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# NORTHERN IRELAND ASSEMBLY

Monday 11 January 2010

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

*Members observed two minutes' silence.*

## MATTERS OF THE DAY

### Constable Peadar Heffron

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

**Mr Ford:** It is right that our first task in this new year is to send our best wishes for full recovery to Constable Peadar Heffron and to tell his wife, parents, family, friends and colleagues that they are very much in our thoughts and prayers at this time.

The facts of the case are well known. At 6.30 am last Friday, Constable Heffron was on his way to take up his duty in Woodbourne police station in west Belfast. He was driving along the Milltown Road, between Randalstown and Antrim. His wife drove behind him. A bomb exploded under his car, causing him serious injury, and he remains on the critical list in the Royal Victoria Hospital even as we meet.

Nine months ago, almost to the day, Sappers Patrick Azimkar and Mark Quinsey were murdered at the gates of Massereene Barracks, barely a mile from where Friday's atrocity occurred. On that occasion, the people of Antrim stood united against the terrorists who had visited such horror on them. As a representative of Antrim, I have no doubt that the people of Antrim today stand united against those who visited this further horror on them and their community.

The attempt to murder a police officer on his way to carry out his duty of serving the people of Northern Ireland will be condemned throughout the community.

Indeed, it has already been condemned throughout these islands. I do not expect that any words of mine will have any effect on those who carried out the attack, but I trust that the united views of community, Church and political leaders may just possibly have an effect on those who may be tempted down that path. The dissidents have nothing to offer but utterly spurious and bogus claims, death and destruction.

I say to Peadar's wife, parents, friends and family circle that we sympathise with them. I say to his colleagues in the Police Service, in particular those in Antrim and west Belfast, that the people of Northern Ireland thank them for their professionalism and courage. Earlier this morning, I spoke to the Chief Constable, and I know that he and his officers are committed to continuing to work towards building a community policing service and to meeting the needs of the community as a Police Service that is becoming fully representative of the community that it serves.

I say to the people of Antrim that it is vital that anyone who has any information whatsoever that may help to catch those who carried out that atrocity assists the police. It is not up to them to decide what is relevant; it is up to the police.

Although I do not wish to detract from the main purpose of today, I want to address fellow MLAs. The key way in which we, as an Assembly, can act against the dissidents is by showing that politics works, by showing that we can deliver for the people and by demonstrating good governance. Petty squabbles and childish stand-offs do nothing to advance the needs of the community. We must overcome the current problems that we are experiencing to advance the political process and the peace process.

Peadar Heffron is exactly the kind of police officer that this society needs. He joined the Police Service of Northern Ireland in its very early days, at a time when it was not politically easy for someone from his background to do so. He demonstrated enormous courage when he did that. As a police officer, Mr Heffron has also done an enormous amount of work in advancing good relations, particularly through his work to bring the PSNI and the GAA closer together. The way that Peadar's colleagues from Woodbourne police station have stood with his family over the past four days is a testament to the high esteem and respect in which he is held. We offer him our concern and prayers.

**Dr W McCrea:** I am sure that every Member of the House thought, hoped and prayed that we had left such tragedies behind us. Sadly, last Friday morning brought the South Antrim community and Northern Ireland to a realisation that there are still wicked and evil men in society who desire to destroy the stability and tranquillity of Northern Ireland.

Peadar Heffron is a young man, and, although many people may speak about him as a Catholic police officer, as far as I and the people of my constituency are concerned, he is a police officer. Mr Heffron is a police officer of courage and distinction. He is a young man who put his life on the line to give the rest of the people of Northern Ireland stability, and, tragically, he is seriously ill. I say to his dear wife, parents and family circle that, on behalf of my colleague and my party, we extend our good wishes to Peadar and the nursing staff and doctors who are fighting for his return to health and strength.

A few months ago, just a mile down the road from where Mr Heffron was attacked, two young soldiers were brutally murdered and two young civilians were brutally attacked. Mr Ford rightly said that the community in South Antrim and Northern Ireland as a whole stood aghast and condemned without reservation the brutal attack on those two soldiers and two civilians. Today, we stand united to condemn the most recent attack, but our condemnation will not be enough. I genuinely believe that those who have the responsibility in the PSNI to find out where the evil persons are must go after them and bring them to justice. I believe that today the House will stand united against that brutal act of terrorism. I salute Peadar and his family's courage, and I earnestly pray that he will soon be restored to a measure of health and strength.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I wish to add my voice to that of my colleagues from South Antrim in saying that it is vital that we continue to provide a unanimous response, as we did to the events of last year. Such events demand that we are consistent and determined in repudiating and condemning them.

I unambiguously condemn the attack on Peadar Heffron. Undoubtedly, local controversy surrounded the circumstances in which that young man made the decision to become a policeman. However, subsequent events and the changes to policing in our society compel all those who are capable of acknowledging the radical nature of that reform to review their opinions. I extend my best wishes for a speedy and complete recovery to Peadar Heffron, and I offer my sympathy and support to his wife and extended family.

It is important that we send a clear message to dissident republicans that they act in total disregard of the wishes of the people of Ireland. The radical and progressive reforms to policing in this society have been given a democratic mandate and endorsement by the people. The irony at the core of the objection to the devolution of policing and justice to locally elected and democratic structures is that the dissidents' fear is shared only by those within unionism who resist the transfer of those powers. I ask those who rightly oppose and condemn the attack to examine the possibility of

further isolating dissident groups and taking away from them the spurious vestige of an argument that they somehow attack the British state — it is our policing that they attack.

**Mr Kinahan:** In common with everyone in the House, I am appalled by what happened last week, and I know that all Members are disgusted by the attack. It was a sinister, cowardly targeting of a policeman who showed the best of what we all should be. He made a brave decision to join our police force and led in everything that he did. Today, he is critically ill. We must all give our sympathy, pray for him and offer help. We must not forget his wife, family and everyone else involved. We must praise the police force for all the work that it does.

I would also like to praise the people of Antrim. I know that they will all be pulling together. Members should know that, a year ago, Mrs Azimkar commented on how wonderful the people in Antrim were and on how everybody pulled together. We know that they will do so again.

Everyone in the House must also pull together. I do not want to engage in any petty politics; however, the systems here must work. I would like the Heffron family to know that the entire UUP and all Members are appalled by the attack.

**Mr Durkan:** On behalf of my party, I join my Assembly colleagues in utter condemnation of the attack. We send our deepest sympathy and support to Peadar Heffron and all who love him, and we express our total appreciation for those who care for him now. It is not a matter only for one constituency but, particularly on behalf of Thomas Burns the MLA for South Antrim and Alex Attwood the MLA for West Belfast, where Constable Heffron serves, I stress that we are all united in rejecting the violence, the ways and the arguments of those who attacked Constable Heffron. We are united in offering our support to his family and to the entire policing family, all of whom are under threat at this time. The awful events on Friday demonstrate just how vulnerable any individual can be.

Like all his colleagues, Constable Heffron has decided to serve this community through the vocation of policing, and everything that we have heard about him shows that he has done so in a totally professional and highly personable way. We offer our full support and respect to him as he makes his way to recovery.

*12.15 pm*

It is also important that we make it very clear to those who sought to injure Constable Heffron that we will not allow them to do injury to the democratic process that we have chosen and that all in the Chamber represent. It is very important that we stand strong and united today. No matter what other issues, differences or difficulties there are, one solid and compelling message

that must go out to the so-called dissident, so-called republicans is that they will not damage our institutions. We stand strong and united today, but it is also important that those people get the message that we are not standing still. We are moving forward on the path of democracy and reconciliation that we have decided upon, and we will take the necessary decisions and steps to bring that to a conclusion and to defeat their evil and negative agenda.

**Ms Purvis:** Constable Heffron symbolises the level of citizenship and service that is required for a new Northern Ireland. On behalf of the Progressive Unionist Party, I send my thoughts to him, his wife and his family, and I hope that he pulls through. I also send my thoughts to the wider police family.

The criminals who carried out the attack are out of touch with the majority of people in Northern Ireland. The majority of people in Northern Ireland want to see politics delivering for everyone, and I hope that the House can resolve to do that. I appeal to anyone in the community who thinks otherwise not to attempt the job of the police or distract them from pursuing the criminals responsible for the attack. Like the Chief Constable this morning, I appeal to the public to assist the police in bringing the criminals responsible for the attack before the courts.

## ASSEMBLY BUSINESS

**Mr Kennedy:** On a point of order, Mr Speaker. Will you confirm whether you have received any communication from the First Minister indicating that he will make a statement to the Assembly on his intention to initiate an internal departmental inquiry into the financial issues raised by the BBC Northern Ireland 'Spotlight' programme on Thursday 7 January? Are you aware of the serious concerns held by a growing number of Members about the effectiveness, comprehensive nature and independence of the inquiry being initiated or, rather, advocated by the First Minister? Will you advise Members on the proper procedures that should be followed to protect the integrity of the House and the code of conduct for Members?

**Mr Speaker:** I thank the Member for his lengthy point of order, which strayed into three areas. First, I have had no correspondence from the First Minister on any of the issues that the Member raised. Secondly, I advise all Members that there are a number of conventions and procedures that they can follow. For example, as Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Kennedy can take advice from the clerks of that Committee, which is a way forward.

The issues involved are complicated, and I would prefer that Members did not try to raise them through points of order, because that is not the proper procedure for dealing with such matters. I advise the whole House of that with regard to the matter in question and other issues.

**Mr McNarry:** Further to that point of order, Mr Speaker. In cognisance of what you said and of the procedures and mechanisms, I will ask, if it is correct to do so whether you have received, either today or prior to today, any resignations from Members.

**Mr Speaker:** As the Member knows, as soon as I receive a resignation from any Member, I announce it quickly to the House. I intend to do that in the future.

The House may wish to know that I have accepted a question for urgent oral answer to the Office of the First Minister and deputy First Minister. That may resolve some of the issues. It will be answered at 3.30 pm, immediately after Question Time. Given the intense interest in the issue, I intend to depart from normal convention and allow a representative from each political party to ask a supplementary question, if they so wish. I consider it wise that I announce that now.

## EXECUTIVE COMMITTEE BUSINESS

### Financial Provisions Bill

#### Royal Assent

**Mr Speaker:** I inform Members that the Financial Provisions Bill has received Royal Assent. The Financial Provisions Act (Northern Ireland) 2009 became law on 15 December 2009.

## ASSEMBLY BUSINESS

### New Assembly Member: Mr Billy Leonard

**Mr Speaker:** I have been informed by the Chief Electoral Officer that Mr Billy Leonard has been returned as a Member of the Assembly for the East Londonderry constituency to fill the vacancy that resulted from the resignation of Mr Francie Brolly. Mr Leonard signed the Roll of Membership in the presence of me and the Clerk to the Assembly/Director General in the Speaker's Office on Thursday 7 January 2010 and entered his designation. Mr Leonard has now taken his seat.

## MINISTERIAL STATEMENT

### North/South Ministerial Council

#### Trade and Business Development Sectoral Format

**Mr Speaker:** I have received notice from the Minister of Enterprise, Trade and Investment that she wishes to make a statement on the North/South Ministerial Council meeting in trade and business development sectoral format.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** With your permission, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council in trade and business development sectoral format. The meeting was held in Corick House Hotel, Clogher, County Tyrone on Wednesday 16 December 2009.

**Mr Speaker:** Order. Members should leave the Chamber in an orderly fashion.

**The Minister of Enterprise, Trade and Investment:** The Executive were represented by me, in my capacity as Minister of Enterprise, Trade and Investment, and by junior Minister Gerry Kelly from the Office of the First Minister and deputy First Minister. The Irish Government were represented by Mary Coughlan TD, Deputy Prime Minister and Minister for Enterprise, Trade and Employment. This statement has been agreed with junior Minister Kelly, and I make it on behalf of us both. I chaired the meeting in my capacity as Minister of Enterprise, Trade and Investment.

The chief executive of InterTradeIreland, Liam Nellis, presented a progress report on InterTradeIreland's performance and business activities, including the generation of £61.2 million of business development value; a total of 2,801 firms utilising InterTradeIreland's knowledge and resources; and 328 firms participating on InterTradeIreland's programme/networks. Ministers also received a presentation from the chairperson of InterTradeIreland, Dr David Dobbin, on the strategic review that was undertaken by its board.

The Council discussed InterTradeIreland's business plan for 2009 and noted that it had applied efficiency savings to the 2009 budget in accordance with guidance issued by the two Finance Departments. Ministers approved the 2009 business plan and recommended the 2009 budget provision of £10,781,500 for InterTradeIreland.

Ministers noted InterTradeIreland's draft business plan for 2010. The future plans of InterTradeIreland as set out in the draft business plan for 2010 include the increase of the body's return on investment to 8:1; the

generation of £62 million or €70 million trade and business development value; 500 new firms to be engaged in cross-border business trade and business development; and the creation of 125 new jobs.

Ministers received a presentation from InterTradeIreland on the body's report on co-operation in the area of science, technology and innovation and noted a paper that was prepared by InterTradeIreland on co-operation on research and development. They welcomed the US/Ireland research and development partnership approach, which aims to increase the level of co-operation among researchers across the US, Ireland and Northern Ireland, including the developments to date. Ministers noted that the paper outlines economic partnership, contains priority activities, including the US/Ireland/Northern Ireland research and development partnership, the European dimension FP7, and possibilities for both jurisdictions to work together to maximise drawdown of EU funds that are not subject to match funding.

They also noted opportunities for further collaboration including the development of an early alert system for potential FP7 proposals; identification of areas where Northern Ireland and Ireland have shared interests and expertise; and utilisation of InterTradeIreland's Research Connections programme. Ministers asked officials to report progress to a future NSMC meeting.

The Council also approved the appointment of John Hunter and Tony Crooks to the board of the North/South Language Body, with responsibility for the exercise of the functions of the body through the Ulster-Scots Agency, from 16 December 2009 to 30 June 2010; the appointment of John Hunter as chairperson of the board of the Ulster-Scots Agency from 16 December 2009 to 30 June 2010; and the appointment of Vincent Parker to the board of InterTradeIreland from 16 December 2009 to 10 October 2011.

The Council noted InterTradeIreland's annual review of activities and annual accounts for 2008 and agreed that its next meeting in trade and business development sectoral format would take place in spring 2010. I commend the statement to the Assembly.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness):** I thank the Minister for her detailed report on the meeting and commend the good work of InterTradeIreland, which, I believe, has the full support of the Minister and the Council. I note the future programme of InterTradeIreland, the aim of engaging 500 new firms in cross-border trade and business development and the creation of 125 jobs. Is the aim of creating 125 jobs somewhat less than ambitious? There is, in fact, greater job potential deriving from the good work of InterTradeIreland, and, although the intention is to engage 500 new firms, I hope that a higher figure could be achieved.

**The Minister of Enterprise, Trade and Investment:** I thank the Chairperson of the Committee for his comments. In the current circumstances, it may well be that those may happen. He will know that InterTradeIreland is not a job creation organisation; it is a trade organisation, and, although there is no doubt that many of its programmes have created jobs, those are indirect jobs. InterTradeIreland's primary purpose is to increase trade between the two jurisdictions, and I am glad to report that there are many firms in Northern Ireland during the recession that had never exported before but that now have their first opportunity to do so, which is a positive development. I hope that those firms will use that opportunity to export wider. The Chairperson will know that to have more firms exporting from Northern Ireland is one of Invest Northern Ireland's key objectives.

I have made the point on a number of occasions that it is important that Invest Northern Ireland and InterTradeIreland work together and not against each other. I am glad to be able to tell the Chairperson that I have raised that issue with the chief executive and the chairman on a number of occasions. Of course, we have the advantage that Dr Dobbin is on the boards of Invest Northern Ireland and InterTradeIreland, which I welcome.

I say again that the purpose of InterTradeIreland is not job creation primarily. Obviously, in the current climate, we will take jobs wherever we can get them. However, in any event, we hope to increase the trade that already exists.

**Mr Moutray:** I thank the Minister for her statement. Will she comment on the efficiency savings that are expected of InterTradeIreland?

**The Minister of Enterprise, Trade and Investment:** InterTradeIreland was given its remits by the two Finance Ministers. It had been required to achieve a minimum of 3% efficiency savings, and I am glad to inform the House that those have been achieved. We have approved the 2009 business plan, and I have recommended that the budget provision for InterTradeIreland be accepted. I am content that those efficiency savings have been made. There are always more that can be made, and, if that happens, we will welcome it. We will keep looking for those savings to be made.

I commend the chief executive of InterTradeIreland and the chairperson of its board for the work that they are doing to make efficiency savings at a time when, let us face it, we are under severe financial pressure. I welcome the fact that they have been able to achieve those savings.

12.30 pm

**Mr Butler:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. The role that InterTradeIreland plays in creating increased cross-border trade has already been mentioned. The Minister

may recall that, last year, I asked how much funding DETI had given to InterTradeIreland over the past three years. I think that the answer was somewhere in the region of £3.5 million a year. Given what the Minister has outlined in her statement and the role that InterTradeIreland plays, does she plan to increase funding to that organisation in order to increase cross-border economic activity in the present climate?

**The Minister of Enterprise, Trade and Investment:** I hope that the Member listened to my response to Mr Moutray's question. The reality is that rather than more money being available to all those bodies, there is less. That does not mean that they cannot do the job effectively. The challenge for all public bodies in moving forward will be to try to deal with what they have and to do so in a more efficient and effective way. That is what I want to see from InterTradeIreland. It is aware of that, and I have no reason to doubt that that is what the Tánaiste will want to see in the Republic of Ireland. The Member may wish to see the budget to InterTradeIreland increased, but that is highly unlikely. However, I hope that it will make efficient use of the moneys that it has.

**Mr Cree:** I thank the Minister for her statement on the meeting held on 16 December 2009. I noted that, at that meeting, the budget for 2009 was approved and the business plan for 2010 was noted. Will the Minister explain the difference between those two matters? Has the budget for 2010 been approved?

The anticipated increase in InterTradeIreland's return on investment is 8:1. Is that a bit bullish? Will the Minister share with us the figure achieved for 2009?

**The Minister of Enterprise, Trade and Investment:** I am happy to let the Member have the 2009 figure in writing.

The difference between approving the budget and noting the business plan is that we were not in a position to approve the 2010 business plan. That remains subject to my approval in the Department, the respective finance Departments, and, thereafter, the North/South Ministerial Council. All the ducks were not in a row before the Council meeting in Clogher, so, unfortunately, we were not able to approve the plan. However, we noted it and the progress that had been made.

I am happy to come back to the Member on what has been achieved on the ratio this year. Although I take the Chairperson's point about targets for job creation and firms, a return on investment of 8:1 is a challenging target to set, and I will keep in close contact on that.

**Mr Neeson:** I thank the Minister for her statement. I commend the work of InterTradeIreland, as did the Chairperson of the Committee. Did any discussions take place about the proposed new North/South electricity

interconnector, which I believe will benefit businesses on both sides of the border?

**The Minister of Enterprise, Trade and Investment:** No; the interconnector was not on the agenda for the Clogher meeting. However, I share the Member's view that it will help businesses on both sides of the border and give us security of supply, sustainability and the increased competition that we all look for in the single electricity market. Although the interconnector was not discussed at the December meeting, I am sure that it will be discussed at a future meeting.

**Mr Shannon:** I thank the Minister for her report. I am intrigued by her comment about getting the ducks in a row. As a shooting man, I am always in favour of getting all the ducks in a row. We get a bigger score when it comes to pulling the trigger.

I have a couple of questions, and the first is about the Ulster-Scots Agency. There is concern, and Members are aware that there has been concern in the past, about the North/South Language Body. Many of us would like an assurance that the Ulster-Scots language will be an equal partner on that body. Secondly, what is InterTradeIreland doing to avoid duplication with Invest Northern Ireland?

**The Minister of Enterprise, Trade and Investment:** I am certainly not going to comment on Jim Shannon's strategy for shooting ducks, and I am pretty reticent to comment on the Ulster-Scots Agency. The Minister of Culture, Arts and Leisure asked me to take the matter forward at the North/South Ministerial Council meeting on trade and business development so that it could be dealt with before the end of the calendar year. I did that by gaining the Council's approval for the appointments of John Hunter and Tony Crooks. That was an essential element, and we were happy to do it for the Minister.

Regarding the question about duplication with Invest Northern Ireland, I said to another Member that it is an important area. InterTradeIreland and Invest Northern Ireland were set up around the same time, and, therefore, it was perhaps a little difficult for each organisation to find its own space in the area of cross-border trade and the consequent job opportunities and wealth creation. However, each organisation has now found its position. They work with each other at chief executive and chairperson level, and they communicate very well to avoid duplication.

InterTradeIreland has also undertaken useful work in areas in which it may not have been before. In the past, it may have been perceived as an organisation that works along the border between Northern Ireland and the Republic of Ireland. That is simply not the case any more, and, indeed, one of InterTradeIreland's most successful seminars was held in Ballymena. InterTradeIreland was pleased with the way in which that went,

and it hopes to hold more seminars in Northern Ireland. I hope that InterTradeIreland will encourage businesses that have never exported to the Republic of Ireland to do so for the first time and gain the accruing benefits.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement, and I welcome the positive comments in that statement and in her responses to questions on economic partnership. Does the Minister agree that there must be a clearer focus on attracting investment on an all-island basis rather than on the basis of competition between the North and the South, as happens currently? Would the Minister welcome that?

**The Minister of Enterprise, Trade and Investment:** I say to the Member: I suppose it was worth a try. InterTradeIreland is concerned with encouraging cross-border trade between the two jurisdictions. It has worked well, particularly this year because of our advantage in relation to the euro. Regarding the Member's point about securing investment for the whole island as opposed to the country that we live in, the fact is that we are often in competition with the Republic of Ireland in attracting foreign direct investors. Therefore, we need to make a strong case.

That does not mean that Invest Northern Ireland should not work with the appropriate body in the Republic of Ireland, especially when both organisations want to pool their resources for visits to China and other places. However, we must reflect on the fact that, in many respects, we are in competition with the Republic of Ireland, just as we are in competition with other parts of the United Kingdom. It is my job as the Minister of Enterprise, Trade and Investment to do the best for this jurisdiction, and that is what I am intent on doing.

**Dr McDonnell:** I regret the Minister's decision not to respond to Mr Shannon's comments about ducks in a row. I wonder whether she will have a discussion with us about sitting ducks, but perhaps we will leave that for another day.

I am interested in the science, technology and innovation reports, and co-operation on research and development. Over the past few years, I have been impressed by the massive effort that Shorts makes with universities across the island of Ireland. Does the Minister have any plans to drive forward more of that type of research or any of the recommendations in the reports? Will the Minister give any commitment to further investment in R&D in general?

**The Minister of Enterprise, Trade and Investment:** The Member knows very well that one of the recommendations of the independent review of economic policy (IREP) report, about which I hope to come to the House in the near future, is the need to increase our research and development. He is absolutely right to concentrate on InterTradeIreland's work in that area

because it can help Invest Northern Ireland and really build that critical mass in relation to research and development.

So far, InterTradeIreland has been focusing on four key areas of economic and social importance: nanotechnology, sensor technology, cystic fibrosis and diabetes. As the Member will know, those, and particularly the latter two, are areas that can really make a difference to people's lives. Therefore, we very much want to see that work moving forward. I commend very much the work that has been carried out by InterTradeIreland in the US-Ireland Research and Development Partnership. I want to see InterTradeIreland building in that area. As I said in my statement, there are potential areas in relation to the seventh framework programme from Europe. I hope that I am right in saying that one does not need match funding, which is a real advantage because there has been a real difficulty in finding a match funder for some recent funding from Europe.

I agree with the Member wholeheartedly: research and development is a key area, particularly for us here in Northern Ireland. We want to increase that, so if InterTradeIreland can help us to do so, then so much the better.

**Mr Attwood:** I welcome the report. I also welcome the support that the Minister indicated for InterTradeIreland extending its outreach beyond border areas and into other parts of the jurisdictions. That is a point well made, and we should not be so insular in that regard.

Arising from Dr McDonnell's question and given what the Minister said earlier in reply to another question about why reports get noted as opposed to approved, is it her intention to approve the InterTradeIreland report on co-operation, research and development, and to recommend to the Department of Finance and Personnel that it should approve it also? Arising from that, is she prepared to come back to the House to make a statement about what the shape of co-operation, research and development may be on the island in respect of the work of InterTradeIreland?

Will the Minister indicate the broad content of Dr Dobbin's presentation on the strategic review of InterTradeIreland, to which she referred in the opening paragraphs of her statement? What was the core message of that strategic review? Is the Minister in a position to share with Members a copy of that presentation so that we can determine where Dr Dobbin believes that InterTradeIreland needs to go in the future?

**The Minister of Enterprise, Trade and Investment:** I certainly have no difficulty, and cannot see any difficulty, with the presentation being shared. From my recollection — and the presentation was given on 16 December 2009 — it was really about how InterTradeIreland could add value to what happens in both jurisdictions with its job- and wealth-creation agencies, how those

could work together better, how the organisation is coping with the economic downturn and what differences that has made to how it moves forward. It needs to be flexible and to have appropriate programmes. The presentation was also about the challenges that lie ahead in relation to the fact that it has had to make efficiency savings and to deal with the finance that it has from the two Departments.

