300 applications have been designated and are being progressed at the moment. I hope, in the next few weeks, to make an announcement on when those applications will start under the countryside management scheme, and when we will be able to pay out. We are looking carefully at budgets, and we want to be able to pay that money as soon as we can.

Mr Deputy Speaker: Question 3 has been withdrawn; Mr McGlone is not in his place to ask

question 4; and question 5 has been withdrawn. I call Mr Jim Shannon to ask question 6.

The Minister of Agriculture and Rural Development: Question 6 was one of the questions that was grouped alongside questions 4 and 7, so with the permission of the Deputy Speaker, I will answer all those questions together, as they are all on the same issue.

Farm Modernisation Scheme

6. **Mr Shannon** asked the Minister of Agriculture and Rural Development how many applications for farm modernisation grants have been received and accepted, and how much funding has been set aside for the scheme. (AQO 2251/09)

7. **Mr Poots** asked the Minister of Agriculture and Rural Development what official clearance the European Union gave her Department to proceed with the farm modernisation scheme on a first-come, first-served basis. (AQO 2252/09)

The Minister of Agriculture and Rural Development: As regards whether the Department sought EU clearance on how it proceeded with applications under the farm modernisation scheme, EU rules associated with implementing rural development programmes do not oblige the Department to seek clearance from the European Commission on either selection criteria or operational matters. Consequently, the Department did not seek clearance from the Commission for its system for receiving applications on the basis of first come, first served. The Department is obliged to consult the rural development programme's monitoring committee on the scheme selection criteria, and it has done so.

Turning to operational issues, I praise the staff concerned for their huge efforts in receipting the applications. Within four hours of the programme opening, more than 5,000 applications had been received and receipted, indicating that the systems in place were well resourced and that staff were effectively trained to deal with the uptake. Although I did not have any personal contact with my the Department of Agriculture and Rural Development (DARD) offices in relation to the farm modernisation programme before 17 February 2009, I had asked my officials to assure me that all endeavours had been made to ensure that staff were well trained and confident enough to undertake the exercise, and that was certainly borne out by performance on the day.

By close of business on 6 March, more than 9,000 applications had been received, and a total of £15.25 million has been set aside over the lifetime of the farm modernisation programme.

Finally, where do we go from here? My officials have been working closely with the European Commission and will continue to do so until the issue is resolved.

Mr Shannon: I thank the Minister for that response. However, it is clear from the publicity surrounding the issue that many people are unhappy that they were unable to attend the offices to qualify for the money. For that reason, what steps does the Minister intend to take to assist those people who were unable to attend because of work and other commitments? Furthermore, is there any intention to review the criteria for all those people who wish to be considered for grants? The grant amounts to £5,000, which is not a lot, but it enables many farmers to modernise their machinery and deal with other issues on their farm. However, there are concerns about the fact that they were unable to attend, and there are also concerns about the criteria.

The Minister of Agriculture and Rural Development: The issue has been well aired in the media in the past few weeks, and as Members know, I had some concerns about people queuing overnight and what that would look like. I was very keen that farmers did not feel the need to queue. We brought in a number of measures to help people who were unable to queue because they were working or had poor mobility problems. Therefore, each person who queued was allowed to bring three forms to the office that morning, and that enabled them to help out other people. Everyone has friends or neighbours who could have taken the form in for them. Therefore, we tried to look at ways in which we could help the people to whom the Member is referring. A postal application system was also in place to help people with poor mobility problems.

We fully intend to review all the issues for the second and third tranches. Indeed, on the morning of 17 February, I said that I would review the farm modernisation programme and how it would proceed on the next tranche.

I heard a lovely story from a farmer in my area, who said that he did not realise that people were queuing, until his neighbour, who is Catholic, phoned him to tell him that people were queuing outside the office in Thomas Street in Dungannon. His neighbour asked him whether he was going to submit a form, and he said that he could not get to the office because he had something else on, so the Catholic farmer joined the queue. Then, at around midnight, he swapped places with his Protestant neighbour. Therefore, between them and another farmer, they took turns in the queue and submitted their three forms.

That story is enough to warm the cockles of your heart, and it shows how people co-operated with one another in order to submit their forms, and how those three farmers who could not queue all night worked

together and submitted their forms. Therefore, we have heard some very good stories, but we want to review the process to ensure that the best system is in place.

We were supposed to open the programme in October 2008, but we put it off until February 2009, with a view to trying to get a better scheme in place. With the best will in the world, that better system did not materialise. Nevertheless, we want to review the system to ensure that the second and third tranches are done in a different way. However, we are dealing with a scheme that is highly popular and vastly oversubscribed. If we had £30 million, we would want to invest it in the programme, because there is a clear indication that even in these difficult economic times, farmers are willing to put their money into the rural economy.

Mr Deputy Speaker: Surely that qualifies for a cross-community grant alone, Minister. *[Laughter.]*

Mr Poots: Question 7.

Mrs D Kelly: Should the Member not be asking a supplementary question?

Mr Deputy Speaker: The Member's question was grouped, so I call him for a supplementary question.

3.15 pm

Mr Poots: I want clarification on why we did not have the scheme cleared by Brussels in the first instance. It is all right to say that we did not need to do that, but, ultimately, our problem is that Brussels has stated that it has real issues with what happened. Will the Minister clear the money so that it can go to farmers without the support of Brussels, as her answer to the initial question seemed to indicate? If not, what assurances has she received that we will be able to proceed with the scheme as it has been set out?

The Minister of Agriculture and Rural Development: We worked closely with Brussels in the run-up to the scheme. After the misunderstanding on 17 February, I sought legal advice on whether our scheme met EU legislative requirements. That advice stated that our interpretation of the EU regulation is a reasonable one. In other words, the scheme meets the requirements of the EU legislation.

However, I am mindful of the issues involved with a protracted legal discussion with the European Commission, and I wish to avoid such a situation if possible. My officials continue to work with the Commission; I am hopeful that the issues can be resolved and that we can apply the scheme as planned.

Mr O'Dowd: Thank you. Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to postal applications in an earlier response. Will she give us a breakdown of the number of postal applications that were made as opposed to those that were received under the counter — sorry, over the counter? *[Laughter.]*

The Minister of Agriculture and Rural

Development: I thank the Member for his question. To my knowledge, no applications were received under the counter. *[Laughter.]* At the close of business on 6 March, we had almost 3,000 postal applications out of a total of 9,000 applications. Therefore, the ratio of over-the-counter applications to postal applications was about 2:1.

Mr Elliott: I was intrigued by the Minister's wee story about what happened in Dungannon. I could tell her a few stories about what happened on that night and morning, but they are not repeatable here.

Did the Minister or the Department have any indication prior to the farm modernisation programme going live that the application process may not be acceptable or approved by the European authorities?

The Minister of Agriculture and Rural

Development: In February 2008, there was correspondence with all member states about the need to include selection criteria in rural development schemes in order to ensure that operational objectives and priorities are met. In October 2008, the Department consulted the rural development programme monitoring committee about the selection criteria for the farm modernisation programme in accordance with EU rules. The European Commission did not offer any comments on the criteria throughout that process, and, subsequently, we thought that our scheme was fully compliant.

Up until lunchtime on 17 February, we were working with Commission officials to explain our selection process and to provide whatever reassurances they sought; we were certainly not aware that they had issues. I said on 17 February that the situation was a misunderstanding, and, ultimately, I think that it will be recognised to have been a misunderstanding.

I presume that parliamentary privilege applies to questions for oral answer, so I would be pleased to hear the Member's stories if he wishes to share them with me.

Mrs D Kelly: Is the Minister saying that Michael Mann — Mariann Fischer Boel's European Commission spokesman on agriculture and rural development — is wrong?

The Minister of Agriculture and Rural

Development: The question was whether our scheme was legal or illegal. I do not believe that Michael Mann said that the scheme was illegal, but that is how it was portrayed by the media. I assure the Member that the scheme is not illegal; no moneys have been paid out under the scheme, and, therefore, there is no question of disallowance.

The Commission maintained that additional selection criteria are needed to ensure that we meet the operational objectives and priorities of the measures.

We consider that we have a selection process in place that meets those needs, hence the difference of opinion or the misunderstanding that arose. I believe that those issues can be resolved.

Rural Development Programme

8. **Mr Neeson** asked the Minister of Agriculture and Rural Development what progress has been made on the rural life aspects of the rural development programme. (AQO 2253/09)

The Minister of Agriculture and Rural

Development: I interpret the Member's question as a reference to the axis 3 quality of life measures, which will invest £100 million into rural areas over the course of the new rural development programme. I am pleased to report that very substantial progress has been made in putting in place administrative structures for the implementation of the axis.

The assessment of the strategy was completed on 15 January 2009, and all the joint council committees were informed of their full allocations on 19 January 2009. Already, one area has opened calls for applications, and interest has been high. At last count, over 370 applications for the first two measures were received. Three other areas have asked for expressions of interest, and I am pleased to report again that interest has been high. The remaining cluster areas are at an advanced stage and will also shortly open for expressions of interest.

Availability of credit is important to the rural economy and the agricultural industry, and I intend to have an early meeting with the major local banks to impress upon them the concerns of the rural community and to seek to gain an understanding of how they are responding to concerns.

Mr Neeson: I thank the Minister for her response. Last year, a large number of applicants were turned down for the countryside management scheme. What plans has the Minister to reopen the scheme and, if she does so, will she publish the criteria well in advance?

The Minister of Agriculture and Rural

Development: Countryside management is a phased-in scheme. We cannot take everyone who applies in the first year. This year, we hope to be able to process about 1,300 applications. Those who have already applied have no need to reapply; we will phase those applications in over the lifetime of the countryside management scheme. We wanted to ensure that we obtained best value for money and maximised the impact of the scheme, so we looked at areas that had a definition such as Ramsar, Geopark, area of special scientific interest (ASSI) or area of outstanding natural beauty (AONB) in order to maximise the environmental impact of the countryside management scheme.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

I thank the Minister for her answer. Will she tell us the timescale for money to be allocated to that scheme?

The Minister of Agriculture and Rural

Development: Interest is high in the scheme. One local action group has already received 374 applications.

At present, each joint council committee is the administrative and lead financial actor for its respective local action group and has been provided with a draft of the contract that my Department wishes to enter into for implementation of axis 3. We will move as fast as possible. Once a joint council committee has signed its contract, it can begin to issue letters of offer.

Mr Armstrong: Will the Minister inform the House whether all application processes have been cleared by the European Union authorities for rural development programme measures?

The Minister of Agriculture and Rural

Development: Under the 'Improving the Quality of Life in Rural Areas and Diversification of the Rural Economy' axis, we wanted to ensure a bottom-up approach. There are seven clusters that identify the needs of their own areas, and they do the work on the ground. The best people to know what the money should be spent on are people from those areas. We work with the local action groups and the joint council committees in a community effort to ensure that the money goes into the cluster areas for tourism, economic creation, village renewal or whatever purpose. They will tell us where the money will best be spent.

Farm Diversification

9. **Mr Doherty** asked the Minister of Agriculture and Rural Development what assessment she has made of the positive aspects of farm diversification.

(AQO 2254/09)

The Minister of Agriculture and Rural

Development: Under the 2001-06 rural development programme, apart from the farm diversification challenge, there was no specific farm diversification measure. However, many farmers availed themselves of funding and training opportunities to turn skills and business ideas into income-generating activities and businesses that supplemented the farm income. In the course of the programme, substantial support was drawn down by the farm diversification project and various relevant training measures through both the LEADER+ and Building Sustainable Prosperity programmes.

The Peace II programme invested over £6 million in farm diversification. Under measure 5.6b of that

programme, a further €3 million was invested in agriculture and rural development co-operation of a cross-border diversification nature. In the course of my work, I have seen many diversification businesses: I have seen everything from tourism activities, such as paintball and fun farms, to micro businesses manufacturing waste-paper compacters, components for buses and hurley sticks. I am greatly impressed by the innovation, creativity and entrepreneurship of the farming community, whether that is through the establishment of a small tourist activity business that enhances the Irish tourist offering, or through the establishment of a small engineering business that targets a niche market.

