
NORTHERN IRELAND ASSEMBLY

PUBLIC PETITION

Special Educational Needs and Inclusion

Tuesday 26 January 2010

The Assembly met at 10.30 am (Mr Speaker in the Chair).

Members observed two minutes' silence.

EXECUTIVE COMMITTEE BUSINESS

Goods Vehicles (Licensing of Operators) Bill

Royal Assent

Mr Speaker: I inform Members that the Goods Vehicles (Licensing of Operators) Bill has received Royal Assent. The Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 became law on 22 January 2010.

Diseases of Animals Bill

Royal Assent

Mr Speaker: I inform Members that the Diseases of Animals Bill has received Royal Assent. The Diseases of Animals Act (Northern Ireland) 2010 became law on 22 January 2010.

Mr Speaker: Mr Dominic Bradley has begged leave to present a public petition in accordance with Standing Order 22.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom achainí a bhronnadh ort le tabhairt don Aire Oideachais. Beidh an achainí ag cur in éadan na moltaí atá sa doiciméad comhairliúcháin ‘An Bealach Chun Tosaigh le haghaidh Riachtanais Speisialta Oideachais’.

Mr Speaker, I wish, through you, to present a petition to the Minister of Education opposing the proposals contained in the consultation document ‘Every School a Good School: The Way Forward for Special Educational Needs and Inclusion’. There are over 4,000 names on the petition, which I present on behalf of parents and carers of children with autism, and the Newry and Mourne Down’s Syndrome Parent Support Group. The main points of objection centre on early expert diagnosis and intervention, the retention of statutory rights of parents and children, and the ring-fencing of funding for special educational needs.

Mr D Bradley moved forward and laid the petition on the Table.

Mr Speaker: I will forward the petition to the Minister of Education and a copy to the Chairperson of the Committee for Education.

EXECUTIVE COMMITTEE BUSINESS

Roads (Miscellaneous Provisions) Bill

Second Stage

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a Cheann Comhairle. I beg to move

That the Second Stage of the Roads (Miscellaneous Provisions) Bill (NIA 6/09) be agreed.

The Bill contains four measures. First, it introduces powers to enable my Department to introduce a permit scheme, which is aimed at minimising the disruption on the roads that is caused by certain works. My Department introduced the Street Works (Amendment) Order 2007, which contains similar proposals for a permit scheme. However, that was confined to street works, which are largely the work of utility companies. Utility companies operating in the North lobbied for a level playing field by seeking to ensure that any permit scheme that is introduced here will cover all those who carry out works on roads. Consequently, the permit scheme provisions will apply not only to the works of utility companies but to the works for road purposes that are carried out by my Department, as the road authority.

The facility to apply the arrangements to other works on the roads is also provided for. The earlier street works arrangements, which have not yet been exercised, will be repealed by the Bill. Members will note that no permit scheme regulations may be made without being laid before and approved by the Assembly.

The second measure will give local councils the power to temporarily restrict traffic or to close roads for sporting, social or entertainment events. The background to that is that it is not clear to whom a promoter should apply in cases where an event is to be held. The Department was lobbied by a number of organisations, including the Department of Culture, Arts and Leisure (DCAL), the Department of Enterprise, Trade and Investment (DETI) and NI Screen. The PSNI uses powers that are available to it to facilitate events such as the Belfast marathon. However, the PSNI has concerns about whether those powers are appropriate. Additionally, there are no legislative powers here that enable location filming to take place on roads. The Bill will clarify the position with regard to the appropriate authority. Councils will authorise events on all roads in their areas, except special roads, usually motorways, for which my Department will have responsibility.

The third measure will ensure that the Road Traffic Regulation Order 1997 is fully human rights compliant by introducing an amendment to that Order to enable my Department to hold an inquiry into the execution of

any of its functions under the Order. That is required because some articles of the 1997 Order include powers to hold an inquiry while others provide a right of appeal or a right to make representations to the Department in respect of decisions already made. However, some articles do not provide any such safeguards to the public. The Bill will rectify that.

Finally, the Bill will amend the duties of the Lord Chancellor that are outlined in the Traffic Management Order 2005. The Constitutional Reform Act 2005 reformed the office of Lord Chancellor to give legal effect to the separation of the Lord Chancellor's judicial and executive functions. The Lord Chief Justice for the North became the head of the judiciary here, and, as a result, many of the Lord Chancellor's judiciary and court-related functions transferred to him. The Bill takes account of the changes between the offices of the Lord Chancellor and the Lord Chief Justice and amends the 2005 Order accordingly.

The Chairperson of the Committee for Regional Development (Mr Cobain): I welcome the opportunity to contribute to the debate on the Second Stage of the Bill. The Committee is mindful of the need to progress business in an efficient and effective manner while discharging its scrutiny responsibilities on behalf of the Assembly in a thorough and conscientious way. The Committee is taking that approach to the Bill.