I welcome very much the work that InterTradeIreland has carried out in relation to research and development. I will consider very carefully anything that it puts before me in the context of what we are trying to do with research and development here in Northern Ireland. I think that Dr McDonnell referred to the fact that there are some very good partnerships between universities and higher education institutions across Northern Ireland, the Republic of Ireland and, indeed, Scotland, particularly regarding research and development. Those partnerships have meant that they have been able to access European funding in a way that they may not have been able to if activity was just happening within the jurisdiction.

I am very happy to look at anything that is put before me in that regard. I will certainly see whether we can get the Member a copy of Dr Dobbin's response.

12.45 pm

## North/South Ministerial Council

### Tourism Sectoral Format

**Mr Speaker:** I have received notice from the Minister of Enterprise, Trade and Investment that she wishes to make a statement on the North/South Ministerial Council (NSMC) meeting in tourism sectoral format.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** In compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement regarding a meeting of the North South Ministerial Council in tourism sectoral format, which was also held in Clogher on 16 December 2009. Junior Minister Gerry Kelly and I represented the Northern Ireland Executive. The Irish Government were represented by Martin Cullen TD, Minister for Arts, Sport and Tourism. My statement has been agreed with junior Minister Kelly. I make the statement on behalf of us both.

The Council considered a report from the Chairperson of Tourism Ireland, Mr Hugh Friel, on the work of its board and noted the very difficult global economic conditions that had a negative impact on tourism performance in 2009.

The Council discussed Tourism Ireland's business plan for 2009 and noted that Tourism Ireland had applied efficiency savings to its 2009 budget in accordance with guidance issued by the two finance Departments. The Council approved the 2009 business plan and recommended the 2009 budget provision of £55.652 million for Tourism Ireland.

The Council noted Tourism Ireland's draft business plan for 2010 and its key priorities, which included delivering growth of 3% in visitor numbers to Northern Ireland and the Republic of Ireland in 2010; sustaining or improving the island of Ireland's competitiveness interest ranking in each top 10 source markets; growing total promotable visitors to Northern Ireland by more than 10% in 2010; increasing participation by the industry in co-operative sales opportunities by 20% in our top 10 markets by December 2010; and improving Tourism Ireland's organisational efficiency and effectiveness in 2010.

The Council received a presentation from Tourism Ireland's chief executive, Niall Gibbons, on its review of the Great Britain market and welcomed a 10-point marketing action plan that is designed to ensure that visitor numbers from Great Britain return to growth in the short term.

The Council noted Tourism Ireland's annual report and accounts for 2008. It also approved 2009 business plans for the North/South Language Body, Waterways



Ireland and the Food Safety Promotion Board. The Council agreed to hold its next meeting in tourism sectoral format in spring 2010.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness):** I thank the Minister for her detailed report. I note the comment in the report that the very difficult global economic conditions had a negative impact on tourism in 2009. Everybody recognises that. However, this year's forward plan for Tourism Ireland seeks to deliver growth of 3% in the number of visitors to Northern Ireland and the Republic of Ireland in 2010. In addition, it is committed to:

“growing total promotable visitors to Northern Ireland by more than 10% in 2010”.

Given that we are out of the recession but have not fully recovered, are the targets that were put forward by Tourism Ireland achievable?

**The Minister of Enterprise, Trade and Investment:** There is no doubt that very challenging targets have been set by Tourism Ireland. However, it feels that they can be met. I commend the energy with which Tourism Ireland has attacked the issue, because, to be entirely honest, as I am being, independent analysts are saying that we will remain in a very slightly negative economic position this year. Therefore, to turn that around to 3% growth for the entirety of both jurisdictions will be a huge challenge to Tourism Ireland.

However, I have been impressed by its plans and strategies for attacking markets moving forward, particularly key markets, which for us include Great Britain, with the Great Britain review to which I referred, and other markets, such as Germany, which Tourism Ireland wants to attack. I accept that the targets are challenging, but because I attended the launch of the 2010 business plan at the Ulster Museum, I know that the industry very much wants to make growth happen. That is why it talks about more:

“participation by the industry in co-operative sales opportunities”.

That really must become part of what is being done for us by Tourism Ireland and the Northern Ireland Tourist Board.

I am encouraged by the industry's attitude.

**Mr Campbell:** I, too, welcome the Minister's statement. She referred to the GB review. Last year was, and the coming year will probably be, difficult. However, given the currency advantages that we have in relation to the Irish Republic, will the Minister outline the possible advantages and outlook of the 10-point marketing plan, whereby we could expect to see significant gains in the next two or three years?

**The Minister of Enterprise, Trade and Investment:** Great Britain is our most important overseas tourist market and, due to the recession and economic factors, many people are engaging in the horrendous pastime

of “staycations” and, therefore, are not moving from the island of GB. That presents a huge challenge, which Tourism Ireland is attacking with vigour. Tourism Ireland has presented me with a 10-point marketing plan, which comprises two phases: a stabilisation phase, followed by a recovery phase.

Stabilisation is all about re-engaging with and re-energising the GB trade to look at Northern Ireland as a place that, although it lies across a small stretch of water, is still a sterling area and, therefore, is good value for money. There is a need to promote that value. We want to reinforce our cultural difference as a reason why people should come. Obviously, we cannot sell Northern Ireland on its weather, so we must think about other ways to encourage people to come here. The recovery phase will target business visitors, who tend to spend more than people who come to stay with family and friends. I am content that plans are in place, and we are now moving into the next stage, which is to implement them. I will be watching that process carefully.

**Mr Butler:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. The Minister touched on cultural tourism, which seems to be a growth area, particularly in the North. Given the challenging target of 3% growth, does the marketing plan include any mention of how cultural tourism can be used to attract more visitors to Ireland, particularly the North of Ireland?

**The Minister of Enterprise, Trade and Investment:** We did not touch specifically on that subject, but it is addressed in the 10-point marketing plan. In the short term, as part of the stabilisation phase, we want to reinforce our cultural differences, not just between ourselves, but between ourselves and other places, so that visitors get a different experience here than they would get at home. We can use culture in a positive, rather than a negative, way. Tourism Ireland has engaged with, to use that terrible phrase, both sides of Northern Ireland culture, and it has done so proactively and fairly. Bodies such as the Grand Orange Lodge, as well as people from the Member's community, recognise that Tourism Ireland has been proactive and is trying to operate in a fair and just way.

**Mr Cree:** I thank the Minister for her statement. Tourism is very important for everyone in Northern Ireland. My thoughts on targets run parallel to those of the Chairman of the Committee for Enterprise, Trade and Investment. Targets must be meaningful, and I see that those for 2010 are quite bullish. We are talking about 3% growth in visitor numbers to Northern Ireland and the Republic this year and about growing total promotable visitors to Northern Ireland by 10%. The Minister also referred to visitor numbers from Great Britain, which we are expecting to return to growth. Are those figures based on last year's actual

performance and last year's Budget performance, and are they achievable again?

**The Minister of Enterprise, Trade and Investment:**

Yes, the targets have been arrived at against the background of what happened this year, and, as I said, independent analysts have indicated how difficult it will be to meet them.

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

A steering group was set up that was made up of representatives from Tourism Ireland and the industry at large. That group developed the action plan for GB and for tourism growth in particular.

The tourism industry in Northern Ireland went through a horrendous time for many years. Let us face it, anyone who owned a hotel in Northern Ireland in the 1970s and 1980s found that it was a difficult business to run. However, over the past year, visitors from the Republic of Ireland have helped to cushion the difficulties that we have with the GB market. Indeed, we have seen an increase of more than 30% in visitors coming from the Republic of Ireland, many of whom are coming for the first time. To be honest, when those visitors have got over the barrier of coming to Northern Ireland, and once they have come here and received the hospitality of our tourism industry, I am hopeful that they will return.

The targets are challenging, and I accept what the Member said. However, we need to be positive about tourism, because frankly, as I have said time and time again, it has all the potential to be a key economic driver for Northern Ireland.

**Mr Neeson:** I welcome Tourism Ireland's improved advertising and promotion campaign, and I mentioned already in the Assembly that it has highlighted Carrickfergus Castle in that campaign. Did any discussions take place about improving transport links to maximise the number of tourists coming to Northern Ireland and to the Republic of Ireland?

**The Minister of Enterprise, Trade and Investment:**

The transport links were not specifically mentioned, but the Member will know that I will soon be in receipt of the tourism review for Northern Ireland. It is interesting that all the Departments have been involved in that review, including DRD, which was involved in discussing transport links. Therefore, the Member is absolutely right: there is no point in Tourism Ireland selling this part of the world as a good place to come and have a holiday if visitors cannot get to the places that they want to go due to, among other things, the lack of appropriate signage, and so forth. We need a more integrated way of looking at tourism. I await the tourism review with interest, and I look forward to it.

The Member is right about the fact that more places of interest in Northern Ireland have been appearing in

Tourism Ireland's advertising campaign. It even manages to include Fermanagh from time to time. That has nothing to do with me, as he might imagine, but it is important that our iconic places to visit, such as the Giant's Causeway and the Titanic Quarter, feature in the advertisements. I am glad to say that that is happening now.

**Mr Weir:** I thank the Minister for her statement. Will she give me her assessment of how she feels the Republic of Ireland market has performed? By that I mean the number of tourists who come from the Republic of Ireland.

**The Minister of Enterprise, Trade and Investment:**

As I said in response to an earlier question, the Republic of Ireland market has helped to cushion the downturn in the number of visitors coming from the rest of the United Kingdom.

Over the past year, the tourism industry has had a number of highs and lows. It has had the high of seeing the biggest ever increase of visitors coming from the Republic of Ireland. In the first half of the year, that figure increased by 31%, but more importantly, total revenue from the Republic of Ireland rose by 37%. As the Member will know, we have challenging targets to meet in the Programme for Government where not just visitor numbers but spend are concerned. Therefore, those figures encourage me. However, we cannot sit back and say that because more visitors are coming from the Republic of Ireland, the situation is all great and dandy. We need to increase the numbers of visitors from all places who come to Northern Ireland, and that is what Tourism Ireland is focused on.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. Given the importance of tourism to the economy, is the Minister concerned that the delivery of a number of tourism projects is being held up due to the delay in a number of cross-body groups not being able to draw down the INTERREG IVA funding?

**The Minister of Enterprise, Trade and Investment:**

It is not just tourism projects that have been held up because of that delay. Indeed, I took the opportunity to meet with Pat Colgan recently to discuss a number of projects. Some project promoters wrote to me to voice concerns that they had not been able to draw down that money, and I have asked two departmental colleagues to monitor actively what is happening with those applications. They have made themselves known to SEUPB, and they have said that they will work very closely with the body. They have also made themselves known to the different bodies so that they can work with them.

*1.00 pm*

Much of the time, there is a lack of communication between those different bodies. They need to understand what must be done in the first instance, rather than be

told about it six months or a year later. I am determined that departmental officials will work with and help SEUPB and the different cross-border bodies so that we can get this over the line. I certainly do not want to lose that extra money for tourism in Northern Ireland.

**Mr Shannon:** I thank the Minister for her statement. In response to previous questions, she indicated tourism's clear economic value, of which we must take advantage, particularly with regard to the number of people who cross the border to shop.

Last week, a friend of mine visited Dublin. She remarked that basic goods, such as milk and bread, are twice the price down South that they are in Northern Ireland.

People cross the border and spend money. Does the Minister intend to try to encourage those people not only to do their shopping but to stay here for a while? If so, what incentives are offered to make that happen?

**The Minister of Enterprise, Trade and Investment:** It is very much my intention to encourage those people to stay. The Northern Ireland Tourist Board has been engaged in campaigns, particularly in the Republic of Ireland, to ask people not only to come up and do their shopping but to take advantage of the marvellous food that is on offer and the short breaks that they can avail themselves of if they want to come up to shop. The board is proactive in that regard. The industry is working hard, particularly in the towns that those shoppers visit. Those towns are in areas of great beauty, and we must take advantage of that.

Many of those people have not been to Northern Ireland for a long time if, indeed, at all. They need to know what is available here. When they are shopping, they can be made aware of everything else that is going on in the tourism industry.

**Mr Attwood:** I also welcome the Minister's statement. I want to ask her two questions.

First, regardless of whether 3% growth in visitor numbers to Northern Ireland and the Republic is challenging, is there not an argument for Tourism Ireland to have a target to increase the number of tourists who come into the Republic of Ireland and who then come to the North? If there is a 3% increase in visitor numbers to Northern Ireland, it is, self-evidently, at a lower threshold than a 3% increase in visitor numbers to the Republic of Ireland. Figures confirm that. Is there not, therefore, an argument to encourage visitors to the South, for whom the Republic of Ireland is the intended limit of their travels, to visit the North and to increase the number of visitors there? There should be differential figures in that regard.

Secondly, can anything more be done to ensure that Tourism Ireland, which, clearly, because of relationships and proximity, has insight into the British tourism market,

works with the NITB on the marketing campaigns for which it is responsible in Britain, given that it is responsible for marketing the island as a whole?

**The Minister of Enterprise, Trade and Investment:** I thank the Member for his two questions. He is correct. Let us be honest; there are more flights into Dublin Airport than there are into Belfast, much to my regret. That is a fact. People use Dublin as a gateway. That is why the Northern Ireland Tourist Board has spent a great deal of money on advertising in Dublin Airport. It has upped its game in Dublin. It has now taken a new position in the city centre, which, not long ago, I visited when I was in Dublin for a North/South Ministerial Council meeting.

Therefore, the Member is correct: we need to target people who come to the Republic of Ireland and get them to visit Northern Ireland. Indeed, in 2009, when I was in India, part of the discussion was that if people come that distance, they may visit several places, such as London and Dublin. It is important that we put Belfast — and when I say "Belfast", I mean all of Northern Ireland — on the map for those people.

I certainly have no difficulty with the NITB working with Tourism Ireland on marketing. As the Member knows, the Tourist Board here deals with the whole island and Tourism Ireland deals with everybody else. Therefore, they have a vested interest to deal proactively. I hope that the new chief executive of Tourism Ireland and the chief Executive of the Northern Ireland Tourist Board continue to do that.

## Public Expenditure 2009-2010

### December Monitoring Round

**Mr Deputy Speaker:** The Speaker has received notice from the Minister of Finance and Personnel that he wishes to make a statement on the public expenditure 2009-2010 December monitoring round.

**The Minister of Finance and Personnel (Mr S Wilson):** With your permission, Mr Deputy Speaker, I wish to make a statement regarding the outcome of the December monitoring round, following the Executive's meeting on 17 December 2009.

This is the penultimate monitoring round of the 2009-2010 financial year, and I am pleased to announce that more than £32 million of allocations have been possible in this round. In my statements to the Assembly on the outcome of both the June and September monitoring rounds, I indicated that the improved spending performance demonstrated by Departments in the past financial year had implications for the management of the public expenditure position going forward. In particular, I highlighted the fact that we need to reduce our use of overcommitment as a tool for managing public expenditure. That remains the position in this monitoring round, where the highest priority must be given to the need to manage the overall financial position to protect the integrity of the Executive and the Northern Ireland block by ensuring that we do not overspend against the amounts available to us.

The simple reality is that, if, unlike the position under the previous direct rule Administration, Departments now spend the vast majority of the money that is available to them, we cannot, therefore, anticipate significant funds being returned to the Executive during the year, or anticipate large year-end underspends. That must be viewed for what it is: it is not a failure; it is a positive indication of an Executive that delivers expenditure on public services and evidence of improved financial management in Departments.

The prudent approach adopted in previous rounds has been borne out by the much lower level of reduced requirements surrendered in this round when viewed in relation to previous years. It is the adoption of such an approach that has allowed the Executive to make significant additional allocations to Departments in this round.

With regard to the detail of the December monitoring, the level of reduced requirements that were declared by Departments in that round was £27 million current expenditure and £37.2 million capital investment. Further details are set out in the tables attached to my statement. To underpin my point about better financial performance, I highlight that, in total, reduced requirements this year represent only 57.8% of the amount declared to the

same stage last year. That means that the amounts allocated to Departments in the previous Budget process are being used by Departments for the purposes for which they were intended, rather than being returned for redistribution, which is yet more evidence of successful delivery against the considered needs of the people of Northern Ireland.

Those figures include a £4 million current expenditure reduced requirement in respect of the funding made available to the Department of Health, Social Services and Public Safety (DHSSPS) in the September round to address the costs of the response to the swine flu pandemic. It was agreed in September that any amounts not required for that specific purpose would be returned to the donor Departments. However, DHSSPS has also identified a current expenditure pressure of £0.9 million in respect of the roll out of the vaccination programme to the under fives, and it has been agreed that that amount should be made available to the Department. Therefore, the net amount of £3.2 million current expenditure has been returned to contributing Departments.

The amounts that are to be returned to individual Departments are shown in the proposed allocation tables that are attached to the statement.

As well as the reduced requirements surrendered by Departments, additional funding has also become available due to revised estimates of the EU match funding that is required this year; that is, £4.2 million current expenditure and £8 million capital investment for the first tranche of funding that has been received from the Republic of Ireland for the A5 and A8 road projects.

To further facilitate sound financial management in Departments, the Executive have allowed Departments to move resources across spending areas where that movement is reflective of a proactive management decision that has been taken to enable Departments to manage emerging pressures from within their existing baselines. Those Departments are to be commended for the actions that they have taken to address their pressures in that way. Due largely to technical issues, it has also been necessary to reclassify some amounts between different categories of expenditure. Details of all those changes are also provided in the tables that are attached to the statement.

Departments submitted bids for £30.8 million current expenditure and £28.6 million for capital investment in this round. However, as was mentioned earlier, the Executive's first priority must be to protect the integrity of the Northern Ireland block as a whole, and in the light of the improved performance of Departments last year, it is vital that we conclude this round with a prudent level of overcommitment. The impact of those changes means that although there is

significant scope for capital investment allocations, the ability to make current expenditure allocations is more constrained.

The current expenditure allocations that I am announcing today include £0.9 million to DHSSPS for the roll-out of the swine flu vaccination programme to under fives, the return of the remaining £3.2 million of swine flu funding to contributing Departments and £5 million of the remaining £10 million of DHSSPS's first call on available resources, which was agreed as part of the 2008-2011 Budget process.

In addition, I can announce that capital investment allocations totalling £23.6 million have also been agreed by the Executive, including a £0.9 million allocation to DHSSPS in response to the swine flu pandemic. The changing clinical attack rate of the virus means that there will be a lower level of stock utilisation of antiviral and antibiotic goods than envisaged in the original scenario. Although that has reduced overall costs, the accounting treatment of the stock has led to a capital departmental expenditure limit pressure.

I can also announce the allocation of £2.7 million to the Department of the Environment (DOE) to facilitate the full implementation of the Planning Service's e-PIC project, which has been developed to replace the obsolete 2020 planner. Furthermore, £15 million has been allocated to the Department for Regional Development (DRD) to increase the level of structural maintenance on roads that is carried out. That will be targeted to the highest priority areas and will make an important contribution to the local economy and to road safety.

Finally, £5 million has been allocated to the Department for Social Development (DSD) to address pressures that have arisen with housing renovation grants. Those pressures are due to a combination of unfunded opening commitments, accelerated in-year expenditure on mandatory grants by contractors and the necessity to issue a number of discretionary grants on the basis of exceptional need. That funding will have a positive impact on the community and the construction sector. Details of all those allocations are included in a table that is appended to the statement.

The consequence of the current expenditure and capital investment allocations is that the Executive conclude the December monitoring round with an overcommitment of £22.7 million for current expenditure and no overcommitment for capital investment. Given Departments' spending performance last year and the relatively low level of reduced requirements this year, that level of overcommitment represents a prudent and sensible position for this stage in the financial year.

1.15 pm

In conclusion, in the context of the action that Departments have taken to reduce end-year underspends, this monitoring round has seen welcome allocations

made to Executive priorities, and that has been made possible by the prudent and responsible approach that was adopted in previous monitoring rounds. In addition, we are concluding this round with a realistic level of overcommitment, which will ensure that the integrity of the Northern Ireland block is maintained. That is evidence of a locally elected Executive delivering for the people of Northern Ireland, and, for that reason, I commend the December monitoring position to the Assembly.

**The Chairperson of the Committee for Finance and Personnel (Ms J McCann):** I thank the Minister for his statement. In statements on recent monitoring rounds, he has highlighted the welcome improvement in Departments' spending performance, which is leading to a reduction in the underspend. Does the Minister believe that that is as a result of improved financial forecasting and monitoring by Departments, or is it more to do with increased or unforeseen budgetary pressures?

**The Minister of Finance and Personnel:** Over the years, we have seen Departments better managing their finances. If improvements in spending performance had simply been down to budgetary pressures and unforeseen budgetary pressures, Departments would have been making bids for money that they had not been allocated in the first place. However, money is not being returned. In other words, Departments are not identifying reduced requirements. As I mentioned in the statement, allocations have been made so that money can be moved from one classification to another. That is allowed only when Departments proactively look ahead, identify a problem, decide how to remedy that problem and then make application to manage it by moving money from expenditure under one head, where they are perhaps not going to spend all that money, to another head under which they can spend it.

A combination of all those factors allowed Departments to spend 99.7 % of their budgets last year. Very little money was left at the end of the year. I think that we are heading in the same direction for this year. When one examines the allocations and proposed reclassifications outlined in table 3, one can see the number of Departments that has asked for reclassifications. That indicates that those Departments are looking ahead, managing money and making applications to move money across so that they do not hit difficulties.

**Dr Farry:** I thank the Minister for his statement. Will he comment on the Barnett consequentials arising from the UK Chancellor's pre-Budget report? It does not form part of his statement, but will the Minister clarify when the Barnett consequentials will come into the system, and what his intention is with respect to those, bearing in mind that they have arisen as a result of the UK Government investing further in economic

recovery and in the green economy? Is the Minister minded to follow suit in Northern Ireland?

**The Minister of Finance and Personnel:** Mr Farry knows that, as to how we spend any allocations that are made to Northern Ireland as a result of the Barnett consequentials, we are not tied to the decisions that the Chancellor at Westminster makes. If that were the case, there would not be much point in our having this Assembly, because then we would simply be rubber-stamping the Chancellor's decisions and spending money in Northern Ireland as had been decided by the Treasury in England. We jealously guard the way in which Barnett consequentials are spent in Northern Ireland. They should and must be spent on the priorities that we set for ourselves.

In 2009-2010, we received £26.5 million of current expenditure in Barnett consequentials. In view of the fact that the majority of the efficiencies that we were going to be required to make in 2010 was in respect of current expenditure, we had hoped to use some of the Barnett consequentials to offset that pressure next year.

We asked Departments to consider spending money this year that was intended for projects next year so that the money from the Barnett consequentials could be offset against the savings that they will have to make this year. The result was that Departments did not bring forward any projects that they thought this could be used for. However, as Members are aware, pressures are coming from the equal pay settlement, and some of the Barnett consequentials will be used to bridge the gap between the money that was allocated as a result of the negotiations that my predecessors undertook with the Treasury and the equal pay bill.

**Mr McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. In contrast to the £8.5 million bid for IT Assist in the June 2009 monitoring round, there was a reduced requirement of £1.5 million in the December monitoring round. I understand that the explanation for that fairly wide divergence is that the level of transfer received from other Departments for IT Assist had been higher than the prudent estimate. Does the significant variance between the two figures over a relatively short period make the argument that there is an unwelcome weakness in the financial management of IT Assist, which is a division of the Department of Finance and Personnel? I strongly acknowledge the progress that has been made across the spectrum, and I hope that that work, which was led by the Minister and his Department, will continue. Notwithstanding that, perhaps that weakness in the Department needs addressed.

**The Minister of Finance and Personnel:** I will come back to the Member with the detail on the reasons for the reduced requirement. The bald figure is contained in the table in my statement. Most of the projects are in

their infancy, and we will continue to work on the budgets that have been set for them. The level of work that many of the central services do will vary from time to time, and that could lead to the kind of figure to which the Member referred. Rather than hazarding a guess, I will come back to the Member with a more detailed explanation.

**Mr Lunn:** Does the Minister appreciate the irony of the Department of Education's having to return £3 million due to slippage in the establishment of the education and skills authority (ESA), given that that slippage is caused by the failure of his Executive to allow the ESA to progress?

**The Minister of Finance and Personnel:** Perhaps Mr Lunn can elucidate and give more explanation on the progress of the ESA than I can. As far as I know, he is still a member of the Committee for Education. The Education Bill is being discussed by the Committee for Education at present, and the Committee is going through that process. I see the Member shaking his head, but the Committee asked for an extension in dealing with the Bill, and, as he well knows, there are still issues around the Bill. Those issues include the transferors' position and safeguards for the controlled sector, and they have still not been addressed.

The last thing in the world that the Member would want is a Bill to be railroaded through the Assembly when there are sensitive issues about one particular education sector — in fact, the biggest education sector in Northern Ireland — that have not yet been addressed.

Therefore, money is not being spent on ESA because, until those issues are addressed, there can be no progress. That is not my responsibility; it is the responsibility of the Minister of Education. For those who have outstanding concerns about the whole issue of ESA, I hope that some certainty will be reached as quickly as possible.