Therefore, under measure 3.1 of axis 3 of the new RDP, I have set aside a budget of £20 million — *[Interruption.]*

Mr Deputy Speaker: Order. The Minister cannot be heard.

The Minister of Agriculture and Rural

Development: Therefore, under measure 3.1 of axis 3 of the new RDP, I have set aside a budget of £20 million, specifically for farm diversification projects. That will provide additional income and help families to stay in farming. The £20 million budget set aside for farm diversification is almost equal to the £21 million total budget for the previous LEADER+ programme.

Mr Doherty: A LeasCheann Comhairle, I thank the Minister for her reply. Can farm families apply for assistance under any other axis 3 measure?

The Minister of Agriculture and Rural

Development: Yes; in addition to the £20 million available under the farm diversification measure, farm family members who wish to pursue projects off-farm can, within axis 3, apply for assistance under micro business development and tourism. That will help to maximise opportunities for farmers and farm family members, and give them access to a further budget of £32 million. It is hoped that that can contribute toward the job creation target associated with that funding of 600 new jobs.

Mr Beggs: Farm diversification schemes are becoming increasingly important to enable farmers to remain close to their stock. As a result of reduced farm incomes, they have been forced to go wider afield. Will the Minister confirm what actions she has taken, involving other Departments, to assist a greater level of success for farm diversification schemes?

The Minister of Agriculture and Rural

Development: The key policy plank of my time as Minister is the bringing forward of a rural White Paper. I hope that that will be the vehicle and the mechanism through which we will engage all other Departments to help us in improving the quality of life for rural dwellers. Such issues will impact upon farm

diversification. The Member is right; we need to see other Departments working with us to ensure the success and sustainability of those small businesses.

Sheep: Double Tagging

10. **Mr Gallagher** asked the Minister of Agriculture and Rural Development what assessment she has made of the consequences facing flock owners when the double tagging identification of sheep is introduced.

(AQO 2255/09)

The Minister of Agriculture and Rural

Development: Due to our specific circumstances — not least, the unique trade in sheep to and from the South — I believe that moving to double tagging, in line with the system in place in Britain, would not be in the best interests of the local sheep industry. For that reason, I believe that the most productive and cost-effective option for us is to move directly to the electronic identification (EID) of sheep. Under European legislation, that has to be introduced throughout the European Union by the end of the year.

In 2008, I went to Brussels, where I had meetings with Commissioner Fischer Boel and Commissioner Vassiliou on the identification and movement of sheep. The Commissioners recognised the unique position of the North, and supported my approach in moving directly to EID.

I understand that many flock keepers are concerned at the effect that electronic identification will have. There certainly will be challenges for the industry in achieving a successful introduction of the system. However, it is worth noting that for many flock keepers, electronic identification of sheep could be as simple as applying electronic tags and continuing to record information manually.

Under EU legislation, keepers have the choice of whether they wish to record information electronically. I do not expect keepers with a small number of sheep to buy and use electronic readers. We have had successful EU negotiations that secured several transitional arrangements. Those have reduced the burden of electronic identification on keepers, in particular, by phasing in individual recording requirements between 2010 and 2012, and lessening the future record-keeping burden on sheep born before the end of the year.

My officials will continue to work closely with the authorities in the South, in Britain, and with the industry here, to design the most appropriate system for us. I am keen to reduce the burden on keepers as far as possible, while realising the opportunities that electronic identification presents.

3.30 pm

Mr Gallagher: Given that the double tagging of cattle has caused so many ongoing problems, which the Minister's Department is still trying to iron out, can she say whether, when she referred to the industry, she meant one or both of the unions? Has she met any representatives of the farming community other than the unions?

Mr Deputy Speaker: Minister, please give a quick response.

The Minister of Agriculture and Rural

Development: Obviously, I discuss such issues with the unions, but the Member is right to raise that point — I do not limit such discussions to the unions. Other organisations such as the National Sheep Association have been helpful in developing our proposals.

The Member talked about double tagging of cattle. I was keen not to go down the route of double tagging sheep. In January 2008, double tagging was introduced in England, Scotland and Wales. I felt that we would ultimately have to introduce electronic identification and that our keepers would otherwise have had to get used to two systems in a short period of time, so I tried to ensure that trade was kept on the island of Ireland and that no burden or barrier was placed on our keepers. I do engage directly with sheep farmers to get the best mechanism possible.

CULTURE, ARTS AND LEISURE

Spectator Behaviour Issues

1. **Mr Craig** asked the Minister of Culture, Arts and Leisure what support his Department has given to the Northern Ireland Office in the preparation of legislation to address spectator behaviour issues. (AQO 2266/09)

The Minister of Culture, Arts and Leisure (Mr Campbell): Responsibility for the preparation of legislation to address spectator behaviour issues is a reserved matter and, therefore, rests with the Northern Ireland Office. Following representations by my predecessor, Edwin Poots MLA, the Northern Ireland Office agreed to work with the Department of Culture, Arts and Leisure to produce an agreed package of proposals. My Department's officials have since assisted the NIO in that process, and a range of proposals has been agreed. I recently met the Criminal Justice Minister, Paul Goggins MP, and I asked him to publish those proposals for consultation as soon as possible.

Mr Craig: I thank the Minister for that. Can the Minister outline some of the offences that he believes

should be introduced? Should those offences include pitch invasions, such as those that we witnessed on Boxing Day 2008?

The Minister of Culture, Arts and Leisure: I thank the Member for his supplementary question. He mentioned one of the types of offence that could be included. I shall keep that in context, however, by pointing out that sporting involvement and events in Northern Ireland are, by and large, family-friendly leisure pursuits. The type of disgraceful and unfortunate scenes that took place over the Christmas holidays and to which the honourable Member referred are very irregular and seldom witnessed. However, they do occur on a few occasions.

The legislation could well address: unauthorised pitch incursions; offensive chanting; missile throwing; the bringing of bottles, flares and fireworks into grounds; restrictions on the carrying or drinking of alcohol on special public transport, either on the way to or from designated matches; ticket touting; and a football-banning-order regime in Northern Ireland.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister recognise the fact that the behaviour of spectators at GAA matches is and always has been exemplary?

Mr Kennedy: It is the players who are the problem.

Mr McKay: Does he believe that other sports could look at how they could learn from that example?

The Minister of Culture, Arts and Leisure: I notice that a number of Members referred from sedentary positions to the behaviour of players not being up to mark in comparison with spectators. In some sports, players set a good example for spectators, but, from some of the sedentary comments, it appears that the opposite is the case on a small number of occasions. A small number of GAA players could take lessons and take their lead from the behaviour of spectators at the games, which the honourable Member outlined.

Mrs M Bradley: Will the Minister outline which teams' spectators are most associated statistically with public-order offences? Can he outline the work that the Department has done with those teams and their spectators' groups to end such behaviour?

The Minister of Culture, Arts and Leisure: I thank the Member for her question, which, as regards analysing those spectators who may have more work to do, is almost impossible to answer. Several clubs have looked at ways to ensure that their grounds are more prepared for spectator safety in order to try to foster a more family-friendly atmosphere, which, in turn, leads to even less likelihood of problems either at or inside grounds, or leaving them.

I am not aware, therefore, of the statistics on those clubs that may have more work to do which the

honourable Member has asked me to outline. However, I am certainly interested in obtaining any information that is required in order to take whatever steps need to be taken to assist those clubs to develop further their policies.

Mr Deputy Speaker: Question 2 has been withdrawn.

Irish League Football Clubs

3. **Mr Simpson** asked the Minister of Culture, Arts and Leisure for his assessment of the contribution made by the local Irish League football clubs to their local communities. (AQO 2268/09)

The Minister of Culture, Arts and Leisure: Irish League football clubs make a significant contribution to local communities in many towns and cities in Northern Ireland. Irish League football has a long tradition of being played and supported by people from all sections of the community. In addition, clubs have contributed to community relations programmes and the development of grassroots football programmes, the aim of which is to encourage more young people in local communities, including those who are under-represented in sport, to play and become involved in football.

Mr Simpson: I thank the Minister for his answer. Can he outline the evidence that exists about the contribution of Irish League clubs to local communities? Does he agree that youth academies are of great benefit, not only in maximising clubs' potential, but also in encouraging young people into the sporting arena?

The Minister of Culture, Arts and Leisure: There is certainly plenty of evidence of the long tradition of participation by clubs in community-based football initiatives, including 'Football for All' and the Irish Football Association's (IFA) grassroots youth strategy. The Member referred to youth academies; I am sure that he was alluding to a recent visit that he and I made to Mourneview Park, the home of Glenavon Football Club, where there is a youth academy that is —

Mr Kennedy: We are talking about football. [Laughter.]

The Minister of Culture, Arts and Leisure: I will resist the temptation to respond to that and look forward to the semi-final of a certain competition that is coming up shortly.

To get back to the more serious matters of the moment; Glenavon Football Club runs a football academy in which 120 to 130 young people are involved at various levels. It is an excellent example. I am aware that other academies are run by Crusaders, Coleraine, Cliftonville, Glentoran and Linfield, to name but a few. I may, unfortunately, have overlooked some others.

Mr Brolly: Does the Minister agree that all sporting organisations make valuable contributions to their local communities, particularly those that rely mainly, if not exclusively, on voluntary support and input?

The Minister of Culture, Arts and Leisure: Yes, I agree that they do to a greater or lesser degree.

Mr Kennedy: I am grateful to the Minister for his earlier answers. As Minister of Culture, Arts and Leisure, will he join me in congratulating Waringstown Primary School on its fine achievement of being named junior school choir of the year for a second time? The fact that my brother is the school's principal is, of course, not related at all.

I also ask the Minister to publicly acknowledge the huge contribution that is made by Irish League soccer clubs such as Linfield — and, indeed, the Irish Football Association — in their efforts to encourage soccer at grassroots level and community involvement.

The Minister of Culture, Arts and Leisure: I never cease to marvel at the ingenuity with which some Members manage to raise issues. Although important and relevant, I am sure, their significance or connection to the original question totally escapes me. However, I am sure that tremendous work has been done at Waringstown Primary School, and I commend everyone who contributed to that.

The Member asked about the IFA and clubs such as Linfield. In the past 10 or 15 years, a range of clubs have, undoubtedly, taken considerable steps that have been beneficial and have facilitated considerable improvements to not just the clubs but to the communities in which they are based. The 10% or 11% increase in attendances at Irish League football matches is indicative of the good work that is being done by a range of clubs. I hope that such work continues, and my Department will, of course, do all that it can to enable all clubs to make their sport even more widely available to communities that should be supporting those sports.

Mr Deputy Speaker: I am sure, Mr Kennedy, that your brother will be well pleased that you raised that important issue.

Schooner 'Result'

4. **Mr Neeson** asked the Minister of Culture, Arts and Leisure to outline the future plans of the National Museums in relation to the presentation and display of the schooner 'Result'. (AQO 2269/09)

The Minister of Culture, Arts and Leisure: The Result is a three-masted, top-sailed schooner — which is not easy to say — that was built by Paul Rodgers and Company in Carrickfergus in 1893. The ship is important because of her design, her provenance as one

of the last surviving nineteenth-century Irish-built merchant vessels, and, of course, her period.

In 1999, the National Historic Ships Committee designated the Result as being of pre-eminent significance and part of the UK's core collection of historic vessels. National Museums Northern Ireland recognises the position of the Result, and is committed to not only developing and preserving maritime collections but also to making them accessible to the widest range of audiences. In that context, National Museums intends to develop a 10-year capital strategy that will include options for the display of maritime and industrial history collections. The Result is currently protected under a purpose-built weatherproof awning.

Mr Neeson: I thank the Minister for his answer. As he probably knows, I am no longer on the board of the National Museums of Northern Ireland. However, I am a member of the National Historic Ships Committee.

The Result was brought back to Northern Ireland in 1970, and I always hoped that she would be fully restored. I am glad to say that she has joined SS Nomadic and HMS Caroline on the core collection of national historic ships. Will the Minister assure me that he will respond positively to the Committee for Culture, Arts and Leisure's report, which stated that there was a need to develop a policy for maritime heritage in Northern Ireland?

The Minister of Culture, Arts and Leisure: I thank the Member for his supplementary question. Northern Ireland's maritime history is, undoubtedly, magnificent, and the Member has a long-held interest in the Result and other issues. As he knows, I have discussed how to implement a museums policy with the Committee for Culture, Arts and Leisure, and I am currently considering the best way to do so. I know that a strategy has been outlined as one of the best ways to proceed. I will examine that matter with the issues that the Member and others have drawn to my attention firmly in mind as to how we best proceed.

Mr Deputy Speaker: I call Mr Jonathan Ross to ask a supplementary question.

Mr Ross: I am not quite Jonathan Ross, Mr Deputy Speaker — just Alastair will do it. [*Laughter.*] I will, in any case, resist courting controversy in my comments.

In his initial answer, the Minister spoke about the 10-year capital-development strategy for maritime and industrial collections. Will he inform the House whether he has any plans to include anything else in that? I am speaking specifically about the Nomadic and the Titanic collections.

3.45 pm

The Minister of Culture, Arts and Leisure: I will respond to Alastair Ross, Mr Deputy Speaker. He referred to other areas in the collection, as did the

previous Member to speak. I will obviously have to look at any necessary business cases and at the availability of capital expenditure being approved by both my Department and the Department of Finance and Personnel.

The 10-year capital-development strategy to which I referred will focus on the maritime and industrial history collections that are held by national museums, but it will also be mindful of related and complementary objects that are held elsewhere. Of course, I cannot give a commitment at this stage, given the resource implications, but suffice it to say that I want to be very helpful to what is a significant and important part of our maritime history and background.

Mr McNarry: I am grateful to the Minister for his responses so far and for the probing questions. It is quite clear that what is being identified is a missing link, which is perhaps influenced by resources and the availability of funding, as the Minister said.

Given the maritime history of Belfast, will the Minister consider the incorporation of a spectacular, stand-alone maritime museum that includes not only the Titanic, but the wider history of shipbuilding in Belfast and other small shipbuilders from 1663 to the present?

The Minister of Culture, Arts and Leisure: I thank the Member for his question. Obviously, my Department will look at any issues, and he raised a particular one. I would have to see what the resource implication would be for that proposal, but the answer in principle is that, yes, I am prepared to look at it.

We need to build for the future. This August the fantastic display of the Tall Ships will be coming to Northern Ireland, and that will be an example of the past, of history and of a global scene coming to Northern Ireland. It will be an opportunity for us to project on an international scale the maritime history that we have here. The honourable Member made a suggestion that I am happy to follow up.

Elite Facilities Programme: Additional Funding

5. **Mr Burns** asked the Minister of Culture, Arts and Leisure, following his announcement on the proposed stadium at the Maze site, if he has sought additional funding from the Executive to provide additional resources for the elite facilities programme.

(AQO 2270/09)

The Minister of Culture, Arts and Leisure: I indicated my intention to defer major stadium expenditure and to bring forward a number of other high-priority sports capital programmes. I am currently considering the scope to reallocate at least some of the

funding in 2009-2010 and 2010-11, which was originally allocated for stadium development, by way of re-profiling the sports capital programme. That will include consideration not only of the budget requirements for the elite-facilities programme, but of competing pressures, such as stadia-safety issues and other pressures in my Department's capital programme.

That will ensure that, in the context of 2012, not only will Northern Ireland benefit from new facilities, but a range of existing facilities will be upgraded, thereby consolidating a strong legacy of benefit from the London Olympic Games. Sport NI is currently progressing stage two of the elite-facilities competition in order that the programme that emerges will be in the optimum position to benefit from available funding from the reallocation that I mentioned.

Mr Burns: I thank the Minister for his answer. Can he tell us how many funding applications for elite facilities have been received and shortlisted and how many of those facilities will be ready by 2012 for the Olympics?

The Minister of Culture, Arts and Leisure: I thank the Member for getting down to specifics. Obviously, we are still at an early stage, and I do not want to go into specifics about the final outcome of stage two of the elite-facilities programme. However, I can inform the Member of the sports that are covered by the applications.

The issue of the 50-metre swimming pool in north Down is in the public domain. Other sports involved include sailing, cycling, indoor and outdoor rowing, equestrianism, basketball, volleyball, indoor athletics and tennis. The Member will accept that that represents a wide range of sporting facilities.

I recently pressed Sport NI on the need to complete applications for all those facilities as quickly as possible. Sport NI has accepted that, and those applications will proceed through the next stage of the elite facilities programme. However, there are two crucial issues: first, as many of those facilities as possible should be in place and ready in advance of the 2012 Olympics; and, secondly, and more significantly, we must build on the legacy that the Olympics can leave, way beyond 2012, to athletes from Northern Ireland in a range of sports. Having those facilities will mean that there will be greater benefits in future. We shall have facilities that will allow our athletes to excel even more than is currently the case. We are doing well at the moment, but we can do even better in future.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Further to his answer to Thomas Burns's first question, will the Minister outline how he will proceed with the reallocation of the sports stadium money? Does he require approval

from any other Department, or indeed, from the Executive as a whole, to continue with that programme?

The Minister of Culture, Arts and Leisure: The Member asks an interesting question, which is remarkably similar to the one that he asked me during a meeting of the Committee for Culture, Arts and Leisure on 26 February. I answered the question then, and I will do so again.

The Department for Culture, Arts and Leisure made provision for stadium development. The controversy surrounding the Maze stadium development had been around for a number of years. For understandable reasons, there had been a considerable delay, and when I came into office in June 2008, I was determined to move the project forward. I consulted the sporting bodies involved, visited the site and took a decision, which I relayed to Executive colleagues two months ago. I told them that I had decided not to proceed with the Maze stadium development, and that I wished to proceed by reallocating some of that money for projects that have to be undertaken in the next two or three years. If I do not reallocate the money that was earmarked for the existing stadium development, I will have no other immediately accessible funding with which to do that other work. Therefore, the logical conclusion is that if I do not reallocate that money, that work will not be done. That is why I intend to proceed as quickly as is practicable and possible to reallocate the funding.

Mr Bresland: How much funding will the Minister require for the elite facilities programme?

The Minister of Culture, Arts and Leisure: The Member asks another pertinent question. At present, if we set aside the 50-metre pool, which was the subject of the first announcement, a further £38 million may be required. However, the exact amount that will be required will not become clear until a full assessment of business cases has taken place, and until the result of the stage-two competition for the elite facilities programme is announced. It is not possible to determine the exact amount of money that will be required, although we may be looking at a figure of £38 million.

Mr K Robinson: I am very interested in that sum of £38 million; can I help the Minister to spend it?

Can the Minister have some discussion with his ministerial colleague the Minister for Employment and Learning about the potential for local job creation at the University of Ulster campus at Jordanstown, particularly if the university decides to move many of its faculties to York Street? Could the existing elite sports facilities that are currently located at Jordanstown be built on?

The Minister of Culture, Arts and Leisure: I thank the Member for offering to help me to spend the

money; I am sure that there will be no shortage of people joining that particular queue. Again, I do not want to go into detail about the specific sites and terms of the next stage of the elite-facilities programme. I can say, however, that the areas that I mentioned in answer to the initial question — sailing, cycling, rowing, equestrianism, basketball, volleyball, indoor athletics and tennis — are covered in the funding applications that were submitted by Counties Down, Antrim, Armagh and Londonderry. Unfortunately, no applications were received from County Tyrone or County Fermanagh.

If the honourable Member is endeavouring to get me to take a particular route to Jordanstown, I will leave him with the county designations, from which I am sure he will be able to draw a certain conclusion.

North West 200

6. **Mr Storey** asked the Minister of Culture, Arts and Leisure to outline the level of support provided by his Department to the North West 200 road race in 2009. (AQO 2271/09)

The Minister of Culture, Arts and Leisure: The organisers of the North West 200 have reached a critical milestone. The event has grown to such an extent that the Coleraine and District Motor Club now deems necessary a strategic and co-ordinated approach to its management.

Officials in my Department have been working closely with the Department of Enterprise, Trade and Investment, the Northern Ireland Tourist Board and Coleraine Borough Council to support the club in its efforts to secure the sustainability and growth of the event in the future. Measures include a three-year funding package to be delivered by my Department and the Northern Ireland Tourist Board.

The package is designed to respond to the developmental needs that were identified by the club and its key partners, including the appointment of a business development/operations manager, an upgrade of the events, web presence, and the identification of key partners across the public sector. The award in 2008-09 of some £85,000 will contribute towards the cost of employing a business development/operations manager and developing the organisation's website.

Mr Storey: I thank the Minister for his answer. I also thank him for the support and help that he and his Department have given to the North West 200, which is the premier sporting event in Northern Ireland and which attracts many thousands of people to the north coast each year. Will the Minister outline what impact the closure of the Ballymena to Coleraine railway line on 16 May 2009 will have on this particular sporting

event, given that its important 80th anniversary race day will be held on that day?

The Minister of Culture, Arts and Leisure: The Member quite rightly alluded to the importance of the North West 200 and its existing pulling power as regards spectators. He also quite rightly alluded to the fact that it is the largest outdoor sporting event in Northern Ireland. In fact, the North West 200 is one of the largest sporting events on these islands. Therefore, it is important that we do whatever we can to promote, sustain and develop that event.

The issue of the potential railway line closure is a matter for the organisers of the North West 200 — the Coleraine and District Motor Club. However, the club has raised some concerns with me about the closure. Given the tourism potential, I have spoken to the Minister of Enterprise, Trade and Investment, and we have written jointly to the Minister for Regional Development to ask him to ensure that every effort is taken to provide commensurate bus arrangements during the week of the North West 200 and to provide a pre-publicity campaign to advise travellers of the change. We must ensure that we sustain, built on and develop the North West 200 in the same way as has been done in the Isle of Man with the TT races there.

Foras na Gaeilge: Minutes of Meetings

7. **Mr McCausland** asked the Minister of Culture, Arts and Leisure what progress has been made in requiring Foras na Gaeilge to publish the minutes of its meetings in both English and Irish on its website as soon as they have been ratified. (AQO 2272/09)

The Minister of Culture, Arts and Leisure: At the last North/South Ministerial Council meeting in language sectoral format, I discussed with the Irish Republic's Minister for Community, Rural and Gaeltacht Affairs the issue of making minutes of Foras na Gaeilge board meetings available in English. That is being followed up by departmental officials, who raised the issue with the chief executive of Foras na Gaeilge at an accountability meeting in Belfast on 27 February.

Mr McCausland: Does the Minister agree that, although Irish is the working language of that body, it has a bilingual website and that making the minutes of its board meetings available on the Internet in English would facilitate engagement with the wider community who do not speak Irish?

The Minister of Culture, Arts and Leisure: The short answer is yes. Everyone accepts that the working language of Foras na Gaeilge is Irish. However, with regard to the need for accountability and transparency, particularly for bodies that receive significant public funding, it would not be unreasonable to ask that the

activities of their boards be made easily accessible to the majority of taxpayers, whether they are residents and citizens of Northern Ireland or the Irish Republic. The first language of virtually all of those taxpayers is English.

4.00 pm

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

PRIVATE MEMBERS' BUSINESS

Social Security Offices

Debate resumed on motion:

That this Assembly calls on the Minister for Social Development to withdraw her plans to revise services at Social Security Offices as recommended under the Strategic Business Review, following a similar decision being taken in England. — [Mr G Robinson.]

Mr Bresland: I welcome the opportunity to speak in the debate. We are all aware that the unemployment level is rising drastically and that the situation will get much worse before it gets better. At a time when record numbers of people are facing unemployment, the Minister is proposing to remove services from offices and to relocate staff. Those proposals should be withdrawn given the current economic climate.

A large number of people are coming into the benefits system for the first time, and the offices should be open to assist them. Those people need a system that is easily accessible and constant, not one that is in the midst of radical changes. Things are difficult enough for those people at the minute without changing the method by which they will receive their only source of income. Hopefully, that will only be their source of income for a short time.