**Mr Weir:** I thank the Minister for his statement. Will he advise the House of the latest position on the delivery of the 3% efficiency target? He mentioned the Civil Service equal pay claim. What impact has that had on the financial position, and has it been incorporated into the figures?

**The Minister of Finance and Personnel:** As I said in response to a previous question, some of the Barnett consequential money can be used to deal with the equal pay settlement. Whether the entire equal pay claim will be settled in this financial year is another matter, because substantial work must still be done to establish the amount to which each individual is entitled. I suspect that the process will not be completed in this financial year.

The efficiency targets are important. Although individual Departments are responsible for the delivery

of the savings, it is important that my Department continues to monitor the delivery of the efficiency plans. I am pleased to say that the efficiency savings target for 2008-09 was fully achieved. A substantial amount of money, £273 million, was released in efficiencies in 2008-09. That is important because it means that there has been improvement in the way that local services are delivered.

The latest round of monitoring suggests that good progress is being made in respect of the targets for 2009-2010 and for 2010-11. Given the concerns that Members raised about front line services, I hope that the Assembly Committees will continue their important scrutiny of the development and delivery of the efficiency plans.

**Mr McNarry:** I realise that the Minister will have the last word, so happy new year to him. I am delighted to see Dr Paisley at his side. Perhaps, during the present difficulties, he will remain at the Minister's side for some time to come.

Does the improved spending performance mean that we need to reduce our reliance on overcommitment —

**Rev Dr Ian Paisley:** *[Interruption.]*

**Mr McNarry:** I apologise, Dr Paisley. Much as I would like to be able to hear you, I cannot, but whatever you said sounded funny.

If we are not to face the ramifications of breaking Treasury rules, must we reduce our reliance on overcommitment? Are we exposed through an inability to plug any holes that emerge, and, if so, does the Minister accept that he must endeavour, as I hope that he will, to review current practices?

**The Minister of Finance and Personnel:** I thank the Member for wishing me a happy new year. I always appreciate his support, just as I appreciate the excellent support of Dr Paisley, whom I am very pleased to have by my side. I know that he will be by my side and by the side of this party for a long time. I am happy about that.

As for the degree of overcommitment, there are several ways of dealing with the problems and unforeseen circumstances that arise in any budget over the course of a year. We all face situations in our households when we are hit suddenly by an unexpected bill or an unanticipated scenario. There are ways of dealing with such situations. Either one has some money set aside in a contingency fund, and I think that Mr McNarry was hinting at that, or one can reallocate money in the existing budget from one pot to another.

1.30 pm

Another option — and this relates to overcommitment — is that we may anticipate having money left over, on the basis that we never spend all the money in the

year. We may then decide that we can pay a certain bill because what we have anticipated in our Budget will not be spent anyway. That would be based on experience. Those are the three options open to us.

There is no right or wrong method in this. Mr McNarry advocates having a contingency fund. The question is how long we should hold on to that contingency fund. Should we hold on to it until the very last month of the year? We have had experience in the Assembly: the dioxin problem, for example, arose in the last month of the year and we were suddenly hit with a huge bill. However, if the crisis or occasion for spending that money does not arise and we do not spend that money, we may be in danger of having to give it back to the Treasury. Do we then just spend it willy-nilly on anything? That is one option.

The other option is to have that level of overcommitment and hope, on the basis of experience, that we will not spend all our money. Unfortunately, that appears to be an option which is increasingly less open to us, because we find that we are spending our Budget better, for all the reasons I have given. The other thing we can do, when a crisis arises, is to go around each Department and ask them to divvy up and to make money available from their own funds, and that might mean not spending money on things that they had anticipated spending money on.

As I have said to the Assembly in the past, I am happy to look at whichever of those methods the Finance Committee and the Assembly think best. However, none is without its difficulties. It is a fact of life that we face unforeseen expenditure at times and we have to decide which is the best way of dealing with it. We have to have that debate, especially as the overcommitment option appears less attractive because we have not had the vast underspends in the past couple of years that we had under direct rule. At that time, let us not forget, we had underspends of up to 7%. That is not in anyone's interest. I hope I am not wrong in that; if so, I will stand corrected. Such underspends mean that we had planned to spend money on services, but we did not deliver on that. That is in the interest of no one in Northern Ireland.

**Mr O'Loan:** I thank the Minister and I welcome the £15 million allocated to DRD for roads maintenance and the £5 million to DSD for housing renovation grants. Only £5 million is allocated to the Health Department, out of the £10 million already committed. The Minister knows well that there is an anticipated collective underspend by the health trusts this year of the order of £60 million, and no extra funding has been provided for that. That money will have to come out of the central health budget. Is the Minister not concerned at the serious loss of the health projects involved in that £60 million? Is he aware of the consequences of

that? It is effectively a cut of £60 million in certain parts of the health budget.

**The Minister of Finance and Personnel:** I, too, represent a constituency, and I can think of many things that I would love to spend money on in that constituency. The fact is that we must live within a budget. Members would like to spend money on many things in their constituencies, and there are many priorities that they would like to have pursued, but it is not always possible to do that. That is true of the Assembly, and it is true of us all individually.

There was a commitment to the Department of Health that it would have first call on £10 million of money that was available. Do not forget, there are ongoing issues in health anyway. The allocation was made on the basis that we would make £5 million available in this monitoring round and the Department would have first call on money available in the February monitoring round. The Executive took the decision that it was better to spread out the allocation like that, rather than hand it over in one bunch.

As to all the other issues that the Member has highlighted and is concerned about, I am sure that there is not a Member in the Assembly who could not raise an issue and ask whether I am not concerned that money is not being spent on this, that or the other, either in particular constituencies or in Northern Ireland as a whole, and make a good case for it. If that is the case, the first call must be for Departments to look at their priorities and resources and decide how they are going to spend their money, and if they feel that something is more important, they should prioritise it.

Neither I nor the Executive can magic money to facilitate every spending proposal. I believe that what I have presented to the Assembly today is a realistic picture of what we do with the money that has been surrendered and how we try to ensure that that is spread across a range of worthy bids.

**The Chairperson of the Committee for Social Development (Mr Hamilton):** I very much welcome the allocation of £5 million to the housing renovation grants scheme. The Social Development Committee has taken a keen interest in that over recent weeks and months. At a meeting six weeks ago, the Committee heard about late payments to contractors. Does the Minister know whether the allocation will be enough to ensure that all outstanding payments to contractors are made? Also, is he in a position to tell the House whether the Department for Social Development has met the commitment that it made in the June monitoring round to release an additional £20 million for Egan contract work?

**The Minister of Finance and Personnel:** As I said in my statement, the Department for Social

Development identified a £5 million pressure that it said had arisen because of unfunded opening commitments, the accelerated in-year expenditure on mandatory grants by contractors, and the necessity to issue a number of discretionary grants on an exceptional needs basis. It made a bid based on those issues, and £5 million has been paid to it.

Although we hear comments about raiding the housing budget, I have been able to allocate money to housing in almost every monitoring round. The Minister for Social Development was given £20 million in the June monitoring round on the basis that she immediately matched that with £20 million for the Egan contracts. In answer to the Member's question, that commitment has not been met to date. The Minister proposed to meet that commitment by using moneys that were surplus to requirements in the December monitoring round. The Member, as Chairperson of the Committee, and the Minister know that surplus requirements must be surrendered and that it is then up to the Executive to make a decision on that. After all, the Department was given that money on the basis that it would spend it for a specific purpose. If the money has not been spent for that purpose, the bid has not been fulfilled, and the money, therefore, comes back to the centre for discussion as to how it should be spent.

The Minister assumed that she could use that money. I gave the Minister and her Department every opportunity to explain whether they were simply moving that money around in a pro-active way, which I have allowed other Departments to do, and to make the case for that so that we could consider it. However, I did not receive any information on that. It is a discussion that I need to have with the Minister for Social Development, and I intend to do so some time this afternoon.

**Mr Beggs:** I also welcome the £5 million allocation to the Department of Health. Mr O'Loan indicated that pressures worth £60 million have landed on that Department and the trusts in this financial year. We have just experienced exceptionally cold weather that has created additional pressures because of fractures and other medical complications. Given that that £10 million commitment was made before the commencement of the financial year, why has the full amount yet to be allocated?

**The Minister of Finance and Personnel:** As I explained in a previous answer, the Executive's decision was that we will honour the commitment for the £10 million first call. Given the nature of the Health Department, I have no doubt that there will be further pressures between now and the end of the year. Therefore, rather than pay the £10 million all at once, it was deemed prudent to pay it in instalments. We do not know what pressures there may be in the run up to



the February monitoring round. An instalment has been paid, and the figure will be looked at again in the February monitoring round.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):** The Minister mentioned the dioxins crisis that took place around this time last year. Will he indicate whether he will insist that some pressure be brought to bear on the Department of Agriculture and the Department of Enterprise, Trade and Investment to resolve the outstanding £100,000 that is owed to Interfrigo Ltd for its management of the crisis for the Government? I hope that the Minister can find some release in that money.

I want to turn to the £15 million being made available to the DRD to increase the Roads Service budget. In the current climate — weather climate that is — we all recognise that additional money should be released to address the issue of gritting in rural Ulster. Is the Minister prepared to ensure that when the Department for Regional Development gets that extra £15 million, it will be able to find additional resources for gritting, and, in particular, for gritting rural roads? Otherwise, along with everything else, we will be slip-sliding all over the place, which is not in anyone's interest.

In his statement, the Minister said that the first priority of the Government is to protect the integrity of the Northern Ireland block. Removing my Committee chairman's cap, I want to ask whether the Minister has a message for savers in the Presbyterian Mutual Society (PMS) with regard to the protection of their integrity at the current time. Will the Minister give them any message of hope as that process goes into a new year?

**The Minister of Finance and Personnel:** I would not like to call my colleague a chancer. However, he chanced his arm on that one. He is allowed one question and he asked three. He is allowed to ask questions on my statement, which was on the December monitoring round, but he managed to bring the PMS into it. Let me quickly deal with the issues that he raised.

The money that is to be paid to the consultants is an issue for DETI and for the Department of Agriculture. I think that it is something probably best taken up with the Ministers of those Departments, and, of course, there is absolutely no reason why the Committees should not question Ministers on that.

As the Member is aware, the £15 million given to the DRD for roads maintenance is a capital commitment and the gritting of roads is revenue expenditure. Therefore, although I would love to be able to tell the Member that that £15 million will release money for the gritting of roads — and I know that there has been a considerable overspend by DRD as a result of the cold weather — it will not come from

that money. Like any other Department that has a pressure placed on it, DRD will either have to make a bid in the February monitoring round for the exceptional expenditure that it has had to undertake or find ways to move current expenditure around within its budget.

We are wandering off the statement. However, I want to give assurance on the situation regarding the PMS, because I know that that is an issue that concerns thousands of people across Northern Ireland. Every effort has been made by the Executive, from the First Minister and deputy First Minister, through to my Department and DETI, right down to departmental officials, and premium time has been spent on the issue. The Treasury, along with the administrator, is spending hours working to try to find a solution, to find a way through this, to identify a bank to deal with the situation and to try to reach a satisfactory conclusion on what is a very important issue. No stone will be left unturned. There are very sensitive issues that prevent me from providing a great deal of the detail of what is being done.

1.45 pm

On an almost weekly basis, the cynics attack this place and those of us who work in it. They say that the Assembly is dysfunctional and does not address the issues. Had there been no Assembly, no Executive and no local Administration, I doubt very much that there would have been a quarter of the effort that has been made to address this problem and a whole range of other problems that the press sometimes do not take up. Some of the issues that we have discussed this afternoon, in addition to the very important issues that the Member raised, highlight the importance of having a devolved Administration with local Ministers, local Committees and local representatives who keep up the pressure on the issues that constituents bring to their attention and want addressed.

**The Deputy Chairperson of the Committee for the Environment (Mr Boylan):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement.

The Environment Committee is very mindful of the financial pressure that the Department of the Environment faces and recognises that much of that is outside of the Department's direct control. However, that should be all the more reason for it to manage carefully those funds that are within its control. The Committee has asked several times about the finances involved in delivering the e-PIC project, and although many questions still remain, it will refrain from delving into those until the Public Accounts Committee delivers its report.

Why do the figures supplied to the Committee by the Department of the Environment indicate a 44% reduction in planning applications over the past five

years but a 3% overall increase in the number of Planning Service staff during the same period?

I take this opportunity to thank the Minister for the £15 million allocation to DRD. Will he indicate whether that will be used for road safety, which would be most welcome?

**The Minister of Finance and Personnel:** I will answer the last question first. Any roads maintenance that improves the surfaces of roads is bound to make them safer. I see roads maintenance and road safety as inextricably linked. If there are potholes and bad surfaces on roads, accidents are more likely to happen. Therefore, the £15 million for roads maintenance should have the dual effect of improving the quality of the roads on which people drive and improving safety on them.

With regard to the expenditure on the Planning Service, I am sure that the Member is happy that the necessary money has been made available for the e-PIC project. That in itself should bring substantial benefits to the Planning Service, because the whole idea behind the computerisation of planning applications was to make it easier for people to access and lodge their applications and to check their progress, and for the initial validation of applications to be completed without a lot of administrative work. All of that should free up professional planners' time and reduce the time spent dealing with queries.

The levels of staffing and the reduction in the number of planning applications are matters that the Member will need to take up with the Minister, through the Committee. However, there will not be an immediate correlation between the fall in planning applications and the number of staff in the Planning Service. During the boom time, the backlog of planning applications was very long, and the Planning Service still has to work its way through that. During the boom in planning applications, a lot of staff were moved from other areas, such as development control and area planning, to deal with the backlog. That work still needs to be done.

Therefore, it is not simply the case that if planning applications go down, the number of staff should be reduced. However, I am no longer the Minister of the Environment. Those questions are probably better addressed to him.

**Mr Attwood:** I agree with the Minister that devolution is better than London rule. However, people should not diminish the fact that many hopes have been frustrated and many opportunities lost during this phase of devolution, as was the case during the previous phase of devolution.

I agree that there is a pattern in the monitoring returns of money going to DSD. That is a welcome pattern that began in January 2009 when the then

Finance Minister, in a letter to the Minister for Social Development, shifted ground in respect of arguments around the funding of DSD and, in particular, housing. That pattern reveals the need to put housing and DSD issues on a secure financial footing. There is a reason why there is a pattern of allocations —

**Mr Deputy Speaker:** Will the Member come to the question?

**Mr Attwood:** David Cameron said yesterday that, in the event of a Tory Government after the election, there would be an emergency Budget within 50 days. Given that, and given that it appears that, last week, Alistair Darling won a strategic argument with the Prime Minister, have the Minister or his officials received any information from the Treasury in London about what it wants him to do in advance of an election later this year to prepare for the consequences of that election?

**The Minister of Finance and Personnel:** The Member raises an important point that I suspect might be more relevant to the statement that I will make tomorrow. He may have the chance to ask the question again tomorrow when I talk about the Budget for 2010-11.

However, he has raised an important issue. If it is difficult to deal with the pressures that arise through in-year monitoring, a Budget within 50 days of an election, which will presumably be in May, could leave us having to find substantial savings after Departments have made their plans for 2010-11. That could make the bids in some monitoring rounds look like chicken feed compared to what we might suddenly face in the middle of the next financial year.

I have met the Treasury Minister in London. Moreover, I have spoken to, and will seek further meetings with, the spokesman for the Conservative Party. So far, there has been no indication of what the next CSR period will bring. We received some indication about the size of the reductions before the Chancellor used the current, more strident language. There have been substantial reductions in the capital budget that has been announced for 2011-14. I cannot remember the figure off the top of my head; I think that it is 6.7%, but I could be wrong. I will come back to the Member with the exact figure. That will have fairly severe implications, perhaps more so in Northern Ireland.

The Member raises an important point: we are at the mercy of people who, for clear reasons, given that an election is coming up, will probably not reveal their true hand. However, they have given us a flavour of what we can expect some time in the first quarter of the next financial year.

**Mrs M Bradley:** The Minister said that he has already given extra money to the Department of

Health. I ask him to give more. Older people in the community are not getting the care that they need because of the money shortages. We tell them that they are included in the Programme for Government, and we have committed to that programme. However, we have not fulfilled our duties. The spell of bad weather has further highlighted the fact that older people are not getting the care that they need, when they need it.

**Mr Deputy Speaker:** Will the Member come to the question?

**Mrs M Bradley:** They sometimes suffer because of the weather but never receive the care that they need. We need to give them confidence in this Government through providing proper care. I ask the Minister to consider giving extra money.

I know that the Health budget is stretched, but if the Minister of Health, Social Services and Public Safety got more money, he would be more than willing to carry out a programme.

**The Minister of Finance and Personnel:** No matter how much more money I gave to the Minister of Health, Social Services and Public Safety, I suspect that he would still come back asking for more. I listened to what the Member said, and although many people will have sympathy for her points, one element is missing. If she wants more money for health, will she and her party indicate where that money will come from?

The Member who spoke before Mrs Bradley said that it is right to give more money to housing. Mrs Bradley wants more money for health, and other Members want more money for roads and education. We could start to manufacture money in the printing presses in the basement of this Building, but that would not do us much good. The Member and her party believe that health should be a priority, and that is laudable. However, in order to have some realism in the debate and to know what the real choices are, the Member should, perhaps, tell us who will receive less money if there is to be more money for health.

## EXECUTIVE COMMITTEE BUSINESS

### Video Recordings Bill

#### Legislative Consent Motion

**The Minister of Culture, Arts and Leisure (Mr McCausland):** I beg to move

That this Assembly endorses the principle of the extension to Northern Ireland of the Video Recordings Bill.

This is a short Bill that will repeal and revive certain provisions of the Video Recordings Act 1984. The Bill is needed because it has recently come to light that penalties for offences under that Act are unenforceable. That is due to a failure to notify certain provisions in the 1984 Act and the labelling regulations that were made under it to the European Commission under the European Union's technical standards directive. The aim of the Video Recordings Bill is to rectify that situation.

The Video Recordings Act 1984 introduced a system of classification for video films and some video games. It created a series of offences concerning the supply of classified videos and video games to persons under certain ages. The 1984 Act also contains offences concerning the supply of unclassified material. The Act requires that videos, DVDs and certain boxed video games would be classified by the British Board of Film Classification. It makes it illegal to supply unclassified material and to supply age-restricted material to people below the specified age rating. It also limits distribution of adult films material.

Video and film classification is a transferred matter, because it is not listed in schedules 2 or 3 to the Northern Ireland Act 1998. The criminal law, and the creation of offences and penalties, remains expressly reserved under paragraph 9 of schedule 3 to the 1998 Act until the devolution of policing and criminal justice matters takes place. Without the repeal and revival of the Video Recordings Act 1984, the penalties for offences under that Act are unenforceable, and we are unable to protect the public and our children from the distribution of inappropriate and offensive material.

When passed, the Video Recordings Bill will come into force and will become the Video Recordings Act 2010. It will extend to England, Wales and Scotland, and, if the Assembly agrees to the legislative consent motion, it will extend to Northern Ireland. Consent for Northern Ireland's inclusion in the Bill has been sought from the Committee for Culture, Arts and Leisure and from the Executive.

Both have given their consent to proceed with the proposed Bill. The Assembly must now consider the principle of extending the Bill to Northern Ireland. We need a united approach to video and film classification across the United Kingdom, including Northern Ireland,

and to the matter of criminal offences and penalties, as well as the enforcement mechanism for those offences.

2.00 pm

Our children and vulnerable adults must be protected. I hope that Members will agree and support the motion, which has been designed to allow a parallel timetable for delivery and to ensure that the legislation continues to be consistent across the United Kingdom.

**The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff):** Go raibh maith agat, a LeasCheann Comhairle. Tá mé ag caint ar son an Choiste Cultúir, Ealaíon agus Fóillíochta, agus tá muidinne, mar Choiste, ag tabhairt tacaíochta don rún seo.

The Committee for Culture, Arts and Leisure considered the legislative consent motion on the Video Recordings Bill at its meeting on 3 December 2009. The Committee had been briefed by departmental officials on the implications of the Bill three weeks earlier on 12 November 2009.

The Committee agreed, on a without-prejudice basis, to support the motion, which will see the extension of the provisions of the Video Recordings Bill to this region. The Committee understands that the purpose of the Bill is straightforward, as the Minister outlined. Its purpose is to repeal and revive the existing provisions of the Video Recordings Act 1984 in order to make the criminal offences in that Act enforceable. That will mean that proper public protections are in place around the supply and classification of age-related films and video games. The Committee welcomes that move and the positive implications for protecting children and young people.

The Committee welcomes the extension of the provisions of the Video Recordings Bill to this region, and I commend the motion to the House.

**Lord Browne:** I support the motion that the application of the provisions of the Video Recordings Bill be extended to Northern Ireland. The subject matter of the Bill is not controversial as it is substantially a re-enactment of existing legislation, and there are no cost implications for Northern Ireland. Nevertheless, the system of classification for video films and video games is of the utmost importance. Therefore, the changes proposed in the Digital Economy Bill [HL] need very careful consideration. I will comment on that in more detail when that motion is discussed.

I support the legislative consent motion.

**Mr K Robinson:** I thank the Minister for moving the legislative consent motion today. It deals with a rather peculiar piece of legislation that is currently being fast-tracked through another place. The Bill is a simple piece of legislation consisting of two clauses and one schedule. Clause 1 repeals the provisions of

the Video Recordings Act and immediately revives them. Clause 2 refers simply to the short title of the Bill, its commencement and extent.

The 1984 Act introduced a system for classifying video films and some video games according to their content, as well as a series of offences for supplying classified videos and video games to people under an age restriction. The Act was an innovative and welcome piece of legislation, as it stopped certain videos with extreme content from receiving a classification and made it an offence to supply unclassified material.

The 1984 Act was introduced by a private Member, and it appears that, in consideration of the Digital Economy Bill [HL], which we will address later, the Government discovered that the Act was no longer enforceable under UK law. My understanding is that the situation arose because of a procedural failure in 1984 to notify the European Commission of the Act's provision in draft under the technical standards directive. That means that no new prosecutions can be made under that Act and prosecutors cannot oppose appeals made in time against conviction. As the Under-Secretary of State for Culture, Media and Sport outlined recently, it means that:

“publishers of videos, DVDs and 18-rated and R18-rated video games can distribute their goods free of any classification restrictions. Retailers can sell classified and unclassified adult material to any person, regardless of age, with limited statutory powers to stop or prosecute them.”

The Video Recordings Bill is designed to make the 1984 Video Recordings Act enforceable again as soon as possible. Therefore, my party fully supports the legislative consent motion. However, I ask the Minister to clarify the situation as regards the distribution of previously illegal material in Northern Ireland during the period of the legal loophole. What assurances has the Minister received from his London counterpart that past convictions will not be challengeable due to the scenario that the Bill attempts to address?

**Mr P J Bradley:** When I was growing up in a rural homestead and switching on a wireless powered by the dry battery and the wet battery, I never thought that, one day, I would be talking about digital radios and digital this and that. I apologise that I arrived late for the Minister's statement —

**Mr Deputy Speaker:** Order. I remind the Member that the legislative consent motion does not concern digital radio. It is about the Video Recordings Bill.

**Mr P J Bradley:** I apologise if I confused you, Mr Deputy Speaker. Given that the endorsement sought is quite straightforward and that the Bill is relatively short, there is little that I can add to the comments that were made by the Chairperson of the Committee and the three or four other Members who spoke. I support

the Bill, and I thank other Members for saying what I might have said had I been here earlier.

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker. I support the motion on behalf of the Alliance Party. I concur fully with the comments that were made by the Chairperson of the Committee for Culture, Arts and Leisure, Barry McElduff. The memorandum outlines why the Video Recordings Bill should be extended to Northern Ireland. The fact that offences committed under the 1984 Act were unenforceable because of a failure of certain provisions of the Act and the regulations under the technical standards directive is a very good reason for the House to support the motion.

**The Minister of Culture, Arts and Leisure:** I thank the Members for their contributions and support for the proposal. The Video Recordings Act dates back to 1984, but it was only in August 2009 that it became known and recognised that there was a technical difficulty surrounding its enforcement. All that we are doing today is pursuing regularisation of the situation.

A question was asked about people who have been prosecuted under the Act already. I am informed that a small number of cases have been appealed, but Members will appreciate that no one can comment on cases that are ongoing. I am also informed that it is not likely that people prosecuted previously will be able to overturn their convictions or receive any financial recompense. Similarly, it is unlikely that any loss-of-trade claims will succeed. I am further informed that a relatively small number of people were prosecuted under the Act as a result of its deterrent powers. Many prosecutions under the Act have also been made in conjunction with prosecutions for other offences. Therefore, I hope that the House will give its consent to us proceeding on the matter.

*Question put and agreed to.*

*Resolved:*

That this Assembly endorses the principle of the extension to Northern Ireland of the Video Recordings Bill.

## **Digital Economy Bill [HL]: Legislative Consent Motion**

**The Minister of Culture, Arts and Leisure (Mr McCausland):** I beg to move

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Digital Economy Bill dealing with the classification of video games etc and public lending right.