The proposed relocation of staff and services could, once again, leave rural areas disadvantaged in comparison with urban areas. Relocating staff will not move people to rural areas; instead, they will be taken from rural areas to work in urban offices. The discrimination against rural areas that goes on time after time in Department after Department must not be allowed to continue.

The Minister is focusing on her proposed reforms rather than directing her attention towards assisting those who are, or who will soon be, unemployed. That is an unacceptable course of action. Why should the public suffer because the Minister wants to change a system that has worked for over 40 years? If the Minister suddenly found herself unemployed, she would not relish the prospect of having to travel a long distance to deal with a system that is in the midst of drastic changes. If she were in that situation, she, like those who experience it every day, would rather deal with the current familiar system.

In England, the response to rising unemployment has been to halt the closure of offices and to employ more front line staff to assist people who are newly unemployed. The Minister seems to think that her

current proposals are a much better way to address the problem — we all know that those proposals will fail and will leave many people much worse off.

The Minister should follow the example set by Westminster to help the unemployed rather than ignoring it and going in the opposite direction. Therefore, I call on the Minister to withdraw her planned reforms and to focus on assisting the large number of people who are unemployed in order to get them through this difficult time.

Mr P Ramsey: Over recent weeks, I have had several conversations and meetings with staff from the Social Security Agency. They have major concerns about the impact that the implementation of the strategic business review would have on staff and claimants. As a representative for Foyle, I am concerned about the long-term impact on jobs in my constituency; the number of people claiming income support will reduce as people transfer to other benefits because of the new social-security rules on entitlement.

I will focus on the key concerns of staff and claimants, particularly the loss of core services. Staff in the west are concerned that they would have to travel from Derry to Omagh or to Enniskillen, and I have no doubt that staff in other centres have similar concerns. The one-way journey from Derry to Omagh takes 80 minutes, and it takes two hours to travel from Derry to Enniskillen. Such long journeys would have an adverse effect on people with dependants, and would add considerably and unnecessarily to the time spent away from home. They would also be totally at odds with Northern Ireland's sustainability strategy.

Customer service would also be affected. Staff are concerned that the redesign of offices would diminish personal contact with service users and lead to a greater reliance on telephone services. According to a recent survey of the long-term unemployed in Wales, 67% of men aged between 18 and 24 had communication difficulties. I am concerned that the same client group in Northern Ireland would be directed to a telephone service rather than to a personal face-to-face service from a client adviser.

Staff also expressed the legitimate concern that a centralised approach to the processing of benefits would reduce the extent to which they can adopt a personal approach. At present, they are familiar with clients' situations and can prioritise work on claims from families or individuals who are under exceptional, or particular, pressure.

Staff in my constituency have discussed the projected number of claimants for income support that, according to the plan, would be processed from the Foyle office. They are concerned that changes in eligibility rules will, over time, reduce the number of claimants of that benefit. Such a reduction would have

a disproportionately negative impact on jobs in the Foyle office.

It is widely accepted that all public services must be made more efficient to improve their delivery. That will involve the management of change, but those changes should make sense.

I welcome the fact that the Minister has publicly signalled that she is listening carefully to staff and taking their concerns on board. I call on the Minister to outline to the House the feedback that has been received from the consultation so far, and I ask her to signal the decisions that she is likely to make on several issues.

I understand, from reading written parliamentary questions, that 200 civil servants who work for DSD in the greater Belfast area are seeking transfers to the north-west. If those should go ahead, how significant would be the loss in the provision of core services, such as jobseeker's allowance and the social fund, from the Foyle constituency?

Members are aware that working conditions in many social security offices must be improved; they are not fit for purpose and must be upgraded and modernised. Will the Minister assure the House that every consideration will be given to the concerns raised during the consultation process and by Members today, particularly about the relocation of core services?

Mr Irwin: I welcome the opportunity to contribute to this important debate, and I thank the Members who brought the motion to the House. The issue causes particular concern in my constituency, where the services available at the Armagh social security office are under review. It is proposed to relocate to Dungannon and Newry some of those services, and a proportion of the staff who process jobseeker's allowance and income support claims.

I have already made my feelings clear on the issue in the press and by way of questions to the Minister, as well as through the local council in Armagh.

It seems ludicrous to the staff and to those who use the services in Armagh that, at a time when enquiries and visits to social security offices are at an all-time high, the Department for Social Development is thinking of reducing the staff complement and moving the processing services out of the Armagh area.

The Armagh office has over 2,000 callers a month, and that will rise in light of the economic situation. It does not make sense to talk of cuts and staff relocations in the midst of difficult economic times when people are losing their jobs and immediately accessing the benefits system. Staff with whom I have spoken are, rightly, concerned that the proposed new telephone services will remove the necessary face-to-

face contact that the public require and that that will be followed, in turn, by possible staff cuts.

I am involved in a campaign organised by Armagh City and District Council to help to prevent job losses and the reduction of services in the city and surrounding areas. The Social Security Agency situation is a significant concern, as are health services in Mullinure, Longstone and St Luke's Hospitals.

The Minister must come to her senses on this issue— especially in Armagh, where the city's public sector is under increasing strain. I ask the Minister to withdraw the review and to prevent a reduction in services in the Armagh office and, in turn, to prevent a further reduction in public-sector employment in Armagh city. Many other parts of the UK have seen an increase in the number of staff being recruited at job centres to deal with the obvious rise in demand. Why is the Minister pursuing an altogether different approach in Northern Ireland, given that we are facing similar difficulties?

Mr A Maginness: The motion is fundamentally flawed, irrespective of the merits or demerits of the actual proposals that have been put forward in the strategic business review of the Social Services Agency. It is flawed because the basic premise is that a similar plan has been withdrawn in Britain. That plan has not been withdrawn; it has been suspended. The two plans are significantly and substantially different.

In the English plan — indeed, it is a programme rather than a plan — 50,000 jobs have been lost. More than 400 front line offices have been closed, and there has been a 90% decrease in processing centres. If that were translated to Northern Ireland, one would have a proposal — not a programme, but a proposal — to close 50% of our public offices. There is no such proposal here. Not a single public office will close.

The English programme would have resulted in there being two processing centres in Northern Ireland. The plan is to retain 16 of the present 35 processing centres. There are significant and substantial differences between the English programme —

Mr Simpson: Will the Member acknowledge that he is playing with words, because I think that the wording of the Department's proposal is that no offices will close at this time?

Mr A Maginness: I am not playing with words at all; I am reflecting what the proposals represent. If anyone needs any reassurance, the Minister can give reassurance on that point.

The situation here is quite different to what is happening in England, upon which the motion is premised. In England, a programme has been suspended, whereas over here we have proposals. Of course, those proposals were conceived under direct rule; they were

inherited by the Department and the Minister, and although they have undergone public consultation, which ended in January 2009, at this stage, they are merely proposals.

4.15 pm

Although the proposals have been criticised publicly, I am certain that when the Minister and the Department come to a final decision, they will take all meritorious and constructive criticisms into account. That is the nature of our democracy: one publishes proposals, there is public consultation, and then there is a debate.

Members have said that concerns have been articulated by the trade unions involved with the Social Security Agency — and rightly so. I am confident that the Minister will be sympathetic to constructive observations and criticisms. However, it is wrong to completely close our minds to any changes to a system that has been operating without real change for 40 years, and it is important that we make the system work as efficiently and productively as possible for clients.

Some Members emphasised — no one more so than the previous Member who spoke — the fact that we are in the middle of an economic crisis. Therefore, we must have an efficient system that is empathetic to users' needs. Once again, I am certain that the Minister will take that into consideration.

I am confident that the Department and the Minister will mitigate the worst features of the proposals. In particular, I am certain that a sympathetic hearing will be given to staff members who must travel long distances, particularly those on part-time contracts and those who have caring responsibilities.

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

Mr A Maginness: I close by saying that the motion is fundamentally flawed and should be rejected. We should await the Minister's due consideration of the proposals.

The Minister for Social Development (Ms Ritchie): I thank all Members who contributed sensibly to the debate. Once again, I welcome the opportunity to deal with the misinformation and misplaced opinions that continue to be circulated about the strategic business review proposals by those who appear to be opposed to any change in the Social Security Agency, or, indeed, by those who seek any opportunity to score cheap political points.

Before today's debate, some people called on me to suspend the public consultation process. I have never heard anything so daft coming from supposedly serious politicians. I am determined that the public have their say. I will not deny people that right, and I am sure that all 108 MLAs want the public to have

their say. Do Members want to cancel the public's right to have their say or to go against their wishes?

When I have had a chance to consider what all the stakeholders think, I will take full account of their views, along with my own, and outline the way forward.

The motion calls on me to withdraw my plans to revise services at social security offices, following a similar decision in England. The decision that was made in England is not remotely similar; in fact, the two are completely different and unrelated. In that respect, as my colleague Mr Maginness said, the motion is fundamentally flawed.

I recall something that the First Minister said in a debate on a different issue — I think that it was last week. He said that there is a difficulty with tabling motions in the middle of a consultation period, before Ministers can make decisions.

Notwithstanding that, I will provide the House with some facts. The Department for Work and Pensions has temporarily suspended its programme of office closures. The Department for Social Development and the SSA are not proposing any office closures. In Britain, 454 front line offices have been closed, and the number of processing centres has been reduced by over 90%. If we were to apply that proportionately to Northern Ireland, we would have half the number of public offices and only two processing centres. Some 50,000 jobs have been shed in Britain and large numbers of staff have been displaced great distances across that expanse of territory. I have made my position abundantly clear, and I will do so again here today: there will be no unfair or draconian changes of that kind in Northern Ireland.

I will not accept change that involves large numbers of staff moving long distances to new places of work, and I will not accept change that causes hardship to low-paid, part-time staff or staff with childcare or other caring responsibilities.

Contrary to what has been put around in the media by Sinn Féin and others, no one — and I emphasise, "no one" — will lose his or her employment as a result of any changes that I introduce. Recently, I instructed the Social Security Agency to recruit 150 new staff to meet growing demand at the front counter, and I have also said that I want the agency to review that on an ongoing basis in the context of the credit crunch and the economic downturn. Therefore, I am listening.

No public office will close. Social Security Agency offices will continue to deliver the full range of front line social security services, people will continue to be serviced by their local office, and a walk-in service will continue to be available. That will not be replaced by a telephony-based system, as has been put around. Telephony is additional to the services that are provided already.

Change is not about job cuts or office closures; it is about providing an improved service to all the people whom we represent throughout Northern Ireland. I am committed to providing the best service possible for the people who use the Social Security Agency. Members are right: this is about delivering for and serving the needs of all the people.

There has been misinformation about telephony. Should people not be entitled to conduct their business with the Social Security Agency by telephone, if they find that more convenient? Should they not have that choice? Why should we want to deny them that choice?

The social security structures in Northern Ireland are over 40 years old. They are based on a service model that sees people having to travel to district offices, regardless of whether they need or want to. Reform of the service is long overdue, and I am determined to ensure that that happens. The Social Security Agency cannot stand still.

I ask this question of those Members who called on me to withdraw my plans for change: do people in Northern Ireland deserve an inferior service to that available to citizens in Britain? I do not believe so, and I believe that the overwhelming majority of Members would agree with me that the people of Northern Ireland deserve a service as good as — if not better — than that enjoyed by citizens in Britain.

I remind Members that the proposals are simply that: proposals. During the consultation process, I have listened carefully to concerns regarding the potential impacts on staff, as well as other concerns that were raised. As I said, I also have my own concerns.

Turning to the issues raised by Members. George Robinson was worried about the backlog in processing. I am sure that George recognises that we have to try to improve how processing is done to ensure that benefits get to people in a more timely fashion. Mickey Brady said that we must put the customer first — I agree with him. Our priority is to improve the service for people, but how can that be done if nothing changes? As usual, Mr Brady wants to have it every way.

David Hilditch and Billy Armstrong raised the issue of telephony, but I say to them and to other Members that telephony is an additional option to the walk-in service. Thomas Burns raised various issues, and I agree with him that we must complete the consultation exercise. I note the point that Anna Lo made about creating upheaval at this difficult economic time — when I bring forward my proposals, she will see that her worries about major upheaval have been unfounded.