I remind Members of the Video Recordings Bill legislative consent motion, which they have just supported, because the two motions are closely related. I also express gratitude to my Executive colleagues and to the Chairperson and members of the Committee for Culture, Arts and Leisure for the expeditious manner in which they considered the proposals to bring both motions before the Assembly.

Before dealing in detail with the transferred matters, I will provide a brief overview of the Digital Economy Bill [HL]. In June 2006, the ‘Digital Britain’ White Paper was published. It aims to put in place systems to develop the digital world and protect users of digital technology. It is hoped that the proposals will secure the United Kingdom’s position as one of the world’s leading digital knowledge economies.

The ‘Digital Britain’ paper includes a wide range of proposals to achieve that aim. From new Internet services, modernisation of radio broadcasting and new ideas on how we receive TV news and current affairs programming, it is likely that we will all be affected by the proposed changes. I am determined that any changes will be appropriate for Northern Ireland, and I continue to negotiate with the Department for Culture, Media and Sport on some of the issues. However, the motion that I ask the House to endorse today concerns legislative elements of ‘Digital Britain’ that I fully endorse. Those elements will be put on to a statutory footing by the Digital Economy Bill [HL].

The Bill is comprehensive. For the most part, it will extend automatically to England, Wales, Scotland and Northern Ireland. However, it contains certain provisions that are transferred matters for Northern Ireland. The transferred matters relate to clauses 40, 41 and 44 of and schedule 1 to the Bill. They concern strengthening video games classification to protect users of video games and broadening library lending rights to include digital media.

Earlier today, the Assembly supported the Video Recordings Bill legislative consent motion, which relates to the repeal and revival of the Video Recordings Act 1984. The Digital Economy Bill [HL] seeks to expand and enhance the provisions of the Video Recordings Act 1984 once it has been revived. Essentially, it will mean that anyone who sells games that are classified as 12-plus to small children can be

prosecuted. The Video Recordings Act 1984 already gives 18-plus games a statutory footing.

Clauses 40 and 41 of and schedule 1 to the Digital Economy Bill [HL] set out, among other things, the criteria that must be satisfied for a game to be an exempted work under the 1984 Act. In addition, the Secretary of State would have the power to update the criteria and to add or remove further criteria for exempted video games. That will be done through regulations and will, of course, be subject to parliamentary scrutiny. There will also be a power to designate two different authorities under section 4 of the 1984 Act. That will allow the Video Standards Council to take on the responsibility for classifying video games by using an enhanced Pan-European Game Information (PEGI) system.

Video and film classification is a transferred matter because it is not listed in either schedule 2 or schedule 3 to the Northern Ireland Act 1998. The second transferred matter for Northern Ireland in the Bill is the public lending right. That relates to the Public Lending Right Act 1979, which provides for compensatory payments to authors and arrangements for the free loan of their books through public libraries. That Act refers only to books and, therefore, excludes other formats, such as audiobooks and e-books. Clause 44 of the Digital Economy Bill [HL] would amend that Act and the Copyright, Designs and Patents Act 1988 to allow the inclusion of some non-print formats in the public lending rights payment regime.

When passed, the Digital Economy Bill [HL] will come into force as the Digital Economy Act 2010. If the Assembly agrees to the legislative consent motion, all the Bill's provisions will extend to Northern Ireland, including those that would do so automatically and those that are transferred matters.

Consent for Northern Ireland's transferred matters to be included in the Bill has been sought from the Committee for Culture, Arts and Leisure and the Executive. Both have given their consent to proceed with the Bill.

2.15 pm

We need a united approach across Northern Ireland and the rest of the United Kingdom in regard to video and film classification. Digital technology is advancing at an amazing pace. Our legislation must keep up so that we can protect our children and vulnerable adults. I also believe that there needs to be a united approach to the public lending right provision, to assist our libraries in providing the most modern and efficient services demanded by the public. I hope that Members agree with me and that they will support the motion, which has been designed to allow a parallel timetable for delivery and to ensure that the legislation in respect

of those matters continues to be consistent across the United Kingdom.

**The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff):** I again speak on behalf of the Committee for Culture, Arts and Leisure, which considered the legislative consent motion relating to the Digital Economy Bill [HL] at its meeting on 10 December 2009. The Committee had been briefed by departmental officials on the implications of the Bill on 12 November 2009. The Committee agreed to support the motion, which will see the extension of the provisions of the Digital Economy Bill [HL] to this region.

Two aspects of the Bill relate to transferred matters and are the bases of the need for the legislative consent motion. The first matter concerns the classification of video games. The Bill will ensure that all video games are appropriately age-classified. That is welcomed by the Committee, because it will help to protect children from the risks sometimes associated with viewing video games with inappropriate content for their target age group.

The other aspect of the Bill concerns the public lending right. It will mean that authors will receive proper payment for loans of their books from public libraries, including audio and e-books. The Committee welcomes that move. It believes that it is important that all those working in the arts sector — in this case, authors and writers — should be supported, given their contribution to society.

The Committee for Culture, Arts and Leisure welcomes the extension of the Digital Economy Bill [HL] to this region, and I commend the motion to the House.

**Lord Browne:** I fully support the motion that the provisions of the Digital Economy Bill [HL] dealing with classification of video games and public lending rights should be extended to Northern Ireland.

As I stated when supporting the legislative consent motion on the Video Recordings Bill, I strongly believe that an effective system for classification of video games in Northern Ireland is essential. Members will be aware that the Bill, which was introduced in the House of Lords on 19 November 2009, seeks to reform the classification rules in the light of a recent assessment of the risks that children face from the Internet and from playing video games.

Recent studies have shown that parents should be most concerned about two factors: first, the amount of time that children spend playing games and, secondly, the content of video games that they play. The extent of children's engagement with video games correlates clearly with health risk factors, including obesity, and with poorer academic performance. Perhaps even more importantly, when some video games are analysed for

violent content, additional risk factors are observed for aggressive behaviour and desensitisation to violence. Playing violent games leads to increased physiological arousal and aggressive thoughts, feelings and behaviour as well as decreased co-operative attitudes.

I strongly support the Bill's proposals to distinguish clearly between exempted games that are suitable for children under 12 or that are designed to inform or educate and other games that will be subject to classification, because that will ensure that vulnerable children are not exposed to violent or other inappropriate material.

No doubt, suitable arrangements for the operation of the proposed new system will be agreed after the Bill has been fully scrutinised at all its stages in Westminster and before it becomes law.

I am confident that the system will not unduly restrict the positive benefits that children undoubtedly gain from playing many games. Due to the interactive nature of some games, children find them highly motivating and become actively engaged with them. As a result, those games often successfully impart the attitudes, skills and behaviours that they are designed to teach. In fact, members of the Committee for Culture, Arts and Leisure may be interested to learn that a study has shown that playing a golf video game improves putting control on the course.

It is important that the public lending right, which is a transferred matter, is included so that Northern Ireland libraries are not at a disadvantage to their counterparts in Great Britain in the range of services and products that they are able to offer. Therefore, Mr Deputy Speaker, I support the motion.

**Mr K Robinson:** The Ulster Unionist Party supports the legislative consent motion. Members who spoke previously, including the Minister, said that the Digital Economy Bill [HL] will deal with a wide range of matters that will bring us back to the mainstream of the expansion of that type of media across Great Britain. However, in the midst of his statement, the Minister said that he would look at something that was appropriate to Northern Ireland. I wonder whether we have missed something, because we thought that we were covering all the UK-wide matters and, I presume, all the matters that the Republic of Ireland has already covered under European legislation. Is something causing the Minister concern? Apart from that issue, the Ulster Unionist Party is happy to support and give its consent to the Bill.

**Mr P J Bradley:** I thank the Minister for tabling the motion, and I thank the Chairman of the Committee for Culture, Arts and Leisure for his summary. I had prepared notes; however, given that the clock is ticking, I will select a few points to make.

It is proper that we welcome the measures in the Bill that meet parents' needs. We should also welcome the protective measures that ensure that all video games, in whatever format they are sold or supplied, will be clearly age-classified. The in-built protection for all age groups, particularly the strict legislation that protects children under the age of 12, is to be welcomed. On behalf of the SDLP, I join other Members in supporting the motion.

**Dr Farry:** Like other parties, the Alliance Party supports the aspects of the Bill that relate to Northern Ireland. The legislation is important for ensuring that the UK as a whole, and Northern Ireland as part of the UK, has a competitive economy, particularly in the growing aspects of the digital electronic future upon which we are so dependent.

Bearing in mind the specific parts of the Bill that relate to Northern Ireland, like other Members, I see the benefits of video games. The way that young people want to spend their time shows that the world has moved on from when I was growing up. There are dangers with gaming being a solitary activity that consumes a lot of time. Equally, people can interact with one another, either in one location or elsewhere in these islands or around the world. Indeed, such interaction is to be encouraged. Nevertheless, parents demand proper safeguards to ensure that their children play games that are suitable to them. Parents also demand that those safeguards are not abused. That aspect of the Bill is welcome.

Facilitating local libraries with the public lending right is a well accepted point. We will probably have to consider some issues that arise, such as out-of-copyright works that are issued electronically. Members will be aware of the wider debate about whether it would be advantageous for one of the Internet websites — I cannot remember whether it is Amazon or Google — to place out-of-copyright works online and, in effect, own the copyright. Although that may bring the works in question to a greater audience, it may impinge the tradition of open access to non-copyrighted works.

Furthermore, the Internet has developed in an anarchic way, which has been its strength. However, as things such as digital legislation become mainstream, it is important that we do not lose the spontaneity of the Internet through over-onerous rules in respect of people sharing extracts of books or articles that they have come on for purely domestic or one-to-one non-commercial purposes. It is important that we are not overly onerous on the issue.

The local broadcasting element affects Northern Ireland. Although it is a reserved matter and is not devolved, there is a strong groundswell of support to ensure that we retain proper local broadcasting in

Northern Ireland. That preservation is more important in this region than in any other region of the UK. It is important that the Department uses all its opportunities to lobby the Department for Business, Innovation and Skills in Westminster to ensure that our interests in local broadcasting are protected.

**The Minister of Culture, Arts and Leisure:** I will endeavour to be as brief as possible because it is clear that all parties support the legislative consent motion. I want to provide clarification on Ken Robinson's point. I was simply saying that important aspects of 'Digital Britain' are not covered by the Bill, and we want to ensure that Northern Ireland gets the best arrangement. I am sure that the Member is well aware of the sort of issue that I am speaking about.

A point was raised about video classification. I assure Members that I believe firmly that the move towards the PEGI system is the best method for enforcement and for the protection of young people. Evidence and research conclude that that is the right direction. Age ratings will become compulsory for all boxed games designed for people who are aged 12 and over, and the Bill will protect our children by making it illegal to sell boxed computer games that are suitable for 12-year-olds and older to underage children. It will also ensure that consumers, businesses and our online infrastructure are kept safe by granting reserved powers concerning domain name registries. Therefore, there will be enhanced protection through the Bill.

Dr Farry is right to draw attention to the importance of getting the best arrangements for local broadcasting in Northern Ireland. In some ways, that relates to the issue that Ken Robinson raised earlier. I hope that the House will support the legislative consent motion.

*Question put and agreed to.*

*Resolved:*

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Digital Economy Bill [HL] dealing with the classification of video games etc and public lending right.

## ASSEMBLY BUSINESS

### Designation of Acting First Minister

**Mr Speaker:** I am conscious that we are proceeding to Question Time, but it is important that I share with you a letter that I have just received from the First Minister. I wish to inform the House that I have received written notice from the First Minister, Peter Robinson, that, under section 16A(11) of the Northern Ireland Act 1998, he has designated Mrs Arlene Foster, the Minister of Enterprise, Trade and Investment, to exercise the functions of the office of First Minister. The designation takes immediate effect.

I appreciate that Members will wish to consider the announcement that I have made this afternoon. Therefore, I have decided to call all the Whips together very quickly to try to clear up any issue that parties may have in respect of the announcement. As I said, we are about to move to Question Time, and I am not going to take any points of order.

I am happy to meet party Whips this afternoon and to come back to the House if there is any real issue that Members feel still needs to be answered. I ask the House to take its ease in advance of Question Time.



2.30 pm

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

## Oral Answers to Questions

### HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

#### Weather-related Injuries

1. **Lord Morrow** asked the Minister of Health, Social Services and Public Safety for an estimate of the cost to the Health Service of the treatment of injuries caused by falls due to freezing weather conditions during the month of December. (AQO 532/10)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** It is not yet possible to give an accurate assessment of the cost to the Health Service of treating injuries from falls that occurred as a result of the freezing weather conditions in December 2009. The vast majority of patients will be treated in A&E departments. However, many people will also be treated or will have continuing care provided to them in outpatients departments, or by primary community and personal social services.

I am aware that during the week leading up to Christmas, there was a 31% increase in the number of people who were admitted to hospital with fractures compared with the same period in 2008. In addition, the Ambulance Service reports a 16% increase in call-outs related to falls compared with the figure for December 2008. Naturally, all of that brings additional cost to an already pressured Health Service.

**Lord Morrow:** I thank the Minister for his answer. Although the gritting of footpaths is not his Department's responsibility, will he tell the House whether any joined-up thinking took place between his Department and others on the matter? All Members' constituency offices have received a considerable number of complaints and reports about people having fallen on treacherous footpaths during the hard winter of December. The Minister has told the House that there has been a 31% increase in the number of incidents being reported. Will he tell the House the extent of the further pressure that will be put on his budget as a result of the bad weather?

**The Minister of Health, Social Services and Public Safety:** As I said in my answer to the substantive question, it is too early for the Department to provide an accurate assessment of cost. However,

there has been a marked increase in the number of patients going through fracture clinics. That has meant that hospitals' elective-care services have had to be discontinued temporarily. At the weekend, all trusts did extra work, and they will continue to do so during the coming week in an effort to catch up.

All of that creates costs, and such costs afflict the Health Service annually. Every year, the Health Service experiences such a surge. In recent weeks, the surge has been particularly severe. Credit must be given to staff in fracture units who deal with those injuries and to the hard-working ambulance crews who go out in adverse weather and deal with the increased number of call-outs. The service is under pressure, but it has coped and continues to do so. All credit must go to the workers who provide that service.

**Mr Deputy Speaker:** I remind Members that they must stand in their place if they wish to ask supplementary questions, and those questions must be kept short and relevant to the original question.

**Mr Gallagher:** I am sure that all Members want to congratulate health workers, particularly staff at sites that are under pressure due to the severe weather. The Minister said that certain other patients have had their treatment or appointments postponed. Can he tell the House whether all people who turned up at A&E departments with injuries that resulted from the severe weather were able to be facilitated and treated?

**The Minister of Health, Social Services and Public Safety:** Yes, I can confirm that A&E departments continue to function, and are doing so extremely well. We have targets for patients to be seen within a particular time and, as the Member is aware, the A&E target is four hours. By and large, A&E departments manage to adhere closely to that target. However, during periods of surge, such as has been reported, it is difficult to reach that target exactly. Nevertheless, the vast majority of patients were seen within that four hour target. As an example, admissions for patients with a broken hip increased by 48% during the last week in December, which is a marked increase on what we would normally anticipate.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. The Minister has referred to elective surgery. Obviously, due to the increase in the number of people falling, etc, orthopaedic consultations have also been affected. Will the Minister give us some idea of how the planned waiting lists have been affected, the extent to which they have been affected, and how it is planned to remedy that? I am sure that the Minister is aware that people on orthopaedic waiting lists wait a long time for a consultation.

**The Minister of Health, Social Services and Public Safety:** The fractures target is that, where clinically appropriate, 95% of patients wait no longer

than 48 hours. That target has slipped, but we have got very close to it across all the hospitals that operate fracture clinics. I can confirm that cancelled operations affect 109 patients. The trusts worked extra shifts and held extra clinics last weekend and will do the same this week in order to deal with that backlog.

By and large, the system has worked well and the staff have coped well, albeit with the pressure of extra work, and all credit to them. The fact that we are getting close to our target of seeing fracture patients within 48 hours is a credit to them. As a result, patients benefit from not having to wait on trolleys in A&E for days, as happened in previous years. That demonstrates that the investment that has gone into waiting times and targets has resulted in better patient care.

### Swine Flu Vaccination

2. **Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what caused the breakdown in negotiations with the British Medical Association in relation to providing the swine flu vaccination to children under five years. (AQO 533/10)

**The Minister of Health, Social Services and Public Safety:** General practitioners delivered the swine flu vaccination programme to a significant proportion of priority patients in at-risk groups, and I am indebted to their clinical commitment in providing that valuable service. It was, therefore, my wish that phase two of the vaccination programme would also be delivered predominately by GPs. The four UK Health Ministers agreed on an offer to be put to the General Practitioners Committee of the BMA in respect of vaccinating children under five years of age. The fee offered was that agreed for vaccinating patients in the at-risk groups during phase one of the vaccination programme.

In negotiations, the BMA confirmed that it could not accept the offer made on behalf of the four UK health administrations. In the absence of an agreed national deal, the four UK Health Ministers have determined that the vaccination of the under fives will be delivered through local arrangements with willing GP practices and trusts. I assure the Northern Ireland public, and parents of young children in particular, that the vaccine will be available to all children over six months and under five years of age.

**Ms S Ramsey:** I am disappointed that, going into phase two of the vaccination programme against swine flu, it seems that negotiations broke down over money. I appreciate the work carried out by local people in trying to tackle swine flu, and that should not be ignored. On 17 December 2009, I asked the Minister for a breakdown of how much of the £64 million committed to tackling swine flu had been paid to GPs.

Elected representatives and the general public have a right to know how much of that £64 million is being paid directly to GPs, so that we can break down exactly where the money is going.

**The Minister of Health, Social Services and Public Safety:** By and large, the swine flu vaccination programme continues to be delivered through GP practices in Northern Ireland. There are 360 practices in Northern Ireland and, to date, almost 300 have signed up to deliver the vaccine. Where necessary, trusts are also in a position to deal with patients who are not part of a practice that is signed up to deliver the vaccine.

As far as the breakdown of the cost of swine flu vaccination is concerned, I have figures in front of me for the cost of the vaccine roll-out. The cost of each vaccination is £5.25 per patient, and the total cost of the vaccination programme is £2.07 million. In addition, some concessions have been made on the achievement of the patient-experience targets for one year to allow GPs to carry out the extra work involved. I can check the figures, and I am happy to share them with the House. It was difficult for me to say exactly what the total cost would be until we were certain that the cost per vaccine would be £5.25. However, that has been the cost for the priority groups to date, and that continues to be the price of the vaccine. I can also add that that rate is below the rate for the seasonal flu vaccine.

**Mrs D Kelly:** I thank the Minister for his answer. Will the Minister confirm what the uptake levels have been for groups other than the under-five age group? Have there been any regional disparities across the North?

**The Minister of Health, Social Services and Public Safety:** There has been a very strong uptake in Northern Ireland. The Department deals with Northern Ireland as a region, so I cannot break the uptake down any further than that at the moment. However, there has been a very good uptake in Northern Ireland, which has been much higher than the uptake in other parts of the UK. That high uptake is across all groups including, for example, pregnant women. There was some resistance to vaccination among that group of patients on the mainland, but we have performed very well in our area of responsibility.

### Antrim Area Hospital

3. **Dr W McCrea** asked the Minister of Health, Social Services and Public Safety, in light of the closure of surgical beds at the Mid-Ulster Hospital, what action has been taken to ensure that Antrim Area Hospital is in a position to cope with an additional intake of patients. (AQO 534/10)

**The Minister of Health, Social Services and Public Safety:** The consolidation of acute inpatient surgery services at the Antrim Area Hospital and the Causeway Hospital in November 2009 was made in the interests of patient safety and to ensure that we can provide the highest possible quality of safe and sustainable services into the future. Prior to the changes being made in November, typically fewer than two admissions each day to the Mid-Ulster Hospital required a surgical intervention. I am advised that the trust is managing the increased flow of surgical patients to the Antrim Area Hospital through the provision of additional beds to support the extra surgical activity.

**Dr W McCrea:** The Minister will be aware of a report in the newspapers from a doctor, a local GP and also a consultant, concerning the situation in our hospitals. The report suggested that patients are lying on trolleys for hours on end, that there is a lack of nursing staff to attend those patients and that existing staff are overworked. Surely sufficient preparation was not made when the Minister decided to remove acute services from the Mid-Ulster and Whiteabbey hospitals.

**The Minister of Health, Social Services and Public Safety:** I think that we may be confusing two issues. On average, fewer than two admissions to the Mid-Ulster Hospital each day required surgical intervention, and the Antrim Area and Causeway hospitals are the two hospitals that will now take surgical admissions. The Department has deployed extra beds to deal with that change. It has increased the number of surgical beds from 55 to 67 and has made capacity for up to eight outlier medical beds to deal with any surge.

The problem with Antrim Area Hospital was that there was a surge in business, which was related not least to winter weather and the associated issues of falls, accidents and older people becoming ill and requiring hospital support as a result of the weather.

I am not aware of people waiting for days and days on trolleys. *[Interruption.]* I beg your pardon. I read a report from a doctor that referred to sub-Saharan conditions in the Antrim Area Hospital. Shame on him for making that sort of remark. If he had any idea what a sub-Saharan hospital was like, he would not be talking about Antrim Area Hospital in that way.

2.45 pm

We have had a cold snap and there has been a surge, but staff have coped extremely well, although they remain under pressure and will continue to remain under pressure without the sort of investment into our various facilities that I have argued for in the House on a number of occasions. That investment is lacking at present. For example, the intake per annum at Antrim Area Hospital A&E is now running at over 60,000,

whereas it was designed for around 35,000 per annum. We would like to build a better and extended accident and emergency unit in Antrim Area Hospital, but without the capital we are unable to do so. I have a limited budget to deal with the business that we are doing. I keep telling the House that business is up and demand is up in the Health Service in Northern Ireland by 9% in the year that has just passed, and it was up by 12% the year before. That gives some indication of where the Health Service is going.

**Mr Burns:** Will the Minister tell us how many extra doctors and nurses have been brought into Antrim Area Hospital to help with the added pressures from the Mid-Ulster Hospital and Whiteabbey Hospital and the problem caused by the recent cold weather?

**The Minister of Health, Social Services and Public Safety:** I will not recap all that I have just said, but I am happy to write to the Member about details on staffing levels. By and large, the overflow from Whiteabbey Hospital would go to the Mater Hospital in Belfast, and that from the Mid-Ulster Hospital would go to either Antrim Area Hospital or the Causeway Hospital. As I said, there are typically fewer than two admissions to Mid-Ulster Hospital requiring surgical intervention each day. That gives an indication of the flow we are talking about. There is provision for staff to be redeployed, not only within hospitals but also to Antrim Area Hospital and the Causeway Hospital.

**Mr Ford:** I welcome the tribute that the Minister has paid to the staff of Antrim Area Hospital and the work they are doing, not least in A&E, and not least what was done by A&E staff on Friday morning in most tragic circumstances. Does the Minister accept that there has been underfunding of the Northern Trust area over a consistent period of many years, and that his references to what the Department will seek to do are actually a measure of what it has failed to do so far for the people who live in the Northern Trust area?

**The Minister of Health, Social Services and Public Safety:** I do not think we can divorce the Northern Trust from other parts of Northern Ireland. As I have explained in the House on a number of occasions, the Health Service in Northern Ireland is seriously underfunded. For example, spend on health in the UK as a percentage of GDP is less than the European average, and the European average is much less than that of the United States, so we are in a region in the UK that has the lowest rate of spend. We are the poor relation of the poor relation when it comes to health. I have explained that over and over again, yet Members appear to be unwilling to take the required action and increase support and resources for the Health Service.

As far as the Northern Trust is concerned, I am bound by the capital budget that I have. My

Department bid for capital and got about half of what it needed. The Northern Trust capital over the period is £175 million, I have been allocated £29 million over the comprehensive spending review (CSR) period, and the ward block that we plan for the Antrim Area Hospital will cost £51 million. That is in the plans, and has been given the go ahead. There will also be £3 million spent on Antrim Area Hospital A&E. Those investments are coming forward, but they could come forward faster, and they are insufficient; we need more. However, that is not in my hands, but in the hands of the House.

### DHSSPS Budget 2010-11

4. **Mr Kennedy** asked the Minister of Health, Social Services and Public Safety for an update on his departmental budget for 2010-11. (AQO 535/10)

### DHSSPS Budget 2008-2011

14. **Mr Kinahan** asked the Minister of Health, Social Services and Public Safety for an update on his departmental budget for the period 2008-2011. (AQO 545/10)

**The Minister of Health, Social Services and Public Safety:** With your permission, Mr Deputy Speaker, I will answer questions 4 and 14 together. My Department is currently engaging with health and social care organisations to determine the revenue requirements for 2010-11. Once the Executive decision and final Budget have been voted on, I will be in a position to share with Members the details of the funding available.

Trusts will face significant challenges in 2010-11 because of the need to make £700 million of efficiencies over three years. On top of that, there is a £600 million shortfall in funding to cover the health needs of Northern Ireland compared with those of England, the ongoing impact of swine flu and increased demand for services, particularly among the ageing older population.

**Mr Kennedy:** I am grateful to the Minister for his answer, and I am grateful to him, to other ministerial colleagues of his and to Members for their recent expressions of condolence after the death of my father. Does the Minister agree that any attempt by the DUP Minister of Finance and Personnel to cut health funding in next year's Budget will be totally unacceptable? Given that next year's Budget problems were essentially made and created by the DUP and Sinn Féin, is it not incumbent on the DUP to cut the deficit but not healthcare funding?

**The Minister of Health, Social Services and Public Safety:** We must wait with bated breath for the

Minister of Finance and Personnel's announcement. Healthcare cannot take any more cuts, but we will have to wait and see, because some parties have expressed a willingness to accept cuts to the health budget, as they also accept the £700 million of efficiencies that are to come out of the Department.

The fact is that the health budget is hopelessly inadequate. Professor Appleby conducted an efficiency exercise, and the Health Service has acted on all his conclusions and recommendations bar one, which was his key recommendation that the health budget should rise by 4.3% in real terms, year on year, from 2007 to 2012. This year, the health budget has risen by 0.5% on the back of an increase in demand of 9%. That gives an indication of where we are on health spending, bringing to mind the old adage that one should beware of what one wishes for. Some Members chose to vote to accept cuts, and I will have to wait until tomorrow to see the extent of those cuts. If the figures are what I understand them to be, Members will be deeply unhappy.

**Mr Kinahan:** The Minister has touched on the subject many times, and we know that demand has increased by some 20% in the past two years. The Minister will agree that it would be highly irresponsible of the DUP Minister of Finance and Personnel to cut health funding. To what figure, in real terms, does an increased requirement of 4.3% equate?

**The Minister of Health, Social Services and Public Safety:** Next year's revenue budget for health is £4.2 billion. That requires a 4.3% rise, and the recommended 4.3% rises have never been acted on. A number of people, including our financial friends, have estimated that it would require an extra £600 million to provide a Health Service for Northern Ireland that is comparable with that in England. Children's services are underfunded by 30% compared with England, mental health services are underfunded to the tune of 25% and extra funding is required for older people's services because the demographics are firmly against us owing to the fact that, thankfully, life expectancy is rising all the time. The older population is increasing, and it needs and deserves to be looked after, but the funding is not available for that to happen.

All of that means that the health budget is being squeezed. When patients come to a hospital or a doctor's surgery, they are asked what can be done to help them rather than whether they can pay for it. As that demand expands and the resource to meet it does not expand, the activity will become, by definition, inadequate. That results in waiting lists, longer waiting times and a number of steps that people will find unacceptable. We must wait to hear the good news from the Minister of Finance and Personnel tomorrow.

**Mr O'Loan:** I wonder what the Conservative partners of the Ulster Unionist Party would make of the questions and answers so far. A number of trusts indicated that they will have substantial overspends at the end of the financial year. The collective figure is approximately £60 million. Much of that overspend seems to be structural in nature, and, therefore, it cannot be tackled through short-term efficiency savings any more than it can through the efficiency savings that are already in place. Therefore, I expect to see a similar level of overspend next year. I ask the Minister pretty much the same question that I put to the Minister of Finance and Personnel earlier today. What effect will that have on the projects that the Minister had intended to deliver next year?

**The Minister of Health, Social Services and Public Safety:** That was quite a long question. I wish to point out that the Conservative Party, to which the Member referred, has guaranteed no cuts to health in the future. That has also been acted out in Wales and in Scotland. Therefore, this is the only part of the UK that is contemplating health cuts.

The Member voted for efficiency savings, and, if I interpret the Hansard report correctly, he also voted in favour of a motion that stated that cuts to health services were acceptable. I found that astonishing from a party that has the word "Labour" in its name.

As for overcommitment and undercommitment, there are issues about how we spend Government money. The deal is that because Departments cannot overspend, they must underspend. However, any money that Departments do not spend is taken off them, so we do not end up with wise spending; we simply end up with spending. Therefore, other Departments could end the financial year spending money on matters that are more frivolous than those on which I wish to spend. For example, I finally received Executive agreement on an action plan to implement the Bamford recommendations on mental health, learning disability and dementia services. As I start to increase the amount spent on mental health and learning disability, service developments will start to kick in. If my Department were to face cuts, that is the sort of area that would feel a great deal of pain.

**Mr McCarthy:** In light of what the Minister said, how much is he directing towards preventive medicine, which could result in less money having to be spent on front line services?

**The Minister of Health, Social Services and Public Safety:** We spend large amounts of money on primary healthcare and prevention. The Member will be aware that, with his support, I set up a Public Health Agency last year. One key element of its work is pressing down on the demands on the Health Service

by implementing policies that press down on health inequalities in particular.

In Northern Ireland, a person's life expectancy depends on his or her postcode. Issues that impact on health, such as smoking, obesity, diet, lack of exercise, and so forth, are all part of the Public Health Agency's remit. The agency works in other areas too, not least because problems with housing, education, employment, and so forth, are key contributors to the health inequalities that take years off people's lives. When compared with males in more affluent areas, the life expectancy of males in some of the more disadvantaged communities is, on average, more than four years lower. The figure for females is approximately half of that. That is only the average figure; in several areas, the situation is much worse.

### Omagh: New Hospital

5. **Mr Buchanan** asked the Minister of Health, Social Services and Public Safety for an update on the proposed new hospital in Omagh; and when the procurement process will be completed and announced. (AQO 536/10)

**The Minister of Health, Social Services and Public Safety:** The Western Health and Social Care Trust has completed its review of the business case, including the procurement route, and submitted a revised business case for the new Omagh hospital to my Department. Officials are assessing that business case, and I will not be in a position to outline the way forward until their assessment is complete. I have set up a liaison committee, which includes Omagh District Council, to ensure that those concerned are kept informed of progress.

**Mr Buchanan:** I thank the Minister for his response. However, I am somewhat disappointed that the procurement process and the review of it has been ongoing since March 2009. That is a rather lengthy period.

3.00 pm

I ask the Minister to give the same guarantee that he gave to the liaison group from Omagh in this Building some months ago: that, irrespective of whether the hospital was a PFI project or came from the capital budget, the money will not present a difficulty and that the money is in place. Can he inform the House whether that guarantee still stands? When will the new hospital be completed? Are we still on target to have it completed on time?

**The Minister of Health, Social Services and Public Safety:** Mr Buchanan has been one of the resolute opponents of the process from day one. I have received a large number of questions and objections from Mr Buchanan and others who are trying to prevent the

enhanced local hospital from being built at Omagh. It is interesting to listen to the nature and tone of his question.

I met members of the council approximately a year ago. At that time, as the money stood, I said to them that it was my intention to build a new hospital, but Mr Buchanan will be aware of the turbulence in the financial markets. One day, PFI is best value for money, according to the Department of Finance and Personnel; the next day, it is traditional procurement. We are building the new acute hospital in Enniskillen using PFI at a cost of £260-odd million. In the next stage, we considered the Omagh hospital and decided that it was not value for money to continue with PFI because of the financial constraints in the money markets, so we explored a traditional procurement route.

We are now in a situation where money is short. The Member will know this probably better than I do, because his party colleague controls the purse strings. I am waiting to see how my budget will be affected. However, I can say that Omagh remains a priority for me, and if the necessary funding is available, I intend to build the new Omagh hospital, because it is appropriate for the population in that area. The enhanced local hospital will provide most of the hospital needs for around 70% of the population. That is my position at present.

We must have the money if we are to take the procurement route, or be able to pay for the hospital if we take the PFI route. My budgets are being severely undermined, and Members will hear more about that tomorrow. That does not mean that the hospital will be put off forever, but these things keep putting it back, year after year. Members have seen what has happened with the new regional hospital for children and women at the Royal Victoria Hospital site. It keeps being put back, because I do not have the support financially and this House will not give its support to the Health Department. I have made that clear. It has taken £700 million out of my Department for efficiencies and voted to support cuts to the Health Service. That is what the House has done, and it is on record. The House must alter its approach. Health is too important to be ignored.

## REGIONAL DEVELOPMENT

### Car Parking: South Belfast

1. **Ms Lo** asked the Minister for Regional Development if he plans to pilot the residents' parking scheme in other areas of south Belfast. (AQO 547/10)

**The Minister for Regional Development (Mr Murphy):** Go raibh maith agat, a LeasCheann Comhairle.

The policy on the introduction of residents' parking schemes was amended in order to address concerns expressed by local residents in the first phase of schemes in Belfast. Unfortunately, following the most recent consultation, those schemes still failed to gain sufficient support to allow them to be implemented. I am aware of the difficulties experienced by residents in other areas of south Belfast. In light of experience gained to date, I have asked for a meeting with officials from Roads Service to discuss how best to proceed with the six schemes in the first phase and the next areas to be assessed.

**Ms Lo:** I thank the Minister for his response. Obviously, the first pilot schemes were mostly related to commuter traffic problems and based on areas where the residents are very much from deprived communities. Understandably, they are unwilling to pay the annual fees. In response to local residents' requests, I recently sent out several hundred questionnaires in the Stranmillis area. The responses that I have received so far have been very positive; residents would very much like to see whether a pilot scheme can be run in the area. I would like to hear the Minister's response to that.

**The Minister for Regional Development:** The failure of the schemes was not due to charges. People were reluctant to pay charges, but following consultation with the five areas, the groups that we were speaking to decided to do away with the charges altogether. The charge had been reduced from £80 to £40 and then done away with altogether.

The scheme did not fall down on the issue of payment for a permit; rather, it fell down on a range of other matters. There was also a very low response, somewhere between 17% and 35%, and there had to be a significant threshold of response in favour of the scheme for it to go ahead.

We have looked at the potential of residents' parking schemes in a number of other areas in south Belfast. We want to revisit the areas that we tried originally and to try some areas outside Belfast, including the Bogside in Derry. Stranmillis is among the areas that have been considered for future parking schemes, and we intend to return to that issue. As I said, it is unfortunate and regrettable that we did not get the responses that we had anticipated from those areas. Even when we addressed what were presented to us as the primary concerns, we still did not get the response anticipated. However, that will not stop us from looking at other areas, including Stranmillis.

**Mr K Robinson:** I listened carefully to what the Minister said in reply to Ms Lo's question. Does the Minister accept that the solution of residents' parking schemes can sometimes be a two-edged sword in tackling a fundamental problem that afflicts not only

areas in south Belfast or, indeed, as my colleague said, in Rathfriland but those adjacent to the Ulster of University campus at Jordanstown, part of which will shortly move to north Belfast and add to the problems that exist there already?

**The Minister for Regional Development:** One of the lessons that we have learned through the exercise is that no two areas are the same. The first five schemes all presented different issues. People in some areas were quite happy with mixed parking schemes, whereby a pay-and-display facility allowed a turnover of car parking, but people in other areas were not. No two areas are the same in that respect.

I know that parking at university campuses is presenting problems for residents in the Jordanstown area as well as for those in the Queen's University area of south Belfast, where some students are parking all week. In my constituency, I know that the further and higher education campus in Newry is also presenting some parking problems for residents who live in areas close to it.

No two schemes are the same. I agree with the Member's assessment that parking schemes are sometimes seen as the answer to all problems when that is not necessarily the case. That is why there has been a substantial degree of consultation with residents in each area. When people identify that they want a scheme, it is incumbent on Roads Service to work with them to develop and test ideas on the type of scheme that may suit their area. That is why the process has been very lengthy to date. Unfortunately, it has not worked in this case, but that is not to say that the idea of restricted parking in residential areas, which through no fault of their own are impacted by a large neighbour, should not be explored. However, no two schemes will be the same.

## Footpaths

2. **Mr Storey** asked the Minister for Regional Development to outline the responsibilities of Roads Service and local councils for the clearing of footpaths in town centres. (AQO 548/10)

**The Minister for Regional Development:** There is no statutory duty on Roads Service or, indeed, on district councils, which have responsibilities for street cleaning, to salt or clear snow and ice from footways. That said, the Member will be aware that Roads Service provides salt boxes at strategic locations that can be used by the public on a self-help basis to help to prevent the formation of snow and ice on pavements and roads.

**Mr Storey:** That is regrettable, after what can only be described as the horrendous situation across Northern Ireland and in my constituency, in particular,

where there have been numerous falls as a result of no one — neither Roads Service nor the local councils — taking responsibility for clearing footways. I am sure that the Minister is being inundated, as we all are, with queries about the issue. Will he consider the Highways Act 1980 that was introduced in England to give statutory responsibility to local authorities for salting footpaths in particular? The Minister made reference to “fall down” in his previous answer, and we had numerous “fall downs” over an intense period of severe weather. We cannot allow that situation to develop again.

**The Minister for Regional Development:** I sympathise entirely with what the Member is saying. I do not think that there is any Assembly Member here who has not had experience of that over the past weeks or who has not had to deal with constituents. Indeed, I had to bring a family member to a fracture clinic over Christmas, and I met people there who had suffered injuries.

I will give the Member some background on how we have arrived at this situation. Following the most fundamental review of winter services in 2001, the then Minister proposed that in periods of prolonged lying snow, he would seek to enlist the help of other agencies, such as district councils, to assist in clearing busy town centre footways.

It was in that context that he wrote to each council outlining proposals for partnering arrangements for the removal of snow and ice from town centre footways and pedestrian areas. Roads Service followed up that initial contact by writing to each council explaining its proposals in detail and enclosing a proposed model agreement.

In consultation with NILGA, Roads Service drew up a draft legal agreement, to which the councils' response was very limited. The councils' main concerns regarding the proposals were around the public-liability aspect of such arrangements. The model arrangement made it clear that, for those purposes, councils would be acting as agents of the Department and would, therefore, enjoy a similar indemnity against claims for injury or damage resulting from the presence of ice or snow to that of others acting as agents of the Department. However, the Department could not accept the councils' statutory liability as an employer or for acts of negligence by the councils' workforce. Although some councils indicated a willingness to participate in the proposed arrangements, unfortunately, only two councils signed up to the agreement.

Therefore, there was a discussion in 2001 to try to broker an arrangement whereby councils would become involved in the gritting of footways. Given that the gritting carried out by Roads Service largely

involves machines and vehicles and that the gritting of footpaths would be manual work, I think that it would be much more suited to local government. I had a conversation with people from local government who told me about staff having to go home on days when they could have been out doing that type of work. I think that it is sensible to try to revisit that discussion. I have already asked the head of Roads Service to do that, and, in recent weeks, I have spoken to people in local government. I think that there is a willingness to revisit the issue and to try to crack the problems that resulted in only two councils out of 26 agreeing to sign up to the proposals.

I share the Member's view that it is necessary to close the gap and to ensure that, while Roads Service is paying attention to the roads network and to keeping traffic moving, some attention is paid to the footways, too.

**Mr Attwood:** I am sure that the Minister will agree that it is cold comfort to those who are housebound and who are injured, including members of his family, to hear about what happened years ago with mechanisms that could have been put in place but were not. Will the Minister give a commitment to conduct a review not just of who is responsible for clearing footpaths, but of all learning that arises from the recent severe weather. Given the vagaries of weather that we now experience at various seasons throughout the year, if there is severe weather this time next year, we cannot allow the deficits that are clearly on record and in the public domain to arise again.

**The Minister for Regional Development:** We conducted a review of last year's experience, and the chief problem brought to our attention was the issue of schools that had to close over the winter period, particularly in rural areas, because of the inability of students and staff to access them. A survey was carried out of all schools and, having indicated that they were having problems, 46 schools were added to the gritting schedules. That was last year's problem, and we have not yet seen the full winter out to assess what impact the review had on the situation.

It seems that the focus this year is on footways and on people falling or having accidents. I am quite happy to continually look at the operation of winter treatment works and, as I indicated to the previous Member who asked a question, I am quite happy to revisit the discussions with local government to see whether we can find a solution.

**Mrs Long:** Can the Minister reassure me that when reviewing this year's situation, he will look at the supply of grit available for grit boxes? In many cases, residents were willing to use grit boxes to grit the pavements themselves but found the boxes empty. When they went to Roads Service depots to get more grit, they found them closed because, for example, so

many companies were clearing out supplies to use on their own premises, such as car parks. Will the Minister assure the House that he will consider that when reviewing the processes so that people who are able to grit the streets are in a position to do so?

**The Minister for Regional Development:** That is something that I raised at my recent meeting with Roads Service, particularly in relation to rural areas where gritters are not able to treat some of the roads and where salt boxes and grit piles must be made available and replenished when empty. There has not been an issue here, as there has been in the South and in Britain, with how much salt is available. Fortunately, through good planning by Roads Service, there has been sufficient salt for it to operate with.

The difficulty has been getting that grit out at times. There are about 3,500 grit boxes or grit piles along roads across the North, which need to be kept replenished. There were cases of people exploiting that facility and lifting the grit for private use, which presented a problem.

3.15 pm

There is an issue with people trying to access yards to get their own grit, because there are health and safety implications when there is such large machinery filling gritters and manoeuvring about a yard. I have indicated to Roads Service that an important part of the service is to try to replenish the grit boxes and grit piles so that communities can help themselves. As I said, due to its own good planning, Roads Service has sufficient grit, it is just a matter of getting it out to the public.

It would be remiss of me not to pay tribute to the Roads Service staff who go out in difficult conditions. Those people have been going out for a prolonged period, since mid-December, and by the looks of things, they could be keeping that service up until the end of the month at least. I pay tribute to those people for their dedication and for going out in very dangerous driving conditions to try to keep the network operating.

### Rural Roads: Resurfacing

3. **Mr McCallister** asked the Minister for Regional Development to outline his plans for the resurfacing of rural roads. (AQO 549/10)

**The Minister for Regional Development:** First, I should explain that the rural roads network accounts for around 80% of the overall network length. Given the extent of the rural roads network, Roads Service implements a programme of planned maintenance, including resurfacing, to ensure that that asset remains safe and serviceable to road users. Priorities are assessed on the basis of information obtained from



condition surveys, other works programmes and professional engineering assessments.

**Mr McCallister:** I thank the Minister for his reply. Does he feel that he has enough funds available in the current CSR period to maintain a safe and usable rural roads infrastructure, especially in light of the recent very cold spell?

**The Minister for Regional Development:** It is no secret that the amount of money identified by Roads Service over the CSR period amounted to about £300 million, and it is probable that the amount of money that we will actually get over that period is about £200 million. Therefore, the amount that Roads Service receives will not be what it identified as necessary to carry out the level of maintenance that it wanted to. Whether there is enough money to carry out a level of maintenance that ensures that the network is safe is another matter of judgement.

The Member is right. The weather that we are experiencing, in addition to the heavy traffic that passes, results in quite a lot of significant damage, particularly to small rural roads. The roads were not built for the volume and weight of traffic that is going over them, and the current type of weather adds seriously to the damage. We have made no secret of that. We commissioned a report that showed the extent of repairs and ongoing resurfacing and restructuring that was necessary on the roads network. We have not got sufficient funds to address that. Roads Service has to operate with what it has.

I will continue to argue for more resources, and the Member will be aware that we have managed to attract £15 million additional funding for the roads network in the most recent monitoring round, which is very welcome. Nonetheless, I have made it very clear that we are not satisfied with the current level of investment. It needs to be increased. The most valuable asset owned by the Executive is the roads network. We have to look after it, or we are storing up more significant problems for the future.

**Mr Gallagher:** The £15 million allocation that the Finance Minister announced in his statement this morning is, of course, welcome.

The Roads Service statistic for resurfacing our rural roads is that, according to the current funding arrangements, each road will be resurfaced once every 187 years. Does the Minister agree that that is a dreadful statistic? Will he outline any plans to help to improve that dreadful statistic?

**The Minister for Regional Development:** I agree that that is a shocking statistic, but it was released to indicate to people the extent of investment that is required and the extent of underinvestment that we are dealing with. I will continue to bid in the in-year monitoring rounds for additional funding to try to

supplement that budget. There was a habit whereby Roads Service would bid for the money that it required for structural maintenance, it would receive about 70% of that from DFP and have the amount topped-up in-year to about 80% or 90%.

One of the double-edged swords of devolution is that, because locally accountable Ministers operate their own Departments, very little money returns to the pot for redistribution. Although the £15 million that Roads Service received in the December monitoring round is welcome, that sort of traditional top-up has become a rarity. The required funding for structural maintenance needs to be made at the start of the CSR period rather than using the previous method of allocating two thirds and trying to top that up with in-year monitoring.

**Mr McCarthy:** People who work for water, telephone and gas services open up rural roads. Thereafter, rural roads are left in an even worse state, and there does not seem to be any authority to make those people restore the roads to, at least, their condition prior to the work on the site. Will the Minister do anything to overcome that problem?

**The Minister for Regional Development:** As I have said on many occasions, Roads Service does not have the power to prevent people opening up roads. If services are there, they have the right to open up roads. Roads Service has the power to regulate that situation to ensure that it does not happen on a continual basis, to organise that activity into manageable chunks and to ensure that people reinstate the roads. A recent Public Accounts Committee report contained a series of recommendations to tighten up that process, to ensure that roads are properly reinstated and that a proper requirement exists to regulate such activities. Roads Service has accepted those recommendations, and I look forward to an improvement in the process.

## Rural Roads: Safety

4. **Mr A Maginness** asked the Minister for Regional Development what planning was undertaken to ensure that travel in rural areas was as safe as possible during the recent cold weather; and if the practice of leaving grit close to danger spots on minor roads has been cut back to reduce costs. (AQO 550/10)

**The Minister for Regional Development:** Prior to the start of each winter service season, Roads Service carries out a significant amount of pre-planning to ensure a state of readiness for the coming winter. As well as several routine pre-season checks, planning includes ensuring that adequate staffing arrangements are in place, including training for new staff where required. Moreover, planning ensures an adequate

supply of salt and that winter service equipment is in working order.

Although Roads Service targets the limited resources that are available for that service on busier through routes, salt bins or grit piles may be provided for use by the public on a self-help basis on other routes that have been adopted or maintained by Roads Service that do not qualify for inclusion under the gritting schedule. Roads Service already commits significant resources to maintain approximately 3,500 salt bins that are provided on public roads. There have been no cutbacks to that service because of financial constraints.

**Mr A Maginness:** I thank the Minister for his answer. Although this particularly difficult period of weather was not predictable, it appears to the layman that little planning took place to ensure that we could cope with such an emergency situation. Constituents have raised that matter at different levels, particularly in relation to rural roads. The impression that has been created is that there were cutbacks in grit and grit boxes throughout parts of rural constituencies. I ask the Minister to confirm that there were cutbacks and a lack of preparation for this spell of weather.

**The Minister for Regional Development:** I am not sure where the Member gets his information. I have said that there were no cutbacks to provision of 3,500 salt piles or grit boxes across the country. Given his assertion, could he provide some evidence or information to that effect?

The Member mentioned preparation, and £5 million is allocated before we know what the winter will throw at us. Roads Service filled up its salt depots. During a cold spell in early November, some of that salt was used. Roads Service took the opportunity to top up its supplies, which left it in a fairly good position. When the Member uses the media to examine the experience in the South and in Britain, where the authorities have, in essence, been unable to provide a service because they have run out of material, he will recognise that preparations were quite thorough here and ensured a proper supply of salt.

An ongoing top-up is available from the salt suppliers in Carrickfergus to ensure that we have enough to keep us going for as long as is necessary. There is no evidence of any financial cutback in that regard. As a matter of fact, because the £5 million that was allocated for the winter service provision has almost been used up, we have already sought additional resources to ensure that we continue to provide that level of service.

I am not sure where the Member is getting the evidence for his allegations, but if he has evidence that cutbacks have been made or that there has been a lack of preparation, I will be happy to receive it from him.

**Mr Shannon:** The Minister said that there was no evidence to support the claims that Alban Maginness made about cutbacks to the supply of grit boxes. However, there is a way of ensuring that we address the issue of gritting rural roads. Does the Minister intend to establish an agreement with farmers that will allow them to have grit so that they can treat the roads in places that DRD cannot get to? Furthermore, will he ensure that grit boxes are available outside DRD offices across the Province? DRD made grit available to farmers in Lisburn, but that did not happen in other places, including Newtownards.

**The Minister for Regional Development:** I am aware that different arrangements were in place in different locations. We had discussions over the summer with my colleague the Minister of Agriculture and Rural Development about employing farmers to grit roads. Officials examined current practices and what could be achieved, and although there is an established and ongoing role for farmers who have equipment for clearing snow, it was noted that farmers do not have equipment for spreading salt on smaller roads, and it did not make sense to involve them in that.

When I visited the Roads Service depot on Airport Road in Belfast, I saw people pulling up to use the grit boxes that are situated there. The difficulty was that people from commercial interests were also using them and taking the entire supply, which led to Roads Service withdrawing that facility in certain areas because it was being abused. I do not doubt that this year's experience will throw up more lessons for us. We continuously review our response to determine where it can be improved, and some of the questions that the Member asked will form part of that discussion.

**Mr Beggs:** Cutbacks in Great Britain have led to grit shortages. I accept the Minister's contention that there are no shortages here at present. Nevertheless, can he assure us that stocks remain to enable roadside gritting points to be replenished and that secondary routes, where necessary, will continue to be covered? How many days of grit stocks remain in Northern Ireland?