Claire McGill raised issues about Strabane — I note those issues and I share her concern about the distance travelled by staff. I repeat, and I emphasise, that I will not accept a solution that involves large numbers of staff having to travel long distances to a new place of

work. Adrian McQuillan was concerned about staff travel and work-life balance, as were others. Those concerns will be reflected in my future proposals.

George Savage said that staff have been ignored — I do not believe that to be the case, because in the past number of weeks I have met many SSA staff who clearly articulated their concerns about their childcare responsibilities and their caring responsibilities for older people. I have listened to those concerns. I place great importance on good-quality consultation with all stakeholders.

Michelle McIlveen mentioned my colleagues' opposition to this motion in the Committee for Social Development. However, today's motion is based on a false understanding of the situation in Great Britain and is, therefore, flawed, so my colleagues are entirely right to oppose it. Michelle also stated that she generally supported reform, and then argued against it on the grounds of timing — I will reflect on that.

Daithí McKay was concerned about the workers — so am I; he was also concerned about the unemployed — so am I. However, I am also concerned about delivering the best possible service for all the people of Northern Ireland. Allan Bresland raised the issue of unemployment, particularly in an economic downturn, and the fact that there would be a greater impact on the work of Social Security Agency staff. That is why I gave instructions for 150 new staff to be recruited and trained.

My colleague Pat Ramsey raised the issue of the effect on staff and claimants, and asked that I give thoughtful consideration to all the issues raised by Members today — I will give thoughtful consideration to all the issues raised by everyone across the Chamber.

Alban Maginness made the point that the motion is based on a false premise, and he argued that Members should be confident not to close their minds to change when change involves improving a service to the people whom we represent and who we want to ensure get the money that they are entitled to.

4.30 pm

William Irwin talked about the situation in Armagh. There will be no reduction of service in Armagh, and I hope that that service will be improved. I have talked to some of the staff in the Armagh office and understand their concerns about having to travel long distances. I am examining how I can retain what is good about the current proposals, while mitigating any unfair or unreasonable impacts, particularly on staff or clients. I also recognise that during this economic downturn, when there is a growing workload in the agency, major upheaval is undesirable.

When I have fully considered the issues raised during the consultation, I will return to the House and present it with substantially revised proposals. I will

also publish them in the equality impact assessment consultation paper. Members will see from that paper that I am listening carefully, and that I was right not to abort the consultation process.

We are in the first phase of our new accountable democratic institutions, and it is only natural that, as politicians, we try to please as many people as possible — most of the time. Immature politicians will succumb to the temptation to exploit people's fears and anxieties to score cheap political points. However, I believe that more maturity is required in Government. It would be wrong to abandon a worthwhile initiative just because a lobby or vested interest might be unhappy about some aspect of it. We should never throw the baby out with the bath water when we look at policy development and reform.

I will return with revised proposals, which, I believe, will be in the best interests of our constituents and the wider public in Northern Ireland. It is important to remember that we have a duty to bring about hope and expectation, and not to ferment anxieties. I understand that there are concerns, and I am listening to those. Members must wait to see what my revised proposals will contain, because that is what people are entitled to expect.

Mr McCarthy: Is it not the point that the Minister's Committee unanimously agreed that she should defer the proposal? If she is a listening Minister, surely she should be listening to what the Committee says.

The Minister for Social Development: I have listened, and I am listening, to what everybody has to say. I will go back to the premise of the motion: it is based on a false premise, and the motion is flawed. Notwithstanding that, I will return to the Chamber with revised proposals, which, I believe, will be in the best interests of all of our citizens across Northern Ireland, irrespective of where they live or where they receive their social security services. It is in the best interests of our citizens to ensure that they receive the benefits to which they are entitled, and we must have a system in place that allows for that to happen.

I know what the concerns are. I have listened, and I know all about the staff whom we employ —

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

The Minister for Social Development: I want to pay tribute to them. That is what the public is entitled to expect from the very best-quality Social Security Agency. I pay tribute to all the staff who work there.

Mr Deputy Speaker: Order. The Minister's time is up. If the Minister is a listening Minister, she will have heard that I called time after 15 minutes.

Mr Simpson: Before I wind on the motion, Mr Deputy Speaker, I wish to pay tribute to the two

soldiers who were brutally murdered and to those who were injured at the weekend. Our thoughts and prayers are with the injured and with the bereaved families.

I do not speak as Chairperson of the Committee — the Deputy Chairperson spoke on behalf of the Committee. I commend my party colleagues for tabling the motion. It has been pointed out already that staff in social security offices work under severe pressure from day to day, and they do not always receive praise or get credit. Sometimes, they are on the receiving end of criticism from people such as me, dealing with constituents' problems.

Be that as it may, the truth is that staff in social security offices seek, on a daily basis, to do their utmost to deliver the best outcome for members of the public. They often have to deal with people in financial crisis and do so, frequently, in the midst of a backlog. In the current economic climate, that can only mean that staff are even busier and are under ever more strain, for which they deserve everyone's thanks.

Whatever individual Members have said, I hope that the Minister accepts that we have tabled the motion only in an effort to ensure that issues related to processing benefits are got right in the current economic climate, in which unemployment is already on the increase and is expected to rise even further during the year.

Mr Shannon: Does the Member agree that staff in social security offices, particularly in Newtownards and Downpatrick, are greatly concerned because they feel that they have not been fully consulted? They also feel that they have been asked to flit from one office to another, which I consider to be unfair. Most importantly, benefit recipients are worried that they may no longer receive the level of care and attention that they have received in the past.

Mr Simpson: Yes, I agree that there is grave concern. The Member knows, and other Members who represent the area know, the details of the offices that he mentioned, but I certainly agree that there are great concerns. It may be that local offices will not be closed, but there is very real concern that the services available in local offices will be affected, and we have heard many of those concerns expressed in the debate. I will try to deal with a number of them as quickly as I can in the time allotted to me.

George Robinson, who moved the motion, expressed to the Minister the urgent need to address the demand for an increase in front line services. He said that current proposals are on a wing and a prayer and he encouraged the Minister to look at what has happened in DWP offices in England, where staff face burn out and where there is concern for vulnerable people such as senior citizens.

Mickey Brady said that customer service is paramount, and that the current proposals would bring

that service to a very low ebb. He also said that face-to-face services were essential, and that the phone system was not fit for purpose.

The Deputy Chairperson of the Committee, Mr Hilditch, made the point that the Committee had been briefed by the Department and had taken evidence from NIPSA. He and the Committee believe that the review was ill-timed due to the economic downturn. They regard the lack of childcare provision as a major issue for working mothers.

Billy Armstrong said that Magherafelt and Cookstown are very high unemployment areas in which the level of unemployment may reach 50,000. He also said that staff found it difficult to cope with their current workload.

I did not understand where Mr Burns was coming from when he put the question about the 2012 Olympics to the Minister of Culture, Arts and Leisure, but I have had it confirmed that he is training for the Olympics. I do not know what Mr Burns would look like were he to appear in a leotard in 'Folks on the Hill' — I look forward to seeing that — but he is performing somersaults. It is obvious that he is training for the Olympics, because in the Committee —

The Minister for Social Development: He has listened.

Mr Simpson: Well, her colleague who sits on the Bench behind the Minister has not listened, nor has Mrs Kelly from Upper Bann. However, I will say that Mr Burns and Alban Maginness unanimously agreed with the proposals in the Committee. Therefore, they must have been promised a job. If one checks the Committee minutes, it will be seen that the decision was unanimous.

In fact, when I put questions to the Committee, I purposely looked at the two SDLP members, because I knew that the thumbscrews and the pressure would have been applied, and they shook their heads in unity.

I do not know what has happened between then and now, but there has, obviously, been an issue with the Minister. However, that is, perhaps, something to which we can return.

Mr Pat Ramsey's comments were very welcome. He highlighted concerns about travelling from Londonderry to Omagh, the lack of time, personal contact, face-to-face interviews and the negative impact on jobs. Claire McGill referred to this being a big issue in Strabane: 1,400 people are on the list for jobs, and, I think, only 20 jobs are available. She said that travel arrangements are, again, an issue.

The Minister said that she will bring revised proposals back to the House. I wonder whether those revised proposals will go out for consultation, but it will be interesting to see what they are. However, I

welcome the Minister's tone, and her expressions were very good — she would make a very good actress.
[Laughter.]

Mr A Maginness: You are not bad yourself.
[Laughter.]

Mr Simpson: I do not have the physique for it.

In relation to the mood and tone of the Minister, I think that she is weakening her position — despite her façade. Perhaps, as a Committee, we will look favourably upon those revised recommendations. However, we will have to see what those recommendations will be.

People have major and very real concerns. Although we are told that there will be no redundancies, I fear that because of the proposals that are before us, young females who went off work to rear their children and to go back into part-time work will be forced to resign from their jobs. In effect, that could be constructive dismissal.

Therefore, I urge the Minister to go back to her advisers and to consider that matter seriously. I know that she said that she has taken everything on board. That is important, because there is a major economic crisis. There are a lot of job losses, a lot of concerns, a lot of stress and anxiety on people who, quite frankly, do not need it. Many vulnerable people have concerns. Therefore, I ask the Minister seriously to look at the whole situation. We will certainly look at the proposals that she will bring back, I assume, to the Committee as well as to the House. I wish that we had the same control on thumbscrews on this side of the House as the Minister seems to have.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister for Social Development to withdraw her plans to revise services at Social Security Offices as recommended under the Strategic Business Review, following a similar decision being taken in England.

PRIVATE MEMBERS' BUSINESS

Country-of-Origin Labelling

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

Mr Irwin: I beg to move

That this Assembly recognises the importance of adding value to local produce in an increasingly competitive international market; notes the benefits of having rigorous traceability systems; and calls on the Minister of Agriculture and Rural Development to ensure the early introduction of accurate country-of-origin labelling based on where animals are reared.

As a farmer, I declare an interest in this issue. I very much welcome the opportunity to propose the motion, especially given the difficult economic times in which the agriculture industry finds itself.

Northern Ireland produce is, clearly, among the best in the world. Our beef, pork, lamb and poultry is of a very high standard, and our traceability systems are rigorously enforced. That, I believe, prevented the EU from banning exports after the recent dioxins scare.

Our traceability arrangements proved their worth as affected farms were quickly located, certain products were removed from shelves and the affected herds closed.

4.45 pm

It is true that the EU has stringent requirements on the labelling of products to ensure that no member state actively discourages the sale or purchase of meats from another member state. However, there are many steps that our Administration could take to increase consumer awareness of the very high quality of Northern Ireland produce. They could, without breaching the rules, make consumers aware of the benefits of buying local produce.

The EU regulations on the labelling of meat products contain a major loophole that supermarkets have long been exploiting. A mince pie can be labelled as British, and, as such, give the consumer the impression that it is made from meat from animals reared on British farms. However, the labelling relates only to the place where the product last underwent a treatment or process that resulted in a substantial change — for example, mince being put in a pie. That is wrong; as consumers, we are not aware that the meat might have come from a country with less stringent production values and quality control than our own. Thus, the labelling is misleading. The ruling is detrimental to our industry, and it demands to be rectified.

Independent industry champions, such as the Livestock and Meat Commission for Northern Ireland (LMC), have been working hard to promote our local produce, both at home and abroad. A recent LMC survey showed that six out of 10 Northern Ireland consumers want to know the origin of the beef served to them when they eat out. The food service sector is one sector in which labelling regulations are not enforced, and there is consumer-led demand for product origin to be made known in that sector. The Minister states that she is working on a pilot scheme with the Food Standards Agency (FSA) and the LMC, but she still appears reluctant to commit, even though, in the recent LMC survey, consumers clearly demanded greater awareness of the origin of beef.

Respondents to the survey placed Northern Ireland beef well ahead for its freshness, quality and tenderness; indeed, three in five people picked Northern Ireland farm-quality-assured sirloin as their first choice. The evidence is clear: Northern Ireland produce is sought after. If we cannot encourage our consumers at home to buy that produce through clear labelling, how can we expect to be more effective in the exports market?