**The Minister for Regional Development:** My most recent discussion on this issue with the head of Roads Service took place last week, so my information is a few days old. At that stage, because of the freezing weather conditions, Roads Service was using approximately 2,000 tons of grit a night. That may change if the weather alters. Roads Service was also getting 1,000 tons of grit back into the system from the suppliers in Carrickfergus. At that stage, under those conditions, it was estimated that there were enough supplies to last for another fortnight at least. However, we must bear in mind that the supply is being continuously topped up with 1,000 tons from the Carrickfergus supplier. Roads Service was confident that the service that is being provided to date, on the

roads and at the grit piles, will be available for the foreseeable future.

### Rural Roads: Maintenance

5. **Mr D Bradley** asked the Minister for Regional Development if he will implement a more systematic approach to funding roads maintenance to ensure that rural dwellers do not suffer in the long term as a result of the damage to roads during the recent icy weather.  
(AQO 551/10)

**The Minister for Regional Development:** Roads Service has advised that article 8 of the Roads Order 1993 places a duty on it to maintain all public roads in reasonable condition. Although I appreciate the damage that icy conditions can do to rural roads, Roads Service has in place maintenance standards that are designed to ensure a consistent service level and safe highways while offering best value for money. Those standards are based on practice, research and consultation with the public, other professional bodies and industry.

In distributing the resources that are available for road maintenance, allocations are made to the four Roads Service divisions on the basis of need using a range of weighted indicators that are tailored to each maintenance activity, such as resurfacing, patching, gully emptying and grass cutting.

Divisions use those indicators when apportioning across council areas to ensure an equitable distribution of funds as far as possible across the whole of the North.

3.30 pm

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. Does he agree with me and his colleagues in south Armagh that the state of our rural roads has worsened drastically because of a lack of investment in surface dressing and resurfacing schemes? *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr D Bradley:** As a result of the recent freezing conditions, our rural roads network is crumbling. Many roads are in a worse state than they have ever been. How does the Minister intend to address that problem?

**Mr Deputy Speaker:** I ask Members for order so that the Minister can reply.

**The Minister for Regional Development:** I accept that the recent severe weather has had a negative impact on the roads. Nonetheless, £200 million is being spent on structural maintenance over the three-year period of the comprehensive spending review. That is a substantial amount of money. I have clearly

identified that that is not enough from the Roads Service's perspective. More needs to be invested in rural roads to keep them up to the required standard.

I welcome the Member's conversion to the fact that the most substantial asset that the Executive own is the roads network. Members of his party have argued since the return of devolution that the only asset the Executive need to invest in is social housing. I welcome his recognition that we need more investment in roads and I look forward to the support of the Member and his party during the next budgetary discussions.

**Mr Deputy Speaker:** Members will have noticed that there is a noise coming from one of the cameras in the Chamber. That is being worked on.

**Mr Elliott:** Given the very inclement weather in some parts of the Province, particularly in my constituency of Fermanagh and South Tyrone, does the Minister accept that some roads will become unusable and impassable without further maintenance?

**The Minister for Regional Development:** I sincerely hope that that is not the case. Every time someone mentions the condition of rural roads, I am heartened by support from Members across all parties for additional funding for the Roads Service to deal with the issue. I expect that to be reflected when it comes to budgetary discussions in the Executive.

*(Mr Speaker in the Chair)*

## QUESTION FOR URGENT ORAL ANSWER

### OFMDFM: 'Spotlight' Programme

**Mr Speaker:** Order. For those Members who were absent, I wish to repeat to the House what I announced earlier this afternoon. I have received written notice from the First Minister, Peter Robinson, that under section 16(A)11 of the Northern Ireland Act 1998, he has designated Mrs Arlene Foster, Minister of Enterprise, Trade and Investment, to exercise the functions of the office of First Minister. That designation takes immediate effect. Having made that announcement, I arranged for a letter to be made available in the Business Office and met with the Whips at 3.00 pm to discuss any questions that they may have had about the letter. I encourage Members to speak to the party Whips if there are any other matters that they may need clarified.

As I said to the House earlier, I received notification of a question for urgent oral answer this morning, which I gave some consideration to and decided to accept. I warn Members from all sides of the House that I am not looking for statements from them. That is vitally important. What I am looking for are questions to what the original question is all about. I do not want Members to stray outside the question that we are debating on the Floor this afternoon. It is important that that is clear. Let us not have further statements from Members. Let us, as far as possible, have questions to the original question. If all that is clear, we shall proceed.

I have received notice of a question for urgent oral answer under Standing Order 20A to the Office of the First Minister and deputy First Minister.

**Ms Ní Chuilín** asked the First Minister and deputy First Minister to outline to the Assembly any possible implications for OFMDFM in respect of allegations relating to financial matters made by the BBC 'Spotlight' programme

**The Acting First Minister (Mrs Foster):** Earlier today, the First Minister, pursuant to section 16A(11) of the Northern Ireland Act 1998, wrote to you, the Presiding Officer, designating me to carry out the functions of the office of First Minister. During this period, I will carry out those functions while the First Minister helps to deal with his wife's medical problems. I have already discussed handling arrangements with the deputy First Minister and how the work of the Office of the First Minister and deputy First Minister will be carried out in the coming weeks.

On behalf of the First Minister, I want to make it clear that he entirely rejects the sole allegation made by the BBC 'Spotlight' programme and that he will be seeking to clear his name in the days that lie ahead.

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. I would like to wish Minister Foster well. My rationale for tabling the question is not the Robinsons' private family matters. Serious allegations were raised in the BBC 'Spotlight' programme, and there is an issue of public confidence. It is crucially important that the outstanding political issues are resolved and resolved speedily. As well as everything else that needs to be cleared up, that means getting an early date for the transfer of powers on policing and justice. There is a limited time frame in which to sort out these matters.

The BBC 'Spotlight' programme raised questions that are serious in their nature. They are serious political questions that need to be responded to very, very quickly, as well as writing to the Committee on Standards and Privileges about how these matters will be resolved. For me, other MLAs in the House and, indeed, public confidence, I would like to ask the Minister —

**Mr Speaker:** Order, order. I ask the Member, and I emphasise the point to all Members, to be very careful. It is vitally important that, as far as possible, Members keep to the original question. I am not trying to stifle debate in the Chamber. I am just asking the Member to be careful in what question is asked to the Minister; that is all that I am saying.

**Ms Ní Chuilín:** In conclusion, in respect of the allegations relating to the financial matters made by the BBC in the 'Spotlight' programme —  
*[Interruption.]*

**Mr Speaker:** Order.

**Ms Ní Chuilín:** Will the Minister assure me as an MLA, other Members in the House and, indeed, the public on how a speedy conclusion can be made to bring about transparency and a robust response?

**The Acting First Minister:** I thank the Member for her question. First of all, the Departmental Solicitor's Office has already considered the allegations made in the 'Spotlight' programme and advised Peter Robinson that he was not in breach of the ministerial code, the Pledge of Office, the ministerial code of conduct or the seven principles of public life. It is important to say that first of all. As well as that, Peter Robinson has now written to the Chairpersons of the Committees on Standards and Privileges in both Westminster and the Assembly to ask them to conduct a full investigation into the allegation made by the BBC 'Spotlight' programme. It needs to be made very clear that the process that the First Minister has asked to be initiated involving senior counsel is not intended to be an

alternative to other processes that may, and undoubtedly will, be carried out.

However, I will go to the heart of the Member's question: the First Minister very much believes that an early indication needs to be given in relation to the allegations. I personally am confident, and my party is very confident, that this will confirm that Peter Robinson, the First Minister, acted entirely properly at all times. But, let us have that, and let us have it quickly, because we need to move on. The Member made reference to other issues that need to be dealt with. She is absolutely right: other issues need to be dealt with. Frankly, this is all a distraction for the people of Northern Ireland when we have other issues to deal with. I refer particularly to the issue that was mentioned first in the House earlier today: the attempted murder of a police officer.

That is why we need to really focus on what is going on here. We will deal with the issues, but there are issues more important to the people of Northern Ireland to be dealt with, and I say that very strongly.

**The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy):** I am grateful for the opportunity to ask a question on behalf of the OFMDFM Committee and then to follow up from a party political perspective. I thank the interim First Minister for taking questions today, and I congratulate her on her — even temporary — appointment.

When does the Acting First Minister expect the departmental investigation to present the findings? Will my Committee be briefed on the investigation and subsequent findings? In respect of my party's considerations, there are obviously matters of concern that the 'Spotlight' programme highlighted. The ones of a personal nature should, in the view of my party and me, remain purely private matters for the Robinson family. We wish them well as they attempt to resolve those.

The second matter is, of course, of a more public nature. Will the Acting First Minister confirm whether public resources are being utilised in the investigation that the First Minister has instigated? Will she confirm whether the deputy First Minister has agreed to the process? Can she explain how the investigation that is under way will be seen as independent and considered as such? Will she also confirm whether the investigation is being conducted in a manner that was advised by OFMDFM officials? Finally, will the Acting First Minister confirm how long she can act as a caretaker in charge of OFMDFM?

**The Acting First Minister:** In relation to that last question, the Member is all too aware of the legislation, as, indeed, is the rest of this House. I made it very clear when I opened my statement that this is a temporary

arrangement. It is something that his party should be very much aware of because, in the past, somebody who was very much in my position as Minister of Enterprise, Trade and Investment acted on behalf of the First Minister. There have also been occasions, although there was no formal arrangement, as I understand it, when the Minister of Agriculture was assisted by colleagues during her confinement due to her maternity.

Legal advice has already been sought, and I have made reference to the fact that it has already been given back to the Office of the First Minister and deputy First Minister. Two opinions have been received from the Departmental Solicitor's Office that indicate that there was no breach of various codes and standards. There will be another departmental investigation set up, which we want to happen very quickly so that we can have that dealt with. I have already indicated that Peter has written to the Assembly Ombudsman and the Committee here, and to the parliamentary Committee in Westminster.

Let us be very clear: Peter Robinson is going to clear his name. I have no doubt about that. One sole allegation was made. That sole allegation will be dealt with, and I want to be very clear about that. My standing here is very much temporary. I do it in the knowledge that when Peter comes back, he will come back with a clear record.

**Mr Dodds:** I wish the Minister well in her extra responsibilities that she has taken on. The Members on these Benches know that she will be able to carry out those functions extremely competently, given her previous record in ministerial office. We wish Mrs Foster well in her role, alongside, of course, the First Minister, who will continue to play an active role in relation to addressing many of the challenging and difficult issues that remain to be addressed in the political process.

3.45 pm

Will the Minister confirm that there is absolutely no reason whatsoever that the work of her Department, that of OFMDFM or that of the Northern Ireland Government should be in any way impaired or set back as a result of this development and that we will be able to continue to move forward, delivering on behalf of those people of Northern Ireland who sent us here, while concentrating on the real and important issues that she outlined and that concern people most?

Does she further agree that it is absolutely vital that, as well as allowing all the necessary proper investigations and examinations to take place, it is in everybody's interest to provide quickly whatever extra assurance those particular departmental investigations can give? The hope is that those investigations will be concluded very speedily and that we will see the First

Minister resume his duties in the House as quickly as possible?

**The Acting First Minister:** I am sure it is the hope and desire of the entire House that the First Minister will be able to come back to his post as quickly as possible.

So far as the work of OFMDFM is concerned, I actually think that Peter has sent out a very important signal today of the importance that he attaches to his role in the Executive and the Assembly for the benefit of the people of Northern Ireland. He feels that, temporarily, he would not be able to focus entirely on his role. Those of us who know him know that he devotes his life to politics, and therefore he felt that he could not do that, so that is why he has asked me to do this on a temporary basis, with the support of my colleagues all around me, and of that I have no doubt.

**Mr Durkan:** I wish the Minister well with the added responsibilities that have now been thrust upon her. I wish not only her but the deputy First Minister well in the conduct of matters over the coming weeks in circumstances that will not be easy for him either. We need to recognise that and that there will be operational working constraints and difficulties created in this situation.

Will the Minister indicate whether advice was offered by the Office of the First Minister and deputy First Minister to the First and deputy First Minister when they arrived in their respective offices on Friday, or were all the initiatives in seeking meetings with the Departmental Solicitor's Office left entirely to the Ministers themselves? How were the inquiries that were established or commissioned, how were they authorised or approved in terms of departmental procedures, spending or any other implications, including precedent?

I note that the Minister indicated that she will work to discharge her responsibilities and that she has already met the deputy First Minister. Will she indicate whether she envisages following through on the matters that were raised in the letter from the First Minister and the deputy First Minister of 2 December to all MLAs? Will there be meetings with all the party leaders and others with a view to moving things forward on the devolution of justice and policing, or are there limits to the degree to which she will operate the functions of the Department and the joint office, given that the Assembly has recently legislated to provide that office with more powers to bring forward the devolution of justice and policing?

**The Acting First Minister:** I simply do not know the answer to the first part of the Member's question. I am quite sure that we can work that out by following it up in written correspondence. From my own knowledge Friday was a rather fraught day, as I am sure the Member will know. Meetings did not take

place then, but they have taken place today, and those will be followed up.

On the other issue that the Member mentioned, one of the reasons why Peter asked me to act up as First Minister was that, obviously, he had other matters to deal with. However, he felt that doing so would allow him to devote any time that he did have to the issue of policing and justice and that I would deal with the official, the routine issues of the Office of the First Minister and deputy First Minister. Let us not forget that negotiations — progress — in relation to policing and justice is not an official remit of the office of First Minister, but rather, it is dealt with through political negotiations. Therefore, the fact that I am dealing with these issues means that there is more space allowed in which to deal with the other issues.

**Mr Ford:** On behalf of my colleagues, I wish the Minister well with her new responsibilities. In these circumstances, I am not sure whether the word "congratulations" is appropriate, but we certainly wish her well.

She mentioned the business with which we started in the Assembly today; the attempted murder of Constable Peadar Heffron in Antrim on Friday, and she emphasised the importance of seeing these institutions working well together. I am a bit perturbed by the answer that she has just given to Mark Durkan. The suggestion that a Minister who is stepping down because he has to clear his name and, because of family concerns, is somehow going to have the time to carry forward the work on the devolution of justice, while she deals with what she described as routine matters, causes me considerable concern. Will she give us an assurance that she will not be a caretaker Minister, but that she will be an active Minister and will actively pursue all that needs to be done to see these institutions working well and delivering for the people of Northern Ireland and to show the dissidents that politics can work?

**The Acting First Minister:** Thank you very much. I wholeheartedly agree that devolution is in the best interests of all the people of Northern Ireland, which is one of the reasons why I firmly believe in this place; whereas others outside this place would say otherwise.

I am sorry that the Member picked me up wrongly. Today, the Assembly party, the parliamentary party and the European Member all said very, very strongly that Peter should remain as our party leader. As party leader, he has responsibilities, and he will continue with those responsibilities. I and, indeed, my ministerial colleagues and the deputy leader of the DUP will be involved in moving other things forward. This is not Peter acting on his own: this is very much Peter acting from the front with his colleagues behind him, and we will work together as a team on those

issues. We intend to do that this week. I want to be very clear about that. Peter has put me into this position temporarily, but he is still the First Minister of Northern Ireland. I am only acting up for him in this role.

**Ms Purvis:** I also wish the Minister well as she exercises her new responsibilities as Acting First Minister. Will she clarify whether the actions taken by her party today are, in fact, in the best interests of her office, the Assembly and the governing institutions of Northern Ireland, which belong to the people of Northern Ireland and are not the possession of any party inside or outside this Chamber, and that these actions by her party are not focused on simply preserving whatever is left of its electoral fortunes?

**The Acting First Minister:** We can all dream. I believe that Peter has acted with complete integrity. His decision to temporarily step aside from carrying out his duties as First Minister was, in part, driven by his wish to clear his name from allegations of impropriety once and for all. In doing so, he will submit himself to the full scrutiny of any investigation that the Assembly may instigate, although he has already instigated one himself in respect of the Assembly. He has also stated that he will review his position if any inquiry or investigation finds that the allegation has some substance to the integrity of the Assembly, so that we can move forward and the Assembly is protected very clearly. I do not know how much more open the House expects Peter Robinson to be. He has done everything that has been asked of him, and he will submit himself to all the inquiries that come forward. Do you know why? It is because he has nothing to answer for. I believe that firmly in my heart, and I know that the party believes that as well.

**Mr Speaker:** Order. We shall move on to the next item of business on the Order Paper —

**Mr Poots:** On a point of order, Mr Speaker; will you clarify to the House how, under the Members' code of conduct, a complaint can be brought forward against a Member who has withheld information from the police that may lead to the prosecution of paedophiles?

**Mr Speaker:** That is not a point of order, but if the Member wants to have a debate on the Floor of the House on any issue, there is a clear procedure that he can follow, and he will get all the advice that he needs from the Business Office.

**Mr McNarry:** On a point of order, Mr Speaker. You kindly provided an opportunity to have this question session today. The media, in pursuit of events, may well provide regular reports on potential new disclosures as they develop, such as in tonight's 'Panorama'. Therefore, are we to expect a running commentary, under your direction, Mr Speaker, to the

House from the First Minister designate on denials or rejections by the First Minister?

**Mr Speaker:** Order. Once again, that is not a point of order. The Member will know — and know quite well — that I do not come to the House with information supplied by any outlet of the press, irrespective of from whom it or where it comes. I said this morning that these are complex matters, and Members should speak to the Clerk or to the Business Office. There are other ways of dealing with business in this House.

## COMMITTEE BUSINESS

### Statutory Committee Membership

**Mr Speaker:** The next item on the Order Paper is a motion on Statutory Committee membership. As is the case with other similar motions, it will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

That Mr Billy Leonard be appointed as a member of the Committee for Culture, Arts and Leisure. — [*Ms Ní Chuilín.*]

### Standing Committee Membership

**Mr Speaker:** The next item on the Order Paper is a motion on Standing Committee membership. As is the case with other similar motions, it will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

That Mr Billy Leonard be appointed as a member of the Committee on Procedures, and the Committee on Standards and Privileges. — [*Ms Ní Chuilín.*]

## Regulation and Quality Improvement Authority's Overview Report

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

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

That this Assembly notes the Regulation and Quality Improvement Authority's Overview Report on infection prevention/hygiene inspections (November 2009) which states that there must be a greater emphasis on clinical leadership and team-working to assure hygiene and infection control practice; and calls on the Minister of Health, Social Services and Public Safety to "bring back matron"; and to provide nursing ward managers with the support and authority to do their work effectively.

I was very pleased to see such a huge turnout at 3.30 pm for my debate, but, when I stood up, I watched everybody scuttling for the door. It must be my aftershave. Nevertheless, those Members who have remained will agree that we are dealing with a very important subject this afternoon.

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

I have moved the motion on behalf of the Committee for Health, Social Services and Public Safety. Before I start, I wish to give some background to the motion. I wish to make it clear that the term "matron", as used in the text of the motion, is meant in a gender neutral sense. I am aware that for some people a matron means a female nurse. In today's environment, the term most commonly used for matron is ward manager or charge nurse, and that person can be male or female.

The Health Committee recently spent some time looking at the issue of hospital hygiene and, in particular, we examined a series of reports recently published by the Regulation and Quality Improvement Authority, or RQIA, as it is more commonly known. The reports dealt with issues of infection control and hygiene inspections. The RQIA has now carried out an unannounced infection control and hygiene inspection at each of the acute hospitals in Northern Ireland.

*4.00 pm*

The RQIA programme of unannounced inspections of hospitals began in March 2008 and was completed in 2009. The Committee examined the latest of its reports and focused specifically on the Belfast Health and Social Care Trust and the Royal Group of Hospitals. I must emphasise that those inspections are carried out without warning. Hospital staff are not informed until the moment that inspectors turn up at



the door. Indeed, the team of inspectors turns up at 9.00 am. The inspectors ring the chief executive of the relevant trust and tell him or her that they are about to enter the hospital. That is how little warning is given by RQIA staff.

The inspection process provides a snapshot of what is happening on a given day in a ward or clinical area. After the inspection is completed, feedback is given immediately to trust staff, and a formal report is issued within 20 working days. The relevant trust is then required to submit an action plan describing its response to the findings. In the event that issues that require immediate attention are identified during an inspection, the RQIA will bring those matters to the chief executive's attention. Indeed, as I will discuss later, urgent attention was required in one particular ward in the Royal Group of Hospitals that meant that it had to be closed down and refurbished immediately. Therefore, action can be as immediate as that: it does not have to wait until the report's publication or delivery of the trust's action plan.

It is worth pointing out that the unannounced hygiene inspections found examples of both poor and good practice in most hospital wards and clinical areas. It is important that we are not entirely negative. Headlines have focused on examples of poor hospital hygiene. However, there were many examples of good hygiene as well.

In taking evidence, the Committee may have focused on the Belfast Trust, but other trusts and acute hospitals were examined. That information is freely available on the RQIA website. Although the Committee focused on the Royal Group of Hospitals, other hospitals, particularly those in the Northern Trust area, had excellent results and should be acknowledged for what they have achieved. Indeed, earlier, I spoke to my colleague Rev Robert Coulter — I am not sure whether he has been awarded an MBE, a knighthood, or an OBE; however, he thoroughly deserves it, whatever it is — and he complimented the standard of hygiene and care that he observed during his wife's recent convalescence in the Antrim Area Hospital.

Certainly, the Northern Trust has been highly successful in that entire area. It has adopted most of the recommendations that arose from the separate RQIA review on the outbreak of *clostridium difficile* in the trust. I understand that there has been a 30% reduction in the incidence of the bacterium in the Northern Trust's hospitals. The high level of compliance that the RQIA notes in the unannounced hygiene report shows that the processes and practices that lead to good hygiene are achievable. It is encouraging that that can happen. The Committee would encourage all trusts to consider the Northern Trust as an example of good practice in that area.

In taking evidence on the subject, the Committee also heard from a dedicated and determined individual about how poor hygiene in the Royal Group of Hospitals had led to a close relative of his acquiring an infection that left him disabled. Indeed, the ward in which the relative was treated was one of those that was subjected to unannounced hygiene inspections. The individual never gave up: he was absolutely determined in his quest to ensure that hygiene and cleanliness improved in the Royal Group of Hospitals. The Committee commends him for his efforts. It is sufficient to say that, after the subsequent RQIA inspection, the ward in which that gentleman's relative was treated was closed for refurbishment.

Hospital hygiene is a serious issue for the Health Service. A clear link exists between hygiene and infection control. I am sure that I will hear in the debate about how infection levels are still in decline. However, hygiene is still a serious problem in hospitals. The evidence that was submitted to the Committee shows that the RQIA had concerns about the physical environment of some wards when it came to repair, redecoration and refurbishment. However, of absolutely vital importance is the fact that the vast majority of the action points in the report related to staff practice and cleaning in hospitals. Ward F and the accident and emergency department in the Royal Group of Hospitals achieved low scores for hand hygiene practices and for ensuring that equipment that was used to treat patients was clean and ready for use.

Let us look at some actual examples from the RQIA report: congealed blood on trolleys; faeces on trolleys; overfilled sharps bins with items protruding from the top; and domestic waste bags left sitting for days. Apart from a couple of members of the Health Committee, nobody is an expert on health and hygiene. However, even we, with our limited knowledge, saw things going on in acute hospital wards in Northern Ireland that our parents and grandparents would never have tolerated in their own homes. It is not acceptable for that to be happening.

Concern also focused on the minimal score achieved for clinical practice. Ward 4F achieved low scores in many areas and was identified as an area requiring immediate attention not only for its environment and cleanliness but because of staff practice. The RQIA stated and the Committee believes that effective clinical leadership at ward level and above is essential to ensure compliance with cleaning levels and standards. The RQIA report is clear that improvements in culture, leadership, cleaning and decluttering as well as increasing staff knowledge and practice could be achieved with little or no additional cost. It is one of the rare areas in health where money or resources is not the issue: it is attitude and practice. It is important

to realise that much can be achieved with very little additional expenditure.

It was concern with staff practices that led to the Committee's submitting the motion. All Committee members were concerned that it appeared that a lack of leadership was a major contributing factor to poor hygiene standards. Nurses are responsible and accountable for reducing infection risk and, therefore, require the knowledge and skills necessary to prevent and control infection.

Additionally and, perhaps, more importantly, nurses require the skills and resources to ensure cleanliness on their wards. On the basis of informal meetings between the Committee and the Royal College of Nursing, it appears that nurses are not given the power to do the jobs that they are employed to do. The RCN was clear that its members would be keen to step up to the plate and take on that role.

There is a feeling that there has been an erosion in the ward manager's authority. Nurses want the support and authority to ensure that wards are clean, and they are prepared to be held accountable when things go wrong. That fact stood out when the Committee took evidence from the Belfast Trust. I was shocked and surprised at the apparent lack of accountability. The Committee was told that it was a case of everybody being responsible, so no one was responsible. The Committee was surprised to learn that there had been no disciplinary action against any member of staff for hygiene failings in the trust. According to the staff of the Belfast Trust, the most that happened was that stiff conversations were held with the members of staff involved. Much sterner action would have been taken if it had been a private company.

Let me make it clear that the Committee is not on a witch hunt. We have been very clear on that. Nevertheless, there is something wrong when no one is held accountable for failings as severe as those outlined in the RQIA's report. The systems and procedures for cleanliness in hospitals are in place. There are documents upon documents and systems and procedures, yet it appears that nothing happens and papers lie on shelves gathering dust.