The LMC survey shows that if information is provided on the origin of food, Northern Ireland consumers will purchase Northern Ireland produce. That proves that loyalty to local produce is alive and well, and that what is lacking is the determination on the part of the Department of Agriculture and Rural Development and the FSA to push ahead and allow our local produce to be identifiable to consumers, not only here but across the EU. The Minister states that she is working with the FSA on an EU proposal relating to food information for consumers. I stress the need for a new proposal to give consumers the information on product origin that they demand.

During last year's dioxin scare, consumers realised that some products that were perhaps perceived as being strong Northern Ireland brands did not, in fact, originate in Northern Ireland. That was evidenced by the fact that the only pork that was left on the shelves and deemed safe to retail was Northern Ireland-sourced pork. The regulations on country of origin need a major overhaul, and there is much that the Department of Agriculture and Rural Development (DARD) can do to help the situation and to make the choice easier for consumers.

We need clear, plain labelling of our own produce that shows where animals were reared. The time, money and effort that farmers spend in producing high-quality products demand that our consumers can easily identify a local mince pie, sausage, steak or lamb chop from among products that have been processed in the UK or Northern Ireland but which

contain meat that has not been sourced in Northern Ireland.

Surveys show that consumers demand more clarity, and it is up to the Department, in conjunction with the FSA, to ensure that they get that clarity. Our industry would be much stronger today if such labelling were in place. I ask the Minister to redouble her efforts to address that issue.

The Deputy Chairperson of the Committee for Agriculture and Rural Development (Mr Elliott): On 13 March 2008, the Committee for Agriculture and Rural Development hosted a seminar in the Long Gallery in Parliament Buildings to identify actions needed to revive Northern Ireland's red-meat sector, and it followed the publication of a report by the Red Meat Industry Task Force. The seminar was attended by representatives from the farming community, local processors and retailers such as Tesco, Sainsbury's and Marks and Spencer. Also in attendance were representatives from the Ulster Farmers' Union, the Northern Ireland Agricultural Producers' Association, the Livestock and Meat Commission, the Department and, of course, Committee members.

Five key priorities were discussed at the seminar, and recommendations were made on how to counteract the downward trend being experienced in the red-meat sector. A common response that was evident across those priorities was country-of-origin labelling. It was seen as one action that would enable the industry to compete on price with low-cost suppliers. It was also seen as a means of bridging the gap between loss and profitability right at the farm gate, and as a means of providing additional value to our produce in Northern Ireland.

In recent weeks, the Committee has received presentations from organisations such as Farmers for Action and Ballylaw Farmers Group, and they are still demanding that the Minister and her Department introduce country-of-origin labelling. However, unfortunately, they are still receiving the same tired excuse that Committee members received when we raised the issue a year ago, and, no doubt, we will hear it again later in the debate, that the Department can only legislate for red meat as far as the retailer, that the Food Standards Agency is responsible thereafter, and that the Minister has introduced a voluntary labelling scheme with restaurants, rather than a compulsory scheme, while she considers her options.

The Committee has generated a great deal of correspondence with the Department on the matter, and we have considered the Department's responses to our calls for an appropriate labelling scheme that allows consumers to easily identify our quality Northern Ireland red meat.

The Committee does not accept the excuse that the Department has only part responsibility for legislating in the matter, particularly when the Northern Ireland Executive strive, through the Programme for Government, to ensure that there is joined-up government. That is a lazy excuse from the Department, which almost says that it cannot be bothered. It is an excuse that is unacceptable to the Northern Ireland industry and to consumers wanting to be better informed about the produce that they are purchasing — the same consumers who want to support local produce. There is nothing to prevent the Department from working with the Food Standards Agency to introduce a clear, precise, informative and understandable labelling system, other than for the Department to have a lackadaisical attitude towards country-of-origin labelling.

With regard to the voluntary scheme, the Committee learned at its meeting on 17 February 2009 that the voluntary labelling pilot scheme, involving origin labelling of beef in the food-service sector is being operated in all 14 of the Botanic Inns outlets. Feedback indicates that in the outlets where the scheme is operating, the voluntary pilot has been viewed positively by the business and its customers.

The Committee applauds that restaurant group for its active participation in the scheme, but we are of the view that the voluntary scheme has failed. Indeed, when we asked the departmental officials whether DARD had participated in the scheme, they could not confirm that, and they confused the matter with procurement policies.

This is not about procurement, it is about consumer choice. It is about consumers being informed of where their food has come from and then making a choice as to whether they wish to purchase it.

It is a sad indictment of DARD, which is leading on its own voluntary scheme, but it is not even aware whether it is participating in it. It is a sad indictment on the Department if we are subsequently to have it confirmed that it did not, or does not, participate in the scheme, and that it is not cajoling the remainder of the public service to participate in it.

That is evidence — if evidence is required — of the need to introduce a compulsory scheme. The motion recognises the need —

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

The Deputy Chairperson of the Committee for Agriculture and Rural Development: — for country-of-origin labelling to be introduced in order to allow our industry to compete in an increasingly difficult market.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I am grateful for the opportunity to speak on this issue. It is important that we deal with this

matter, but it is unfortunate that the motion has been directed at the wrong Minister.

The Food Standards Agency is the responsibility of the Minister of Health, Social Services and Public Safety, and labelling is clearly within the remit of the Food Standards Agency. It would be very simple for the Health Minister to act in conjunction with the Department of Agriculture and Rural Development to provide proper labelling of meat products and, indeed, the wide range of products that are produced on farms.

The issue of labelling also affects imports into this country. The local mushroom industry has been devastated by produce that is imported from other countries and re-labelled as having been processed here, and which then competes in the local market.

Ms Ní Chuilín: I would not usually make an intervention on an agricultural question, but Jim Shannon speaks on everything, so I may as well do it, too.

The Member mentioned the Food Standards Agency and stated that labelling is more closely linked to the Department of Health, Social Services and Public Safety than to the Department of Agriculture and Rural Development. Given that the FSA will receive almost £50 million over the next three years, based on the principles of better regulation, does the Member agree that labelling of meat products is exactly the sort of case in which the Food Standards Agency should have more authority and the ability to impose better regulation?

Mr Molloy: I thank the Member for the intervention, and I agree with the point that she raised. The responsibility for this issue should lie with the Food Standards Agency. Those with the responsibility for labelling should take on that responsibility and ensure —

Mr T Clarke: The Food Standards Agency has some form of responsibility for food labelling, but does the Member not accept that the Agriculture Minister is responsible for agriculture? At the last Committee meeting, a question was asked about how much the Agriculture Department had lobbied the Food Standards Agency. According to my recollection, it had done none.

Mr Molloy: I thank the Member for the intervention. The responsibility for labelling falls to the Food Standards Agency, and the Minister of Health, Social Services and Public Safety is responsible and accountable for the Food Standards Agency.

Ms S Ramsey: Will the Member give way?

Mr Molloy: OK; I will get to make my speech yet. *[Laughter.]*

Ms S Ramsey: As a member of the Committee for Health, Social Services and Public Safety, I assure the Member that legislation and matters concerning the Food Standards Agency regularly come before us. We

ask probing questions, and we will take on board some of the issues that are raised in today's debate. Indeed, those are issues that I, and other members of Sinn Féin, raise on a regular basis.

Mr Molloy: I thank the Member for the intervention. It is important to state, once again, where the direct responsibility for this matter lies. The Food Standards Agency has a direct responsibility, and the Health Minister is responsible for that agency. The local Assembly enables us to regulate and to move within different Departments, and, obviously, we want joined-up government.

Recently, there was the issue concerning dioxins and who had the priority responsibility for responding to that matter. The Minister of Agriculture and Rural Development had responsibility for the farms aspect of that matter. However, it was the Food Standards Agency that had responsibility for the clarification, labelling and storage of those products and how they were to be taken off the shelves. The Minister of Health, Social Services and Public Safety is responsible for the Food Standards Agency, and, therefore, his Department should deal with that matter.

The Department of Health, Social Services and Public Safety should also be the one that responds to the issue of labelling — the motion is misdirected. It is important that the Health Minister takes up the issue, takes responsibility for the Food Standards Agency and facilitates negotiations with the Department of Agriculture and Rural Development on other aspects of import legislation to ensure that produce is properly labelled. People must know a product's country of origin and that it is not simply a matter of reprocessing or re-labelling imports and selling them as though they were created in this country.

It is unfortunate that the opportunity to have the Minister of Health, Social Services and Public Safety respond on behalf of the FSA has been missed.

5.00 pm

Mr P J Bradley: I declare an interest as someone who has a few cattle, not that they would keep many meat plants going. I also receive a single farm payment.

I support the motion, which calls for greater recognition to be given to local produce. Housewives and consumers would be more than supportive of locally produced foods if they were certain that the products purchased were of Irish origin or reared in farms across the water in Scotland, England or Wales. I would even so go so far as to say that those making the selection would be prepared to pay a little extra if they were assured that what they read on the label is accurate.

The current labelling system in our supermarkets is far from satisfactory. Apart from needing a magnifying

glass to read the information, one often requires an in-depth knowledge of the English language to understand what the wording really means or what the labels are trying to tell the consumer.

The Committee has previously met with representatives of supermarkets, who are also playing the word game. We heard them speak of supporting local producers, voluntary agreements and their wish to support the local economy. However, we were unable to make demands of them. It should be mandatory to show clearly, in large print, on produce displayed on supermarket shelves and in restaurants, the product's country of origin and where it was reared. Not until then will we be able to achieve what we know to be best for producer and consumer alike. That applies especially to red meat and poultry.

The motion deals specifically with labelling and country of origin. However, for fish, poultry and pork that are sourced thousands of miles from our shores and allowed into our supermarket shelves, some form of agreed labelling that assures consumers that the product is free from residues of synthetic growth promoters must be included on the information label. That field is complicated, because antibiotics that are used to promote growth can encourage bacteria that are more resistant to antibiotic treatments, and that makes them more difficult to detect. However, that is another good reason why the housewife and consumer should be given the maximum information on the descriptive label.

I return to the subject of beef labelling. Recently, some Members learned from a DARD press release — we have heard it debated whether this is an issue for DARD or the Department of Health, Social Services and Public Safety (DHSSPS), but this comes from a DARD press release — of a meat plant that was fined for failing to comply with the requirements applicable under Commission Regulation (EC) No 1825/2000, as enforced by regulation 5(1) of the Beef Labelling (Enforcement) Regulations (Northern Ireland) 2001. In the information provided, we were told that there are compulsory requirements in the legislation that relate to establishing a link between meat products and each particular animal or group of animals. There is a requirement to state where the animal is slaughtered and cut, and we are also advised by the DARD information that, on 1 January 2002, further requirements were introduced that specifically relate to declaring where the animal was born and where fattening took place.

I do not want to comment on the conviction, but I consider the regulations that led to that charge's being brought to be somewhat petty. The cattle processed were from farms located but a short drive-time away, albeit in a separate jurisdiction. Perhaps the Minister will let us know her views on the prosecution of that Northern plant by her Department for failure to make it

known that the beef in question was sourced in the Republic of Ireland.

Legislation to improve food labelling should be made with a degree of flexibility, given our unique geographical and political identity. The Good Friday Agreement allows for the people of this jurisdiction to be Irish, British or both. If our food products were given the same flexibility, there would be times when we could identify with the popularity of the country of birth, rearing and processing, be that Ireland, Britain or both. For marketing purposes, in order to have the advantage of the best of both worlds, it must remain so, at least in the short term. I support the motion.

Mr T Clarke: Many good points have been made, and some that were not so good. I return once more to what Mr Molloy has said. Even after having listened to the debate on the social security offices, it seems that, on this issue, some Members apply protectionism for the benefit of Ministers from their political party. Where an agricultural practice is involved and the agricultural sector is affected, I do not know how the issue can be made solely the responsibility of the FSA.

Points have been raised in relation to the red meat task force report. We held a seminar here, and all sectors of the industry have agreed that there is a problem around the identification of meat. To try to protect the Minister, rather than the farming industry, is poor form.