The Committee noted that the Health Minister had indicated that he would set up a new team to drive up cleanliness standards in hospitals and other healthcare facilities. The team will report to the Minister on a monthly basis and will comprise senior staff from the Department of Health, Social Services and Public Safety and the Public Health Agency. Their key role will be to ensure that rigorous monitoring arrangements are in place to check that real and rapid improvements are delivered. Additionally, the chief executives and senior officials in the health trusts will be required to walk the wards at least every month, to

check on cleanliness and hygiene levels. That is to be welcomed, as is the recent decrease in hospital-acquired infections, such as clostridium difficile and MRSA.

The Committee also notes the additional money promised to ward nurses to help them to remove some of the bureaucratic burden and enable them to do more nursing.

**Mr Deputy Speaker:** Will the Member please bring his remarks to a close?

**The Chairperson of the Committee for Health, Social Services and Public Safety:** Unfortunately, according to the RCN, that has not yet hit the ground. We hope that it does and that it makes an impact to enable ward nurses and charge nurses to make a more direct and effective change in hospital cleanliness.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. Along with the Chairperson of the Committee, I take the opportunity to commend all the staff in the Health Service to date. We have difficulties in the Health Service, but when we get a structured overview of the situation we may start to see improvements.

I apologise on behalf of the Deputy Chairperson of the Committee, Michelle O'Neill, who is not here. Unfortunately, she has had to attend hospital this morning with her mother.

From a human point of view, I take the opportunity to wish Iris Robinson a speedy recovery. She is a member of the Health Committee, and, no matter what is going on in the politics of this place, we should not lose sight of the fact that someone is suffering severe mental health problems. I hope that she makes a speedy recovery and that she has not lost out in all of this. I am sure that she will get the help and support that she needs from clinical staff.

I commend the Committee for tabling today's motion. Without criticising other Committees, it shows that the Committee for Health, Social Services and Public Safety is ensuring that issues are brought to the fore in the Assembly and debated. I also welcome the Minister and wish him a happy new year. I am glad that he is here, and I hope that he does well in the coming year. I am also glad that swine flu has not kept him away today; we must be getting good news about swine flu.

For the record, I want to mention the Minister's statement of 24 November 2009. In that statement, he said that he was setting up a new team to drive up cleanliness standards in hospitals and in other healthcare facilities, which is something that we must take on board and welcome. I ask the Minister to update the House on those plans during his contribution to the debate, because, in his statement, the Minister said that there had been:

“significant investment in cleaner and safer care for all patients”.

I know that he also made a further £60,000 available as part of that investment.

The RQIA report made both interesting and stark reading, and we must commend the RQIA for that. I do not believe that its inspectors went into the hospitals and did not highlight some of the issues. Approximately 50 inspections were carried out by the RQIA in a two- to three-year period, and it is important that all the reports that it provides, not only those to the Minister and the Department, are followed up on. There is no point in making reports for the sake of it.

That leads me to the point that the Minister made during Question Time today. Politically, he is entitled to make such points, but it strikes me that every time there is an issue in the area of health, the Minister mentions the Budget. If we have had over 50 inspections over the past two to three years to check cleanliness and hygiene and if wards are being closed down for deep cleaning, how much money has been used to ensure that we have clean, proper facilities and that wards are not being closed? Furthermore, will additional money have to be spent on court cases, with people pursuing cases in relation to their relative's care?

When I talk about efficiency in the Health Service, I am talking about accountability and chief executives and senior managers being held to account for the jobs that they are doing. Therefore, I would also appreciate it if the Minister would give the House more details on the walkabouts he is asking senior managers to do, because, if they do not see the problems, they cannot change them.

I know that I have only five minutes in which to speak, and the Chairperson of the Committee has, rightly, already gone into much of the detail of the RQIA report. However, we must challenge some of the behaviour in hospitals, particularly in the children's hospital — part of it is new, and there is still an old building. It was reported to the Committee that dumb-bell plasters were pre-cut and lying around. How long were they lying there? How many infections have they caused? Needles were thrown in with normal waste. All those issues can be easily dealt with, but I am interested in making people accountable for those actions. As the Chairperson has said, if those things had happened in a private business, there would have been an outcry. Hospitals spend public money and provide a public service. We must ensure that the public get all that they are entitled to and senior managers are held to account.

I am glad that the motion has been tabled and that it is one of the first motions of the new year. I hope that all parties will support the Committee's motion and bring back matrons.

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

**Ms S Ramsey:** That will ensure that our hospitals and wards are brought back up to standard.

**Mr O'Loan:** I want to refer particularly to the hospitals in the Northern Health and Social Care Trust area. The results of the inspections there were generally very good and were noticeably better than those for many other trust areas, and I acknowledge what the Chairperson said about that. That was no accident; it was the result of very good management that led to good clinical practice, hygiene and cleaning regimes.

Those results are particularly welcome after the clostridium difficile outbreak in the southern part of the Northern Trust, which affected five hospitals. The outbreak led to fundamental thinking in the trust about its causes and the need to prevent such outbreaks in the future, if possible. There is a process called root cause analysis: clearly, that process was used very effectively.

4.15 pm

I will refer to the previous RQIA reports into the clostridium difficile outbreak, which, in my judgement, are of excellent quality. They are very clear about the causes of the outbreak and the steps to be taken to reduce the risk of such an outbreak happening again. At the outset, I do not think that there is any evidence that the Northern Trust hospitals where the outbreak occurred were particularly predisposed to such an outbreak, either on grounds of cleanliness or any other reason in clinical practice. The outbreak might have occurred elsewhere. That is my own view, and I believe that it is supported by the RQIA reports.

As we know, the outbreak was associated with a very virulent strain of clostridium difficile and the use of antibiotics, which reduce the body's own protection. Therefore, dealing with clostridium difficile was about more than hygiene and cleanliness, vital though those were. The first RQIA report on the clostridium difficile outbreak focused on five measures to minimise the risks: rapid isolation of a patient with diarrhoea; cleanliness of the environment; prudent prescribing of antibiotics; scrupulous hand washing; and personal protective equipment. Those measures were described as a care bundle that needs to be delivered as a package to minimise clostridium difficile infections. I mention them because it is important to recognise that those problems must be tackled in the round. The RQIA also identified pressure on beds and shortage of nurses and cleaning staff as contributory factors. It is important to be aware of all those issues and their contribution.

The trust reacted quickly and effectively to bring the clostridium difficile episode to a conclusion. Many of the measures introduced, as we know, related to hygiene and cleanliness. In October 2008, the trust published its corporate plan for fighting healthcare-

associated infection. That is a very detailed action plan, involving everyone from the trust board and senior management to practitioners and cleaning staff on wards. The success of the plan is to be seen in the very good results found in the trust hospitals in the most recent RQIA report on unannounced inspections, the report named in the motion. Those good results are no accident but are the result of excellent management leading to sound systems and real culture change, which is equally important. I pay tribute to the former chief executive of the trust, Norma Evans, who oversaw the handling of the clostridium difficile outbreak and who was in post when the unannounced inspections took place. I am sure that the Minister will also acknowledge her role.

Page 21 of the overview report states that:

“the trust has adopted many of the recommendations arising from RQIA’s independent review into the outbreak of Clostridium Difficile in the Northern Trust. RQIA has observed sustained improvements across all areas inspected to ensure environmental cleanliness and staff compliance with infection prevention and control practices.

It is notable that those processes and practices are being maintained by the trust.”

I will highlight a couple of other points from the overview report. First, it states that:

“effective clinical leadership at ward level, and above, is essential to ensure that compliance levels are achieved.”

If I have any questions about the motion, they relate to the phrase “Bring back matron”. We should not think that the simplistic ways in which we used to do things will necessarily work now. Nonetheless, the report refers to a link nurse or person for infection prevention and control. I think we are in the same area there.

Secondly, I note the statement that:

“improvements in culture, leadership, cleaning, decluttering, staff knowledge and practice could be achieved at little or no additional cost.”

I referred earlier to a lack of staff as one of the issues that was referred to, so it is not the case that everything could be done at no additional cost, but there are things that could be done by using existing resources better.

Real progress has been made, especially in the Northern Trust. There is more to be done, but the conclusion that I draw is that the mechanisms for dealing with the lack of cleanliness which may lead to hospital-acquired or healthcare-acquired infection are there. It is a matter of putting them in place if they are not there and sustaining them where they are there.

**Mr McCallister:** Like others, I welcome the debate. The RQIA, as the Chairperson of the Committee mentioned, is a vital component of our health and social care system. It performs a function that is critical to the safety and the smooth working of hospitals and other establishments.

The report on which the motion is based is a necessary component of the state’s ongoing provision of health services. It provides the trusts, the Department and, importantly, the public with a good idea of hygiene standards in our hospitals. It shows where best practice is delivering results and where we have to work to improve standards. The report shows clearly that the Minister’s drive for better standards of cleanliness in hospitals since he took office is bearing fruit. The standard of cleanliness in hospitals is much better today than it was before devolution, and I hope that it will continue to get better.

The report shows good practice and improving standards across Northern Ireland in the vast majority of cases. However, there is room for improvement, particularly in some western areas, and the report recommends some actions that can be taken to further improve standards. The RQIA is in charge of the key function of driving up those standards, and the entire House will welcome that.

The motion rests on the report’s conclusion that:

“RQIA believe that there must be a greater emphasis on clinical leadership and team working to assure hygiene and infection control practice.”

Clinical leadership at ward level is key to the report’s recommendations and to how the RQIA believes that hygiene standards can be taken forward. We could say that clinical leadership is a policy of “Bring back matron”, as some referred to it, or, preferably, we could find language that is not quite as antiquated. Either way, the message is the same, and we must also recognise that directors of nursing already have the powers that the Committee’s motion seeks. To that extent, one could say that matron has never really gone away. Therefore, the proposed changes to clinical leadership at ward level are not such a major departure from current practice.

Those who clean our hospital wards do an excellent job, but it is clear that more can be done through a more strategic approach to hygiene. The RQIA believes that that can be achieved by providing an individual with the responsibility and authority to ensure that standards are met and held in each ward of a hospital. That seems to a sensible approach that can be examined going forward.

As the debate develops, I will remind Members of the year-on-year increase in the workload and throughput of our hospitals. Some people might say that some of the measures can be implemented at a relatively low cost — that is correct — but there are other impacts and pressures on the Health Service budget. As the Minister of Health, Social Services and Public Safety said during Question Time, an increase in demand and throughput that sometimes approaches double-digit percentages is bound to have a significant impact on our Health Service. A month of severe

weather also has an impact on the throughput of our Health Service and can have an impact on the standards that we all wish to be maintained in the Health Service and in hospital wards.

The work of the RQIA is critical in giving the public the confidence that they all want and need in hospital wards.

**Dr Deeny:** I welcome the motion, and I am delighted and pleased to take part in the debate. When I listened to other Members speak in the debate, I had the thought that the idea of all debates in the House was to improve things.

When we talk about healthcare, we are talking about improving patients' experiences and outcomes. I welcome this debate, because that improvement is what we want. This debate is a matter not of pointing fingers or blaming people but of coming up with a better solution, if there is one, so that the patients' experiences and outcomes are better all round.

As a medical doctor, I must say that, having heard the evidence from the RQIA and from the individual who was extremely keen and who did a lot of research, I was shocked. I agree with some of the statements of my colleagues: had such things happened in a private enterprise, such as a hotel, there would have been repercussions. If some of the things that I saw had happened in a restaurant, one would expect it to be closed down. We are talking about hospitals, and, therefore, there is no excuse.

One thing that struck me when I first read the report was the terrible irony. On the one hand we have the Royal Victoria Hospital, which everyone, not only health professionals, should be very proud of. It is world-renowned and provides gold standard treatments in neurosurgery and traumatology as a result of our awful time during the Troubles. Wonderful services and surgical procedures are available to promote health and to save lives. Yet, on the other hand, not too far away, in the same hospital, we can see situations that can actually make health worse. When hygiene is a problem, patients are more likely to get infections and their health is liable to suffer.

Having taken a look at the matter with interest, we can see where bureaucracy and administration are needed. However, we can over-bureaucratise and over-administer. We can see that bureaucracy can have a detrimental and negative effect on patients' health.

I asked the representatives of the trust who they would go to if they found a hygiene problem on the ward. The answer, which was, "It depends", was the correct one, but it explains the situation. I asked what it would depend on, and I was told that it would depend on where the incident took place. That is the problem. My understanding is that, if a problem occurs in the corridor, it is the responsibility of one person; if

it is to do with a bed, it is the responsibility of someone else; and if it is to do with the laundry, it is the responsibility of someone else. That is the situation. As the Committee Chairperson said, too many people have responsibility, yet no one has responsibility. As recently as last week, Members of the Committee were shown the management structure for dealing with hygiene problems in a hospital. It was a web-like diagram with lines and boxes, and it was completely confusing. That is what we want to break down.

The call to bring back matron has been mentioned. Those were the good old days. It is not a sexist remark, as some people say, and it is not antiquated or dated. We are talking about the concept of having one person in charge of the ward to whom staff or patients can go if there is a problem. That person, whether a ward sister or a charge nurse, must be totally in control of his or her ward and take responsibility. To reiterate what the Committee Chairperson said, that has nothing to do with cost or additional staff; it is to do with the delegation of responsibility. That person must have full and complete authority. I saw that in action when I started work in the early 1980s, and it was a part of the Health Service prior to that. If that person was approached about any deficiency — let us say hygiene — that person had the authority to crack the whip and sort it out, and it was done. That is how it worked.

Having read the medical journals from the different countries that are covered by our Health Service, I believe that health professionals — the doctors, nurses, etc — would like to see the structure streamlined, clear and uncomplicated. We in Northern Ireland can take the lead and set an example —

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

**Dr Deeny:** If we go down that route, we will be followed by the other countries. I urge Members to support the motion.

**Mr Easton:** Two major challenges confront us in the RQIA report. Those are to comprehensively address infection prevention and to promote hygiene in our hospitals through best practice.

4.30 pm

When a patient enters hospital, he or she rightly expects the environment to be hygienic. More than that, he or she correctly expects the highest standard of hygiene. I do not need to detail to the House all the medical knowledge on the links between proper hygiene and good health or the particular need for hygiene following surgery. At a time when the body is laid low through illness, there must be good hygiene to aid recovery. I hold that to be self evident.

Therefore, the House wisely sets its face to acknowledging the outcome of the Regulation and

Quality Improvement Authority's first overview report on the hygiene and infection-control inspections across hospitals in this part of the United Kingdom. I will put it bluntly: those reports must not be allowed to gather dust on a shelf. Frankly, there is no point in having the reports if we do not give to them due diligence and appropriate action. It would be criminal not to respond to outcomes that effectively address the issues.

Let us also pay tribute where it is due. There have been significant improvements in hygiene, but there have also been some serious exceptions to that, mainly in the Belfast Health and Social Care Trust. As a result of the report, safer care and hygiene has been introduced, resulting in greater public confidence in the cleanliness of the acute care environment. So, fair play to the dedicated women and men who are delivering those tangible improvements. We have benefited from their labours, and we are grateful.

As I turn to the areas of further improvements, I pay tribute to the staff in our hospitals as we learn to do better together. I personally received the care and excellence of our rightly revered NHS, and I appreciated at first hand the diligence of the hospital staff without exception. The report should be read as encouraging them to go forward and make further progress on hygiene. I do not need to dwell on the standardisation of good practice across the trusts, but let us build on the improvement culture by sharing practice that is good and noteworthy, thereby maximising benefits. Let us measure ourselves and see tangibly and visibly the progress that we make via the audit tool and infection-rate displays. Let management come from the comfort of the office to the proverbial coalface — namely, the hospital wards — where they may witness at first hand the status of the ward and, therefore, work more intelligently.

Let us celebrate that which is good. Our inspectors have noted the hand hygiene environmental audit displays. They have witnessed the promotion of hand hygiene from the hospital entrance to the ward. They have acknowledged the deep environmental clean on a four- to six-month basis in the Northern Trust. We appreciate the work of the staff in building clutter-free wards and departments, and the tidiness and good management of the same. We fully appreciate that those outcomes have been achieved at the expense of hard-working staff. Importantly, we see the displays of areas identified by RQIA for improvement, which will help our staff to work towards the improvement goals.

The use of the link professional or link nurse, introduced to manage infection control, has proven beneficial, as has the use of the regional infection control manual and the use of technology in the e-learning programme. I ask that the high-impact interventions, referred to as bundles of care, which are designed and targeted at reducing infection in clinical

practice, be continued. The House is thankful, and it looks in admiration at the detail that has gone into the cleaning schedules of domestic and nursing staff.

Let me turn to the team of Health Service staff. We have a great team of people working in our Health Service, which requires energy and care. Staff members work, literally, day and night, going about their vocation 24/7 and giving of themselves whether it is Christmas Day or a regular day of the week. It is a timeless team that we give our thanks to. RQIA has detailed the staff enthusiasm and commitment to work. We know the old adage: where there's a will, there's a way. We are seeing real changes in hospital hygiene as a result of that team's professional will. That positive attitude will bring real benefits.

I turn to "bringing back matron". How beneficial was the role of a matron. When we removed the matrons, we may have been guilty of breaking that most important rule: when it's not broken, don't try to fix it. The matron's role, which often figures in British comedy, is in reality anything but a laughing matter. I encourage the Minister to revisit the best practice of the past, compare and contrast it with what went before and implement that policy which is most effective with regard to hygiene in our Health Service.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. As a member of the Health Committee, I support the motion.

I will start by concentrating on the last lines of the Committee's motion. Mention has been made of the phrase "bring back matron". When people hear those words, they think of cleanliness and hygiene in the context of what happens when someone is a visitor or a patient in hospital and of the whole hospital environment. When people say "bring back matron", there is a sense that matron had the authority to say: "That is not right; I want it sorted." Perhaps that view is too simplistic and too nostalgic or perhaps it is not entirely accurate, but I believe that there is something in it.

Somebody who had been in hospital recently told me that they had seen a mop and bucket in a toilet cubicle and that paper was littered on the floor. That was not what that person expected. Toilets and showers should be particularly clean. The person who relayed that to me was not entirely happy with the situation. Despite the procedures that are in place, this latest report, and the good work of the RQIA in monitoring and assessing, hospitals are still not as clean as they should be.

From March 2008 to September 2009, a suite of 18 reports was carried out, and yet the lack of cleanliness in hospitals has not been completely sorted. In considering the issue, I wondered whether there is too much bureaucracy around reporting and assessing, and

I am inclined to think that there is. The procedure involved in an RQIA assessment includes unannounced inspections, observations, questioning patients and staff and a report that comes back after 20 working days. I also wondered about what a working day in a hospital is, as it is unclear whether 20 working days is four weeks or Mondays, Tuesdays, Saturdays and Sundays. Whichever it is, that is a considerable amount of time.

I go back to the point that I made at the beginning: if a matron saw something lying in a corridor, she would tell somebody to sort it out. Although work is being done, we must look again at all the processes and procedures.

Finally, I spoke to a patient recently who said that — I was very disappointed about this because it happened in a hospital in my area — a soiled and blood-stained cloth lay under a chair beside the bed for a day and a half before it was lifted.

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

**Mrs McGill:** Although there is good work being done, I think that there is still more work to do.

**Mr Shannon:** I congratulate the Members for tabling the motion. The Regulation and Quality Improvement Authority made unannounced visits to hospitals between May and September 2009, and the report that followed was labelled by the media as a "damning hygiene report". Whatever is said today, and Members have made the issues very clear, it has to lead to improvement. That is what we are looking for.

Unfortunately, the hospitals identified as being in need of real and speedy change included the Ulster Hospital in my area of Strangford. The RQIA report stated that four areas of the Ulster Hospital had failed to meet required hygiene standards in almost every way, which is quite worrying. The Ulster Hospital faced some of the strongest criticism across all the inspections: inspectors saw staff failing to wash their hands before handling food and after contact with patients; gloves that should have been used only once were reused; clutter made proper cleaning difficult; and a dirty and poorly made ice-making machine had to be condemned after the inspection as it was identified as an E. coli risk. In the medical assessment unit — and the Member who spoke previously about things being left for a day and a half will love this — the inspectors found three mattresses that had been condemned almost a year before, lying on a floor and blocking a domestic supply store.

Hooiniver tha repoart haes saed that it wull nae tak twau mutch fer tae mak thees things better an indeed thees cud aw be brought aboot at little er nae extra coast. It is cleer that tha daes o' tha matron haes tae be brought bak, an it is simply nae enouch fer tha Depertmunt tae lay doon laas an regulatshuns an no fer

tae folly them richt throo. Tha power shud be gien tae tha ward sisters tae folly throo.

However, the report said that it would not take much to make improvements and that those could be achieved at little or no additional cost. It is clear that the days of the matron must be brought back. It is simply not enough for the Department to lay down rules and regulations without following through on them or giving ward sisters the power to do so.

Let me make it quite clear that a large number of hospital staff do the best that they can. However, there is room for improvement. I want to highlight a case that illustrates the issue. Not long ago, I was forced to approach the Minister with respect to hygiene in the Ulster Hospital and the issue of MRSA. I asked the Minister questions using the question format at Stormont to ascertain how MRSA swabs and testing were done. I received an answer from him. However, back in May 2009, one of my constituents came to me about an MRSA incident at the Ulster Hospital that flew in the face of the Minister's answers to my questions.

There is great disagreement over how swabs and testing are done and around the follow up for those people who are open to the most contagious disease. On 20 January 2009, one of my constituents was admitted to the Ulster Hospital A&E and had a boil lanced. She was moved from A&E to a ward and was kept in hospital for five days before being released. At no stage was her GP or family informed that MRSA was present. The ward has a duty to inform the GP and the trust. However, as the lady in question had left the ward before the results were returned, no one was willing to take responsibility, after her discharge, for informing the patient's GP who, in turn, would have let the carers, district nurses and family know. No one was told, and I believe that that was a disaster waiting to happen.

Worse still, the lady released was present among other family members with wounds, including one person who was recovering from cancer and who had an epileptic child who also had a cut. No confirmation of MRSA was given to the family or to the community nurses who were working closely with them. All of that was happening, yet, in answer to my questions AQW 7113, AQW 7114 and AQW 7115, the Minister said that following the submission of swabs to screen for MRSA, a preliminary result is available and, after a further 48 hours, confirmation of the results is available and is passed to the GP, the trust and family members. The answer stated that most patients were discharged by that time. On this occasion, the patient was still at hospital when the results should have been ready. However, no one was informed. The only reason it was discovered was that it was written in her chart. That was only investigated weeks later when the lady's sister noticed a tag attached to her clothes which said "infectious disease". She queried that tag and

wondered why it was there. Had she not done so, the family still would not have known, and that could have been potentially life-threatening to a great many people.

When I speak to older nurses, I am told that the problems on the wards would not have happened in their day. I realise the stress and strain that wards are under. However, I believe that the Department has a responsibility to enable the wards —

**Mr Deputy Speaker:** Bring your remarks to a close please. The Minister has been told what has to be done. I ask him to act on that, and I look forward to his response.

4.45 pm

**Mr Gardiner:** In November last year, the Health Minister, Michael McGimpsey, said that he was setting up a new team to drive up cleanliness standards in hospitals and other healthcare facilities. The team, which was to include senior staff from the Department and the Public Health Agency, would report to him on a monthly basis and its remit would be to ensure that rigorous monitoring arrangements were in place to deliver real and rapid improvements in cleanliness.

It is only fair to say that over the past two years, the Minister has made a significant investment in cleaning and in safer care for all patients. In addition, although the RQIA report in November criticised performances, particularly in hospitals in the Northern Trust and the Western Trust areas, there were still areas of real improvement in hygiene and cleanliness elsewhere. Provisional figures last November already show that there was a fall of 30% in infections, including MRSA and clostridium difficile.

The Minister insisted that chief executives and senior officials in health trusts walk the wards at least once every month to check the cleanliness and hygiene levels. He also insisted that a toolkit to help ward staff to identify and monitor problems should be supplied and said that domestic cleaning staff would receive additional support.

The Health Committee, of which I am a member, wants to work in partnership with the Minister in helping to drive a programme of greater cleanliness in our hospitals and health facilities. Cleaner and safer hospitals are our common objectives. Ward sisters and charge nurses have a key role in ensuring that the wards are clean and fit for purpose as well as ensuring that patients receive the highest quality of care. It is important that ward managers are given the right level of authority so that they can organise simple tasks, such as cleaning when it is required, and ensure the correct level of staffing at all times. It is essential that ward managers do not have to go through several tiers of bureaucracy to get anything done.

The Minister announced a £2 million investment to support ward managers at the Royal College of

Nursing Northern Ireland Nurse of the Year Awards last June. That investment has been delayed because of budgetary factors and swine flu contingency measures. Support from the Executive and the Finance Minister for those contingency measures was far from clear for several months.

The Minister also announced a £60 million pilot scheme to ensure more effective cleaning of wards. Four wards were selected for the pilot, which will involve cleaners ensuring that equipment and surfaces that are regularly touched, such as door handles, are cleaned even more frequently.