Mr Molloy: I am not trying to protect anyone. It is the particular responsibility of the FSA to deal with labelling, and the responsibility for the FSA comes back to the Minister of Health. Whatever labelling requirements there are from the farming community should be passed on, and the FSA should enforce them.

Mr T Clarke: Perhaps the Member should listen to the lobbyists. When questions were asked of the Minister in the past, perhaps she should have listened to the sector and passed on to the FSA its concern in relation to labelling. It might be the direct responsibility of the FSA; however, it is up to the Minister to lobby on behalf of the agriculture sector and to push that forward. The FSA is not going to push something forward if it is not being lobbied by that particular sector.

I believe that many people in Northern Ireland would prefer to support local produce where possible. Research has shown that that will happen even if it involves a slightly higher cost for the customer. We all want more people to eat locally produced food so that we can support the local farmers and those associated with the industry. We know that Northern Ireland's produce has excellent traceability and we know that it is safe. However, the difficulty for many people is that they do not always know which foods are locally produced.

There is, of course, a difference between food that is reared locally and food that is processed locally, and that point was made by everybody who contributed to the debate. It is necessary for the Department of Agriculture to introduce labelling, or to pursue it with the FSA, so that people are not misled when making purchases.

Difficulties arise when a product is made up of ingredients that are sourced from different countries. That justifies the case for a clear labelling system which addresses those issues and makes it simpler for people to understand where the food that they are eating comes from. That would be of great benefit to the local agriculture industry, as I am sure that it would create an increased demand for locally produced food. As consumers become more aware of where their food comes from, many will opt for locally produced food as opposed to imported food. I support the motion.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. The motion in the names of Mr Poots and Mr Irwin — two experienced members of the Committee for Agriculture and Rural Development — recognises the importance of adding value to local produce in an increasingly competitive international market, and that is good. The motion notes the benefits of having rigorous traceability systems. However, it then goes way off-beam.

The point has been made that in so far as the FSA is accountable to anybody — and there is an issue around the FSA — it is accountable to the Minister of Health, Social Services and Public Safety. The only labelling responsibility that the Minister of Agriculture and Rural Development has is that of the labelling of beef. When I read the motion, knowing that the two proposers are very experienced, I could not put it together. I wonder if they are more interested in selling DUP politics than in selling agricultural produce. The motion does not make sense as it is so misdirected.

There are other sectors — for example, pigs, poultry, sheep — where some traceability exists between processors, farms and farmers that could indicate — and I stress the word “could” — where the animal comes from and from where the meat is derived. If the beef model is to be followed, and if it is to be adapted by other sectors, the whole system needs to be much more robust, and there would be a cost factor in that. I am not saying that I am against that, but the only good thing that I can see about the debate is, perhaps, that it will start to shine a light on the FSA, which, to a large extent, is unaccountable.

To the extent to which it is accountable, the motion is aimed at the wrong Minister.

Mr Bresland: I welcome the opportunity to speak to the motion. Accurate labelling of the origin of products is very important. Many farmers face financial

hardship because of the economic downturn, which is forecasted to go on for much longer. They see losses being made to foreign products that are labelled as products of Northern Ireland simply because the last significant change to the product took place here. As a result of that hardship, it is possible that many farmers will lose their farms, many of which have been in the same family for generations. Added support for those farmers and accurate labelling of the product's country of origin is needed.

It has been claimed that labels such as “Product of Northern Ireland” would not fool the general public, but if chicken from France were labelled as a product of Northern Ireland simply because it had been cut into strips and covered in breadcrumbs here, it would be possible that people would mistake that to mean that the chicken that was used in the product came from Northern Ireland.

The people of Northern Ireland want to know where their food comes from. Research has shown that, given the choice between home products and imported products, the majority of people will purchase the home products, regardless of its price. In the current recession, that added support for the local economy cannot be a bad thing. We have all seen the ‘good food is in our nature’ advertising campaign, and it should be followed by accurate labelling, which would allow the people of Northern Ireland to know where the products that they are buying originated from.

The Minister previously stated that she has not ruled out legislation in that area, but she said that she did not want to add to the bureaucracy in the industry and that there would be practical difficulties in implementing it. The additional bureaucracy has not stopped the implementation of legislation in other areas, and practical difficulties in implementing legislation have been overcome in the past and will be overcome in the future. The reasons that have been given for not introducing legislation appear to be little more than an excuse for a lack of action.

The Minister also stated on numerous occasions that her Department is responsible for the labelling of beef products only. If the decisions that her Department makes relate only to the beef sector, the reasons that have been claimed for the lack of legislation appear even more questionable. How much additional bureaucracy can really be created, and how many practical difficulties will arise by implementing legislation for one division of a larger area?

Accurate labelling to show the country of origin of animals that are used in products is needed, and I call on the Minister to ensure the introduction of such labels. I support the motion.

Mr McCallister: I welcome the debate, and I thank and commend the Members who tabled the motion.

The current regulations and advice on food labelling is at best ambiguous and at worst misleading. Regulations and advice do not require the food service sector to actively inform customers of the country of origin of beef and processed meat products. Goods are deemed to have been manufactured or produced in the country in which it last underwent a treatment or process resulting in substantial change.

The present laws are detrimental to consumers and to farmers in Northern Ireland and the rest of the United Kingdom. The current regulations create a situation of confusion for consumers. Consumers who buy pork sausages that are labelled "British" should be confident that the animal was reared and slaughtered in the United Kingdom. Consumers who want to actively support British farmers and producers must be able to do so.

Consumers who recognise the higher standards of British meat products should be given the confidence and ability to choose correctly. At present, food labelling is confused and unsatisfactory.

5.15 pm

We must restore trust and confidence in British food and in labelling in general, and the Minister of Agriculture and Rural Development has a key role to play in that. I bring to the Minister's attention guidance that has been given by the Scottish Executive, which suggests that if the term "Scottish" is used in the labelling of beef, the animal must have been born, reared and slaughtered in Scotland.

At present, Northern Ireland farmers can be associated with inferior products. The dioxins scare of recent months is a prime example, and we cannot allow our farmers and products to be associated with such a circumstance again. That is why it is critical that progress is made.

I also note and welcome the Conservative Party's 'honest food' campaign. It is a great encouragement to know that the next Government of the United Kingdom is committed to preventing non-British meat being labelled as British. The Conservative Party is committed to improving trust and confidence in British food and in labelling in general, and it is a genuine friend of farmers and consumers. I hope that the Members who proposed the motion will also welcome the Conservative Party's position on the matter.

I encourage the Minister simultaneously to bring the necessary pressure to bear on the Food Standards Agency and to produce further guidelines for the labelling of beef in Northern Ireland. During the current economic recession, everything possible must be done to help our food producers and to ensure that consumers are well informed. People will, quite rightly, look for the best bargain when they buy meat

products, and we should do all that we can to ensure that they get quality, healthy local produce.

The public deserve to have clear and concise food labels that not only detail nutritional information about various foods, but also clarify their origins. The vast majority of people in Northern Ireland and other regions of the UK want to eat home-grown produce that tastes good, is healthy and is produced to the highest standards. They should be able to do that with confidence, which will come only when necessary changes are made. I support the motion.

Mr Shannon: I declare an interest right away. I have first-hand knowledge of problems that have arisen from the lack of food labelling; the most recent case being the pork-contamination scare that occurred just before Christmas.

I had severe problems with the way in which that situation was handled at that stage when the Department was made aware of the impending issue on the horizon. During the early stages, DARD officials were unavailable for comment and were not contactable for assistance. As the telephone lines got hotter with calls from suppliers and from those who I supply, and with no information, guidelines or help at hand, we were kept up to speed with developments by a 24-hour news station. At that time, advice from the Department of Agriculture and Rural Development was non-existent. That was unacceptable. Indeed, as the scale of the scare continued to expand, more and more questions were raised that were not answered. I made that comment to the Minister at the time.

I was contacted by four major pork suppliers in my area of Strangford who were, understandably, very worried about the lack of contact, support and help from DARD and the FSA. Alongside that, consumers of sausages, bacon and ham were unsure about which products were safe to eat. The fact was then, as it is now, that pork that was produced and packed in Northern Ireland was not contaminated and was safe for consumption.

The Department had a duty to stop the hysteria before suppliers and consumers went into panic. Instead, it was conspicuous by its silence. That situation would have been abated had food labelling been clearer. That is why we need a change in the way that things are done.

Whut we hae larn't fae this is tha impoartanse o' tha custimer haein aw tha facts, an this caun oonly be brought about in tha foarm o' cleer laeblin.

Tha Meenester must mak shair that this shoart blip in tha loas o' confidence in oor haem produis is pit bak an maed better an that her Depertmunt niver aloos again unfoounded roomurs an statemunts tae be banded about fer sic a' muckle tiem afoar they er

squashed an makin shair that fowk ken aw tha facts an tha trooth.

That situation has taught the importance of consumers' having all the facts. That can be achieved only in the form of clear food labelling.

The Minister must ensure that, after that momentary blip, confidence in local production is restored and enhanced. Moreover, her Department must never again allow unfounded rumours and unsubstantiated reports to be bandied about for so long before they are quashed and before the people know the facts and truth.

After the fiasco before Christmas, I called for clear labelling of Northern Ireland produce. It became clear that Northern Ireland pork was free of contaminants. However, the same could not be said of products from other parts of this island and further afield. I urged the Minister to initiate a campaign to sell Northern Ireland pork produce and to ensure that labelling clearly states the product's origin. Today's motion is an extension of that desire. Although many Northern Ireland firms sourced locally, some larger stores were not as clear. Northern Ireland's pig farmers have been working hard to develop a product that is beyond reproach, and the recent scare showed that they were still able to sell and to stand by their product.

I have said before in the Assembly, and I have mentioned in Assembly questions, that Northern Ireland produce is world class. The superior quality of our fare is referred to in cookbooks and travel guides. In this time of economic uncertainty, it is even more important that we springboard onto the international stage and establish our name and reputation. Last year, I said in the Assembly:

“What could be nicer than to sit down to a starter of Portavogie prawn cocktail, a main meal of a good Ulster steak and Comber potatoes with Willowbrook Foods vegetables, finished off with hot Armagh apple pie and Glastry Farm ice cream?” — [*Official Report, Bound Volume 29, p207, col 2*].

That is not as good as the Marks and Spencer advert on TV. I do not have the gravelly, sexy voice or the music. However, those comments were heartfelt and honest.

Given the weekend's events, it is understandable that the First Minister has delayed his trip to the USA. However, it is essential that our Ministers collectively demonstrate Northern Ireland's quality to the world. In my constituency, a local farmer proved what happens when other countries taste our produce. Even during these difficult financial times, Willowbrook Foods has received orders from the mainland as well as the Province. The company is expanding and hiring more staff, and it was almost the only prospective employer at a local job fair. That shows that growth can be achieved if a company steps out of its comfort zone.

Northern Ireland is a nation that excels at what it does. In the past, the world knew that fact. I ask the

Minister to respond and to promote Northern Ireland internationally. I support the motion.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. With your indulgence, I want to inform the House that one of my constituents, John Hurson, has, despite many challenges, arrived safely and brought humanitarian aid from the people of Tyrone to the beleaguered people of Gaza. We are proud of John's efforts. His convoy has been fraught with difficulty, but I am delighted that he has arrived safely.

A LeasCheann Comhairle, Mr Irwin and Mr Poots have brought this issue to the Chamber to be debated. As members of the Committee for Agriculture and Rural Development, they will be aware that my legislative responsibility on origin labelling relates solely to the EU-wide beef-labelling regulations that apply at retail level. The Food Standards Agency is responsible for all other food labelling, including country-of-origin labelling. Indeed, my officials have confirmed that fact at several Committee meetings and in response to Assembly questions.

The FSA is an independent UK body that is accountable here to the Assembly through the Minister of Health, Social Services and Public Safety. The FSA is responsible, locally, for providing advice and draft legislation to the Minister of Health, as my colleague Ms Ramsey said. Therefore, it is that Minister who will introduce any domestic legislation on country-of-origin labelling. Therefore, if the Assembly passes the motion, I will refer the matter to the Minister of Health.