I welcome all that has been done so far. I know that the Minister, who already raised the bar in the Health Service for patients in Northern Ireland, has the matter in his sights. I want to see more success and have every confidence that Minister McGimpsey will deliver.

**Mrs D Kelly:** As a member of the Health Committee, I support the report. It is worth noting that only a truly independent watchdog could have produced such a report, and the inspectors are to be commended for their work. It is also worthwhile to note that the increase in MRSA, clostridium difficile and other such infections are not just down to hygiene. As we have been told by people in the medical profession, it is also due to an over reliance on, and the misuse, of antibiotics. We also have to remember, as stated in the report, that some patients are admitted to hospital having already acquired the infection at home. That is worth noting.

I worked in the Health Service for 22 years and was a manager in the community sector. To be frank, I was absolutely flabbergasted by the report, particularly some of the images. Some of the issues concern the basics and are a matter of common sense. Some of the imagery in the report is a result of people not doing their job or looking over their shoulder and waiting for a colleague on the next shift to do the job. As other Members said, one person, whether he or she is a matron or a ward manager, should be in charge and direct resources to resolve the problem.

Many of the difficulties did not arise overnight. They arose over many years of changes to the Health Service under, for example, compulsive competitive tendering, through which cleaning services were contracted out of the Health Service. Such services properly lie in the Health Service under the direct line management of hospital staff. That is not to say that many people from private or public firms have not done a good job. However, accountability mechanisms should be in place, and the person in charge of the ward should be able to direct resources, control overtime and order supplies.

The Chairperson and Dr Deeny rightly said that everyone is interested in the same outcome. We are



all interested in improving the standards of care for patients. The report goes to the heart of public confidence in our Health Service. During discussions with constituents, I am sure that many Members have heard anecdotal evidence of people not wanting to go into hospital because they are afraid of leaving in a much worse state. The improvements in recent months are critical to restoring public faith in the standards of hygiene in our hospitals.

Two of my constituents — both young women who lead busy lives and have young children — have hospital-acquired infections that require them to visit hospital periodically for treatment. That has impacted adversely on their lives. Furthermore, it has consequences for demands on the Health Service because they require inpatient treatment for their hospital-acquired infections. Those are serious matters. Not only can people acquire debilitating illnesses, there have been cases, more so across the water, of people dying prematurely as a direct result of contracting MRSA or clostridium difficile.

As Mr Gardiner said, the Minister has given serious consideration to the matter. As the reports show, it is in all our interests to establish clear accountability mechanisms. The Southern Trust area, which I represent, has achieved tremendous results in recent months and has improved procedures to include audit trails and an accountability mechanism to determine who is in charge. I am sure that the Health Minister, as the sole person in overall charge, will be listening carefully to the debate. He will consider the report's findings and will want all hospitals to reach the same high standards.

**Mr Deputy Speaker:** The Member should bring her remarks to a close.

**Mrs D Kelly:** The report shows that trusts in which one person is in charge and is clearly accountable achieved better results.

**Mr G Robinson:** I support and commend all NHS staff throughout Northern Ireland. Given that I have worked on behalf of my constituent Mr Gerry Bond on one of the most notorious recent cases of poor hygiene and its consequences, I fully support the motion.

In my constituent's case, the lack of hygiene control almost cost his grandson his life. Such a situation must never happen again, and, therefore, the entire Assembly must support the motion. To demonstrate my concerns, I refer the Minister and Members to pages 11 to 13 of the RQIA's report, which was published in November 2009, on infection prevention and hygiene inspections, especially the report on ward 4F of the Royal Victoria Hospital.

When my constituent first contacted me, I doubted the reality of his concerns. As more information became available and I saw evidence of the truly appalling state of that particular ward, I was stunned

by the true scale of the problem. As the RQIA report states, the problems lay mainly in:

“hand hygiene practices and ... ensuring that patient equipment is clean and ready to use. In ward 4F this concern also focused on the minimal score achieved in the area of clinical practice.”

Those are areas that should be of the greatest priority. I cannot understand why hygiene levels were permitted to fall to such a low standard. After all, that ward is part of a world-famous and respected neurological unit. Its staff do a magnificent job that should not be jeopardised by basic hygiene issues.

The 29 May 2009 inspection was damning of the conditions on ward 4F, which resulted in the closure of the ward kitchen. However, the Minister had known about my constituent's concerns about hygiene in that ward since 15 September 2008, when he met both of us to discuss the matter. I would appreciate an explanation from the Minister as to why it took almost nine months for an inspection to be carried out when he knew about serious concerns, raised through me, about hygiene on ward 4F. Sadly, that is not the only ward in Northern Ireland to suffer appallingly low scores, which leads me to conclude that the problem lies in the enforcement system. That problem can be addressed quickly and without any major cost implications for the various trusts.

Equally, not all hospitals in Northern Ireland have the same poor practices. We only have to look to the Northern Trust hospitals for examples of good cleanliness practices. It is not difficult to ensure high levels of hand hygiene among staff, the regular cleaning of patient equipment and overall cleanliness levels in functional areas of wards. As I discovered from my constituent's complaint, hygiene reports were not done to the frequency required, and, therefore, it is impossible to establish how long the situation had remained undiscovered before the May 2009 inspection exposed the reality.

My constituent's testimony leads me to believe that the situation had been going on for too long. The report on the Royal Victoria Hospital inspection reveals that air vents and the fins of fans were dusty. That is completely unacceptable. That report reveals the revolting state of the toilets: I will spare Members the details, but I encourage them to read the report for themselves. Those cleanliness issues were purely down to lack of attention to detail, which could cost lives.

It is, therefore, important that infection prevention and ward hygiene become the responsibility of individuals and the ward team as a whole and are subject to strict and regular inspections. I believe, as stated in the motion, that “bringing back matron” is the most cost-effective and practical way of ensuring that hygiene standards are of the highest level in every hospital ward in Northern Ireland. It is essential that the authority to enforce hygiene and cleanliness is

given to an individual and that there are clearly defined repercussions if failure to maintain standards is commonplace on a ward.

I urge all Members to support the motion to keep our hospitals clean and safe for patients. A lack of basic hygiene could cost lives, and every Member should find that totally unacceptable. I support the motion.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** First, I wish to acknowledge the contribution of our nursing, medical and cleaning staff and the public, who are working so hard to make our hospitals cleaner and safer. Every year, over 6 million people use our healthcare facilities, including staff, the many thousands of patients who receive care and treatment, and the relatives and friends who visit them. What is more, demand for hospital services is rising at unprecedented rates; it is up 9% this year and was up 12% the year before. We are treating more and more people every year, and our staff are stretched to the limit to deal with the increasing demand for services with the limited resources that are available.

Despite the considerable pressures that they face, our staff have succeeded in achieving a significant reduction in infections. MRSA rates have dropped by 30%, and clostridium difficile rates have fallen by a remarkable 40% over the past 18 months. Rates of MRSA infection have now reached the lowest level since reporting began in 2001, while clostridium difficile numbers are at the lowest level since mandatory surveillance began in 2005.

5.00 pm

Despite that outstanding achievement, we face calls to place warning notices on hospital doors. Rather than praise our staff for driving down infections and protecting patients, some prefer to criticise and demoralise them, thereby undermining public confidence without acknowledging the real success that has been achieved. However, we cannot afford to be complacent.

The ever increasing number of people using our services represents a significant challenge to driving down the rate of infection. It is vital that we strengthen leadership in our hospitals and that we have effective accountability in place from the ward to the board.

Changing the Culture has been an overarching strategy for tackling healthcare-associated infections. That strategy has two key principles: the prevention and control of infection is a core part of healthcare; and that it is everyone's responsibility. In advancing that strategy, I announced a range of measures two years ago that are supported by new money. Those measures included the development of a hospital visiting policy; a dress code for healthcare staff; a regional hand-hygiene programme; rapid-response

cleaning teams in hospitals; funding for a pharmacist in each trust to promote the safer prescribing of antibiotics; and the rolling programme of unannounced hospital inspections.

I commissioned the reports. Claire McGill mentioned the bureaucracy of compiling 18 reports, but it has to be done. One cannot commend the reports and then complain about the bureaucracy behind them. I commissioned the RQIA to carry out the inspections in 2008. RQIA is one of the tools that I use to drive up standards in the Health Service. It works across private nursing and residential homes as well as in public healthcare facilities. I commission reports from the RQIA, which provides the reports to me before they are published.

The purpose of those inspections is to identify areas that require action and areas from which lessons need to be learned. Those reports are a snapshot of hygiene and infection control standards in specific areas of the facility on the day of a visit. They are not intended to be, and should not be taken as, representative of standards in our hospitals over a period.

Members should remember that trusts are required to produce comprehensive and detailed action plans to address shortcomings found during inspections, and trusts are working to implement those plans speedily. There will be more unannounced inspections. As we continue with the existing measures and the further measures that I have announced, we will continue to use the tool of unannounced inspections to drive up standards in health and social care facilities.

I assure Members that I take the issue very seriously. The public must be confident that our hospitals are clean and safe, and that is why I announced in November further tough action to improve hygiene and cleanliness. That includes setting up a new team to drive up cleanliness standards in hospitals and a team comprising senior staff from the Department and the Public Health Agency to report to me on a monthly basis. That team's role will be to ensure that rigorous monitoring arrangements are in place to check that real and rapid improvements are being delivered.

In addition, I have required that trust chief executives, along with senior officials, walk the wards at least every month to check on cleanliness. I announced that we will develop a toolkit for ward staff to monitor the state of hospital wards and to provide additional support and advice for domestic cleaning staff. Each trust has identified a director-level member of staff who has overall responsibility for hygiene and cleanliness in that organisation.

As part of the new measures, I have secured funding for a back-to-basics pilot scheme to ensure the more effective cleaning of wards. That scheme is being run

in partnership between UNISON and the Royal College of Nursing.

It is one of those issues. We talk, rightly, about doctors, nurses, allied health professionals, and so on. However, a hospital cannot be run without cleaners, porters and maintenance staff any more than it can be run without administrators.

The developments should be seen within our wider policy of reducing healthcare-associated infections. I referred to the Changing the Culture strategy, which covered the period 2006-09. Today, I will launch a new regional strategic plan, which will be entitled Changing the Culture 2010. The new strategy will bring together the priority areas of work that need to be delivered to speed up the progress that we have made in reducing infections.

Turning to environmental cleanliness, we have the Cleanliness Matters strategy. It identified a range of issues that need to be addressed, such as developing the capability and capacity of cleaning services and ensuring that people who use the Health Service are involved in measuring standards. That strategy is being revised, and I have commissioned a new plan to ensure that standards are improved continually.

I said that the debate is essentially about leadership and accountability. It has been claimed that there is a lack of accountability for cleanliness. However, that is not true. The chief executive of each trust has primary responsibility for ensuring that the cleanliness standards are met. In addition, all managers and staff are responsible for adhering to those standards. Serious breaches of policy and continual non-compliance should be reported to the person who is responsible for taking the necessary action.

I will turn to the call to bring back matrons and to provide nursing ward managers with the support and authority that they need to do their work effectively. Under the healthcare reforms of the 1960s and 1970s, the role of matron was replaced with that of director of nursing. The reality, however, is that the role of director of nursing has developed differently in trusts and with different levels of responsibility. In Scotland, Wales and Northern Ireland, the focus has been on developing and strengthening the role of the ward sister. In England, the Department of Health has been able to invest in modern matrons, with a focus on improving the patient experience.

I have asked the Chief Nursing Officer to work with trust chief executives to look carefully at the role of the directors of nursing across all our trusts. It is important that they have all the authority that they need to take on the role of the traditional matron. Effectively, matron has not gone away; matron has been redesignated with increased responsibilities. Healthcare and the Health Service have changed

dramatically in the past 20 or 30 years, and those roles must change accordingly. That is why I talk about the authority to ensure that the care for patients is of the highest standards throughout our trusts. As directors of nursing, they must ensure that ward sisters are supported in their leadership of care at ward level, wherever that might be in the trust.

It is important to remember that although we must empower the directors of nursing to enable them to carry out their role fully, the consensus of professional opinion in Northern Ireland is that we must support the ward sisters. I have held discussions with the Royal College of Nursing to find out what it believes needs to be done to strengthen the role of the ward sister. When members of the public are asked who they believe is in charge of a ward, they invariably answer "the ward sister". Our hospitals have changed; they are much larger and more complex and offer a range of differing and specialist services to patients.

We must look to ward sisters to have the authority to run their wards, and we must ensure that we support them in doing so. They deliver a 24-hour service that links all aspects of the patient experience. It is the ward sister to whom the public look to set and uphold standards, including cleanliness. I want to ensure that they have all the necessary help and support to carry out that role effectively. I also want to ensure that whenever ward sisters walk on to their wards, they have the authority to take control of every aspect of everything that happens in their area. That is why I made a commitment last year to explore what additional support could be provided to the ward sister.

Following a review that was undertaken by the Chief Nursing Officer, in June 2009, I announced a phased allocation of money that will increase to £2 million recurrently in 2010-11. That was to support an initiative to release 20% of a ward sister's time. Unfortunately, I was unable initially to proceed with the funding because of budget constraints and the swine flu pandemic. Now, however, I can allocate the necessary funding to trusts. It will allow trusts to bring forward proposals for releasing at least 20% of ward sisters' time to focus on quality, safety and patient experience issues.

In addition, I have allocated an extra £500,000 in general capital for schemes such as the minor refurbishment of hospital wards. That additional funding will allow ward sisters who are in hard-pressed areas to invest up to £2,000. I will ensure that that money is directed towards those wards in which needs are greatest.

We have also, under the Chief Nursing Officer, established a regional steering group to develop a framework and generic job description for ward sisters, to initiate an introduction programme to support newly

appointed sisters, and to develop a toolkit of resources that will support ward sisters in their roles. In addition, I have had discussions with the Royal College of Nursing and asked it to come back to me with measures that it thinks are necessary to allow us to re-establish what Members are looking for: ward sisters being back in charge of wards. That is how it used to be and how I understood it to be. That is the direction in which I am travelling. It seems that that is what is meant by “bring back matron”.

The debate is useful in that we have an intolerance of practices in our health and social care system that do not come up to the standards that we require. I take measures as necessary. It is important to stress that the incidence of healthcare-associated infections shows that this work, which has been ongoing for the past two and a half years, is bearing fruit. We are making progress and we will continue to do so.

However, it is not all plain sailing. For example, I instituted a visiting policy because there was previously a *laissez-faire* approach to visitors. It seemed that an unlimited number of people were able to be around a bed at any time of the day or night. We set visiting times and limited visitor numbers to two per bed. Recently, in Erne Hospital, members of staff were seriously abused by visitors because they tried to enforce the two-per-bed rule. That happens when staff deal with the general public regarding issues of hygiene and patient safety. It is a matter of creating respect for the staff whom the general public meet in hospitals.

That is not always apparent. Not every ward sister feels that she has the authority to tackle visitors who are perhaps behaving in a way that they should not. That should be on everybody's agenda. We all have a part to play; we cannot simply leave it to ward sisters or matrons, or come up with clever schemes. The Health Service belongs to all of us, so we should all take responsibility for it, including the budget, which Sue Ramsey mentioned. I have been asking the House to do that for the Health Service for some time. It is also about supporting staff rather than finding fault. People should not think that naming and shaming is always the way to deal with issues. The RQIA is not simply about inspection; it is about improvement. I am its inspector, and I will make sure that it also comes up to the mark.

**The Chairperson of the Committee for Health, Social Services and Public Safety:** On behalf of the Committee, I thank the Members who took part in the debate. Going into hospital for an operation or any length of stay is a worrying prospect for most people. On top of that, people should not have to worry about whether the ward is clean or whether they will catch an infection while in hospital. That is why the Committee welcomes the RQIA reports. They help to build public confidence because they show that someone

somewhere is keeping an eye on hygiene and infections and that things are improving.

In many ways, the motion is about going back to basics. That is why it uses the word “matron”; it conjures up a time when people perceived that things were better. Every time I hear the word *matron*, the image of Hattie Jacques appears in my mind, but that shows my age to the vast majority in the Chamber who do not know who I am talking about. However, that is the type of person I imagine. It conjures up a time when things were better, when hospitals were cleaner and infections rarely happened. People put that down to the fact that there was someone clearly in charge — a *matron*. Today, that job is done by charge nurses or ward managers, but somehow, somewhere, the authority and respect that came with the position of *matron* has been eroded.

5.15 pm

The old *matrons* commanded huge respect in hospitals. Their word was law and they oversaw all aspects of patient care, including cleaning and catering. Hospitals grew bigger, and more and more patients came through the doors for more complicated and complex reasons. Nursing structures were modernised to cope with the changing demands placed on hospitals. Somewhere along the line, that figure of authority who commanded respect, and whose word was law when it came to cleaning, was lost.

In essence, the motion is about a clear point of authority, someone having ultimate charge and that person being accountable. The RQIA overview report has noted the lack of effective leadership, which contributed to a lack of hygiene in some hospitals. The Committee heard informally from the Royal College of Nursing that it also believed that the effective authority of charge nurses had been eroded. Therefore, it was plain that the culture in hospitals today is to make everybody responsible for cleanliness.

That is not in itself a bad idea. Indeed, one would wish to see it encouraged. The problem is that somehow that concept has come to mean that no one is responsible. The motion proposes that one person is given that power, authority and accountability. It was a shock to find that no one in the Royal Victoria Hospital had been held responsible for the serious failings in hygiene.

The Committee welcomes what has been done by the Minister regarding the task force and in making the chief executives walk the wards. While the Minister spoke about that, one question occurred to me: will those walks be pre-notified or spontaneous and unannounced? That is important.

Various Members raised points during the debate. Sue Ramsey paid tribute to the former Chairperson of the Committee and an outgoing Member, Iris Robinson. I think that it is important, at this point in

the debate, that we pay tribute to the enormous contribution that Iris Robinson made to the whole issue of the scrutiny of health and social care in Northern Ireland. It would be remiss, particularly on this day, not to take that opportunity to do so.

Sue Ramsey also mentioned the issue of accountability, which was a recurring theme. In her opinion, and, I think, the opinion of us all, there does not seem to be that one point of contact who is ultimately accountable for hygiene standards.

I welcome Declan O'Loan's contribution. Apart from some of my colleagues, he was the only Member to speak who does not sit on the Committee. That is very welcome, because sometimes these debates tend to be the Committee talking to itself, which is a retrograde step. Mr O'Loan quite rightly paid tribute to the success in hygiene of the Northern Health and Social Care Trust, which serves the area that he represents. On a personal level, my mother-in-law passed away in Antrim Area Hospital almost a year ago to the day, and I must say that I was extremely impressed during my regular visits at the standard of hygiene and care given to Mrs Wallace in that hospital. Therefore, I concur with Mr O'Loan.

**Rev Dr Robert Coulter:** My wife had to go into Antrim Area Hospital for a few days recently, and when she came home, she was very enthusiastic about the level of cleaning that was carried out in the hospital. We ought to pay tribute to the work that has been done there.

**The Chairperson of the Committee for Health, Social Services and Public Safety:** I had the opportunity to make exactly the same point earlier and to mention the fact that the Rev Coulter had paid tribute to that hospital.

John McCallister mentioned many instances of good practice in various trusts. It was uncanny that he spontaneously mentioned the 9% increase in demand on hospitals. Quite amazingly, the Minister mentioned exactly the same point — such coincidences.

**Mr McCallister:** That is what the Minister does at Question Time.

**The Chairperson of the Committee for Health, Social Services and Public Safety:** Yes, and I was just about to say that exactly the same stats were repeated at Question Time by other colleagues. Is the coincidence of people making totally independent judgements about what they are going to say but coming out with the same thing spooky or not?

**Mr Beggs:** Is the Chairman of the Committee saying that he is not aware of the Minister having used that statistic many weeks, indeed months, ago?

**The Chairperson of the Committee for Health, Social Services and Public Safety:** Yes, he has on

many occasions. One would even allege collusion between Members, but that would be a totally dishonourable thing to say. *[Laughter.]*

Dr Deeny, who has a lot of experience at the sharp end, mentioned that if some of those hospitals had been private companies, heads would have rolled. The most shocking evidence that the Committee heard was that no one was disciplined for what happened. He raised an important issue about the complexity of the present management structure when reporting hygiene shortcomings. Indeed, when giving evidence to the Committee, Mr Bond produced a flow chart that showed the plethora of committees, bodies and management structures that are responsible for such matters. Frankly, it was unintelligible. That evidence emphasised again that there should be one person to crack the whip and to make it clear that certain standards are unacceptable.

Alex Easton paid tribute to the staff and referred to the control manual and the link nurse, which are important issues. Maybe Claire McGill can remember Hattie Jacques, or maybe she is too young, but —

**Mr Beggs:** She is only 36.

**The Chairperson of the Committee for Health, Social Services and Public Safety:** If she is 36, maybe she cannot. Nevertheless, she referred to having a ward sister or matron with the power to get things sorted. The Committee was impressed by comments about Sister Eugene, who used to have ultimate and total control in the Mater Infirmorum Hospital, and the fear that she instilled in the hearts of every member of staff the moment that she walked in. As Mr Bond said, it was not a matter of referring things to a management committee or some formal structure, it was get it clean and woe betide you if she came back at noon and it was not done. Maybe we need a return to that level of authority.

In the middle of his contribution, Jim Shannon broke into Ulster Scots, which surprised most of us. Nevertheless, he raised a very worrying case about the accidental discovery of MRSA in his constituency. I hope that that matter will be pursued, because it strikes me as being an unacceptable way to deal with an important issue.

Alderman Sam Gardiner raised the issue of unannounced visits and the 30% fall in infections. He also mentioned the toolkit, which is a welcome development.

Dolores Kelly, who is from the same area, emphasised the fact that the RQIA is a truly independent watchdog. That is very important, and creating a body that is totally independent from the Department and the private sector has been a good move. When things go wrong, the RQIA has extensive powers to investigate; that should be emphasised.

George Robinson, who has given valiant support to the Bond family, raised the specific case about which Mr Bond gave evidence. We owe a debt of gratitude to Mr Bond for raising those issues because, without his determination, some of them would not have come into the public domain.

The Minister launched a stout defence of his Department, again mentioning the 9% increase in demand and the six million users a year. It was significant that he announced a new strategy: Changing the Culture 2010. If the Committee achieves nothing other than that announcement, it will be good news. The Minister also announced a new look at the role of the director of nursing, which is good news and may bring about the change in culture that we need. I am also pleased that he announced that the £2 million that was promised is now to be spent. Although it is a bit overdue, at least it is good to know. It was disturbing to hear that there are those who visit hospitals who are not prepared to work alongside medical staff to improve hygiene standards.

My time is running out fast, but the debate has been useful. I thank the Members who participated, and I look forward to the Minister's delivering on the various promises that he made in his speech.

*Question put and agreed to.*

*Resolved:*

That this Assembly notes the Regulation and Quality Improvement Authority's Overview Report on infection prevention/hygiene inspections (November 2009) which states that there must be a greater emphasis on clinical leadership and team-working to assure hygiene and infection control practice; and calls on the Minister of Health, Social Services and Public Safety to "bring back matron"; and to provide nursing ward managers with the support and authority to do their work effectively.

*Adjourned at 5.24 pm.*

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# Written Ministerial Statement

**The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.**

*Published at noon on 11 January 2010*

## SOCIAL DEVELOPMENT

### Cold Weather Payments

**The Minister for Social Development (Ms Ritchie):**

I wish to inform Assembly Members of financial help being provided to individuals and families on low income in the form of Cold Weather Payments as a result of the recent and continuing severe period of cold weather.

A Cold Weather Payment period is triggered in our social security system when information supplied by the Met Office from its Aldergrove, Ballykelly, Castleterragh, Katesbridge and Enniskillen weather stations is, or is forecast to be, zero degrees centigrade or below over seven consecutive days from November to March. Each weather station covers a range of Post Code areas within Northern Ireland. Three Cold Weather periods have been triggered for weeks ending 24 December 2009, 4 January 2010 and 11 January 2010 and these applied to all 5 of the weather station areas throughout Northern Ireland on each of these occasions.

To qualify for a Cold Weather payment a person must be receiving State Pension Credit, Income Support, Jobseekers Allowance (Income based) or Employment and Support Allowance (Income related) for one day in the period of cold weather and have one of the following:

- a relevant pensioner or disability premium
- Child Tax Credit that includes a disability or severe disability element
- a child under five years old
- an applicable amount of Employment and Support Allowance that includes either the support component or the work-related activity component.

These payments are arranged automatically by the Social Security Agency and there is no need for qualifying customers to make a claim.

Each 7 day cold weather period attracts a payment of £25 for qualifying recipients and approximately 166,000 customers have benefitted from these payments amounting to £75 each in total to date. Payments for the first two weeks of cold weather have already been issued and the third payment is expected to be received by customers by 13 January 2010.

In total, payments authorised so far amount to approximately £12.5m, which have been targeted at the most vulnerable households in Northern Ireland, should make an important contribution to wellbeing during this excessively cold spell.

The situation continues to be kept under active review and further payments will be made should the continuing inclement weather trigger further cold weather periods, according to the measurement methodology at any or all of the relevant forecasting stations.