In mistakenly addressing this no-day-named motion to me, Mr Irwin and Mr Poots have missed an opportunity for a proper debate with the Minister who is responsible for this important issue. However, I will provide Assembly colleagues with an explanation of my own responsibilities, update the House on the FSA's progress and outline my views on the issue. My Department is responsible for the EU-wide beef-labelling regulations — including compulsory labelling requirements — that were introduced in July 2000 after instability in the beef market caused by the BSE crisis.

Under those regulations, all operators in the supply chain, including down to retail level, must label fresh, chilled and frozen beef and veal with information that indicates where the animal was born, raised, and slaughtered — that is compulsory.

The scheme is based on traceability, and the basis for that in the North is provided by the animal and public health information system (APHIS). APHIS is essentially a computerised system for monitoring all cattle movements. It forms the basis for the origin labelling of beef, and it has been vital in our fight against animal diseases and in protecting public health.

One point that should be remembered is that having that system in place comes at a cost to the farmer, the processor, and the retailer, in that they have to maintain the paperwork and the systems that allow animals to be traced fully. We should also remember that there is a cost to Government in the inspection and monitoring of the scheme. Having said all that, there is no doubt that the beef-labelling scheme has restored successfully and maintained consumer confidence in beef and that it provides a model for other similar products, in that it provides clear country-of-origin labelling at the point of sale.

However, the regulations also permit operators to voluntarily use terms such as “farm-quality assured” in order to help market their product, provided that they have been verified by an independent, accredited verification body and subsequently approved by DARD. That scheme has proved very worthwhile for local processors in marketing beef. More than 50 terms are currently approved, and the scheme provides processors with the flexibility to exploit market opportunities.

Enforcement of those regulations is carried out by DARD inspectors at abattoirs and cutting plants and by local authority environmental-health officers in retail outlets. Where labelling information is found to be absent, immediate corrective action is required by the operator, and a follow-up inspection visit is carried out. Based on that responsibility, which already compels suppliers of beef and veal to the retail market to specify where the animal was born, raised and slaughtered, if I were to introduce primary legislation for country-of-origin labelling, it could be strictly for beef labelling in the service sector. I do not believe that that goes far enough — as we heard today, people want the same for other foods, such as chicken and pork.

Initially, to test the market, my Department supported a voluntary pilot that was organised by the Livestock and Meat Commission for beef-origin labelling in local restaurants. Although that pilot is operating successfully across all the Botanic Inns outlets, we were disappointed that the hotel and catering sector was not prepared to extend it further.

However, recent EU proposals for food-information regulation have now become the focus of attention, as the early draft appears to provide for the provision for origin labelling of all food — not just beef. I will return to those regulations in a few minutes.

Many Members will be aware that the EC places severe restrictions on the promotion of local food. However, my Department has a range of support measures in place to encourage and support local food and to derive added value from the marketplace. We also work closely with the Department of Enterprise, Trade and Investment (DETI) and Invest NI to

complement the business and marketing support that they provide to the food sector.

My Department administers the regional food programme, which provides financial assistance to local agrifood groups in their efforts to promote quality regional food, and I recently launched the third round of that programme. Assistance is also available through my Department's rural development programme; for example, the processing and marketing grant scheme provides support towards capital expenditure on buildings and new equipment, as well as the cost of a business plan or feasibility study for the project. The grant scheme also provides support for businesses that are engaged in the marketing of the produce of agriculture. The supply-chain development programme, which is due to open shortly, will also make financial assistance available to local producers.

Of course, we also have the College of Agriculture, Food and Rural Enterprise (CAFRE), which has an extensive range of modern, industrial-scale food-processing equipment and product-development and packaging facilities. CAFRE's Loughry campus supports businesses and people working in the industry to develop the competencies and skills that are needed for food by an increasingly global market.

Those, together with the excellent science and research capability in food at the Agri-Food and Biosciences Institute (AFBI), provide local industry with a first-class range of innovation support, reflecting the central contribution that that sector makes to the local economy.

As that demonstrates, many of the key instruments that will allow our agrifood sector to develop and grow are to hand already. However, the debate raises another issue that affects us all — our food choices. Origin labelling helps to inform those choices; however, I remind colleagues that in the current economic climate, many people have to choose food according to price.

As I have already said, general food labelling falls within the remit of the Food Standards Agency, which is accountable locally to the Minister of Health, Social Services and Public Safety. Therefore, any call for the early introduction of accurate country-of-origin labelling should be addressed to Mr McGimpsey.

5.30 pm

Although that policy area is outside my responsibility, I can tell the House that the FSA is leading negotiations on a proposed EC food information regulation. The FSA has informed us that such regulations cover all food that is not included under the beef labelling regulations; therefore, it could be the best vehicle through which to investigate origin labelling. The regulations currently include the provision to introduce mandatory origin labelling of

produce where failure to do so may mislead consumers by implying that food has a different place of origin.

As Minister for Agriculture and Rural Development, I am conscious that origin labelling is an important issue for many farming families across the North. Undoubtedly, the Department has an interest in the area, which is why my officials are working closely with the FSA here and in London, as well as with the devolved Administrations in Scotland and Wales, to do our best to shape provision for origin labelling. Indeed, the issue of food labelling will be on the agenda of a video conference in which I will take part tomorrow with the Secretary of State for Environment, Food and Rural Affairs, Hilary Benn, and Ministers from Scotland and Wales. I have also had discussions with Bord Bia on the same issue.

The FSA is better placed to provide Members with a detailed update on the discussions surrounding the food information regulations and general labelling issues. However, this no-day-named motion calls for:

“the early introduction of accurate country-of-origin labelling”.

Members will know from experience that new legislation does not include provision for early introduction. I understand that the EU food information regulation is unlikely to come into effect for some time yet, as the EU requires extensive consultation and ratification by the EU Commission and the European Parliament. Therefore, if Members will excuse the pun, I caution a health warning against any early introduction of new regulations.

In summary, I am very proud of the food and drink that local farmers produce. They put their blood, sweat and tears into producing it. I encourage people, as I always do, to buy local produce whenever they can. In doing so, they are not only buying nutrition for their families; they are supporting the livelihoods of hundreds of rural families. I am sure that we all agree that consumers have the right to have clear labelling that does not mislead them: equally, however, that must be balanced by our efforts to reduce unnecessary bureaucracy for our food industries and the farming community that provides the raw materials.

Finally, we should be mindful that the use of origin labelling simply to allow customers to buy from one area in preference to another is against the free-market principles of the EC. I hope that my Executive colleague, Mr McGimpsey, will be able to update the Assembly in the near future on the work that the FSA is doing in this area, and I look forward to contributing to that debate. I intend to write formally to him, indicating my support for informed consumer choice through country-of-origin labelling. I will make sure that he receives a copy of the Hansard report of this debate. Go raibh míle maith agat, a LeasCheann Comhairle.

Mr Poots: I will begin by clarifying some matters. For the benefit of Members, the text of the motion that Mr Irwin and I submitted to the Business Office reads as follows:

“That this Assembly recognises the importance, in an increasingly competitive international market, of adding value to local produce; notes the benefit of the Province having rigorous traceability systems; and demands the early introduction of accurate country-of-origin labelling based on where animals were reared.”

That wording was signed off by the Assembly’s Business Office. Mr Irwin and I did not include the name of any particular Minister in the motion when we submitted it. The issues raised by the two Sinn Féin Members and the Sinn Féin Minister should be addressed to the Business Office and with that party’s members on the Business Committee rather than having a go at us for getting it wrong. We did not get it wrong; we did not identify the Minister of Agriculture and Rural Development. We submitted a motion that is relevant to the agricultural community and to the people of Northern Ireland, in that it requires the country of origin to be identified on food that is being sold in Northern Ireland.

Why do we want the country of origin to be identified? Mr Shannon may want the constituency of origin to be identified so that he can highlight Strangford, but we are just asking for country-of-origin labelling.

We are also delighted to hear that Mr McCallister is speaking for UCUNF (Ulster Conservatives and Unionists – New Force) as opposed to the UUP and that it supports the motion. I trust that, in due course, the Ulster Conservatives and Unionists – New Force will be able to move this matter on. In Northern Ireland, that should not stop us making the case strongly for the introduction of country-of-origin labelling based on where animals are reared.

Recently, in the Lisburn City Council area — I should declare an interest in this issue — a gentleman bought a leg of lamb from a supermarket. The label said that the lamb had been produced in Northern Ireland. However, the man later found a New Zealand stamp on it. Animals are stamped with the name of the country in which they are slaughtered. The leg of lamb had been slaughtered and stamped in New Zealand, brought to Northern Ireland, cut up and packaged in a factory and then labelled as Northern Ireland produce when clearly it was not.

The council took that matter up and dealt with it through the proper processes. However, this happens time and time again in the poultry, pork, lamb and beef industries. Many items are brought in and sold as Northern Ireland or British produce when, in fact, they have been produced in many other countries.

Some people might wonder why it matters whether beef is produced in Brazil, chicken in Thailand or pork

in the Far East. That matters because the animal welfare conditions that are applied in Northern Ireland are considerably better than those that are applied in many other countries, which concerns consumers and farmers. Farmers who apply rigorous animal welfare conditions do so at a cost and at their own expense. If one farmer provides good welfare conditions for his animals and another farmer provides lesser conditions, why should the latter be rewarded for providing less suitable animal welfare conditions and achieving a similar price for his animals to that which the former achieves?

There can be a difference in the materials that are fed to animals. For example, in the United States of America, hormones are still used in the production of meat and milk. That is not the case in Europe. Genetically modified materials are not produced in Northern Ireland or in the rest of Europe. Those are matters of concern for consumers.

Other countries add additives to assist the growth of produce or genetically modify crops to assist production, and that can put people here at a commercial disadvantage. If consumers do not want to consume those products, they should know which ones come from countries that allow such practices. It is a matter of selling a product to a customer honestly. When consumers lift a piece of meat off a shelf, they cannot identify whether it has been produced in the conditions to which I referred earlier or in conditions that apply in Northern Ireland.

Northern Ireland has a farm quality assurance scheme that has high product traceability and rigorous production standards. It is wholly wrong that a product that does not meet the same rigorous standards can cost the same as a farm quality assured product. Ultimately, that is not only to the detriment of the producer but the consumer. Consumers are paying for products that do not meet the same rigorous standards of production that apply in Northern Ireland.

Therefore, it is very important that the Assembly should act in the interests of consumers in Northern Ireland and ensure that they are eating what they wish to, rather than something different to what they thought they were buying.

The Department of Agriculture and Rural Development has a key role in selling the Northern Ireland brand and building on the brand that we have. Farmers in Northern Ireland currently sell their beef for one of the lowest prices in the United Kingdom, whereas Scottish farmers have the highest price. What is the difference between Scottish beef and Northern Irish beef? The standards applied and the systems carried out are broadly similar — the difference is purely one of branding. Following a marketing exercise, Scottish beef is now seen as green, healthy and the best quality beef in the United Kingdom. In

Northern Ireland, we need to get to a position where our beef is seen as the highest quality in the United Kingdom. We need to match what Scotland has done, which will take a number of years.

The Minister of Agriculture and Rural Development, in conjunction with the Minister of Enterprise, Trade and Investment, needs to ensure that the Northern Ireland brand is one of quality and is recognised and sold as such. I am not saying that the brand is British or Irish — there is a distinct Northern Irish brand that we should be selling and marketing. We are a small area that can produce food very well, and we should go for niche marketing to move our economy forward.

I am delighted with the support that the motion has received throughout the Chamber. I am somewhat disappointed that the Sinn Féin Members who spoke did not address the issue and concentrated on an irregularity. I have explained that irregularity, but it is disappointing that they did not take the opportunity to make the case for country-of-origin labelling. Those Members could have made a better case for the people in the rural community whom they represent, and I suspect that their constituents will be disappointed that they did not.

Question put and agreed to.

Resolved:

That this Assembly recognises the importance of adding value to local produce in an increasingly competitive international market; notes the benefits of having rigorous traceability systems; and calls on the Minister of Agriculture and Rural Development to ensure the early introduction of accurate country-of-origin labelling based on where animals are reared.

Adjourned at 5.42 pm.