At its meeting on 20 January 2009, the Committee for Regional Development agreed that it intended not to oppose the principles of the Bill. The Committee welcomes the proposal to extend the permit scheme to include other works on roads, and it welcomes the fact that the scheme is not limited to utility companies. During the consultation, the utility companies raised their concern that the scheme should not be limited in that way. The Committee will investigate that further during Committee Stage. In their responses to the consultation, the utility companies were not in favour of a permit scheme, but they felt that if such a scheme were in place, it should apply to all works. When it considers the proposals on the permit scheme, the Committee will pay particular attention to the cost implications.

The Committee welcomed the fact that the Department took account of the consultation responses and decided to transfer the management of road closures on trunk roads to councils. That is to be welcomed not only on account of the fact that the views of consultees have obviously influenced the process but on account of the fact that such closures can now be considered and acted upon in a more timely manner. If the function were to be retained in the Department, proposals to close roads would have to proceed through the introduction of subordinate legislation, which can be a long, drawn-out process. Transferring the functions to the councils will remove the need for subordinate legislation.

The Committee welcomes the proposals to allow inquiries into the decision-making process of the Department to take place, and will consider those further during its evidence-gathering process. As this stage, the Committee welcomes the potential enhancement for the protection of human rights contained in the proposal.

We look forward to Committee Stage. I assure the Minister that the Bill will be a priority for the Committee.

The Deputy Chairperson of the Committee for Regional Development (Miss McIlveen): I welcome the opportunity to contribute to the Second Stage of the Bill. I welcome the principles of the Bill, which have been outlined by the Minister and the Chairman.

We can all agree that confusion exists around some matters relating to road closures, particularly for special events in and around our constituencies. I am going to be parochial for just a second; it is an occupational hazard. Strangford has two main events: the Fayre in the Square in Comber and the Portaferry Gala. The former requires the closure of the square. Until recently, there was a great deal of toing and froing between agencies to determine who was responsible for the closure of the square, which caused a great deal of anxiety for the organisers of such events. The Bill appears to simplify and clarify that process, which is to be welcomed.

We all recognise the importance of community-led and community-based activities in our local areas. As well as funding issues, the level of bureaucracy that is required to organise such events often deters people from getting involved. The responsibility for the management of such closures presently lies with the Department. The Bill proposes that powers to close roads for special events would rest with local councils, which is consistent with the recommendations made under the review of public administration (RPA).

As has been said, the Bill proposes to introduce measures to amend current permit legislation. It is intended to introduce a new permit scheme that will create better controls on the timing and duration of the works on the roads. Such a scheme will ensure that transport delays and travellers' inconvenience as a result of works that are being carried out on roads are kept to a minimum. Clearly, when road usage is increasing and there is a continued reliance on roads, it is necessary for a workable and an effective permit scheme to be put in place. I particularly welcome the fact that the proposed scheme will extend beyond the utility companies and will include other works on the roads.

The Bill also proposes to allow for inquiries to be held into the exercise by the Department of any of its functions under the Road Traffic Regulation (Northern Ireland) Order 1997, thereby allowing for oversight and accountability of such processes. That is to be welcomed, and I look forward to examining it in greater detail during

Committee Stage. It is also to be welcomed that such a power will enhance the rights of individuals and companies that are affected by the Department's decisions.

Finally, the Bill seeks to amend the Traffic Management (Northern Ireland) Order 2005 to take account of the reform of the office of the Lord Chancellor. I have no particular issues about that.

At this stage, and in principle, I support the Bill, and I look forward to considering it in greater detail at Committee Stage.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas don Aire as an seans a thabhairt dúinn labhairt ar an Bhille seo.

The Chairperson outlined the Committee's views — there was no opposition to the principles of the Bill. As he and the Minister said, there are four main aspects to the Bill, including road closures for special events. The Committee discussed that issue and some of the difficulties that organisers of special events have had, such as who is responsible for road closures. The Bill will clear up such difficulties. It is a similar situation with the permit schemes.

The Bill also introduces a power to hold inquiries, and it makes appropriate amendments to the Road Traffic Regulation Order 1997, as outlined by the Minister, regarding changes to the functions of the Lord Chief Justice in the North.

The intention of the Bill is to update the legislation and to provide for more efficient and better management of certain issues. In that sense, we support the proposals. Issues were brought to the Committee's attention through the consultation process, and it is our intention to examine those at the appropriate stage and to report back. However, we support the Bill.

10.45 am

Mr Gallagher: I understand that proposals for the Bill first came before the Committee for Regional Development in September 2008. I was appointed to the Committee after that time.

At this stage, the SDLP has no particular difficulty with the Bill's provisions, the two main components of which are the permit schemes and road closures. We look forward to further detail and clarification of those issues at Committee Stage.

I note that the Committee Chairman said that the utility companies have indicated that if there is to be a permit system, it should apply to all works. I presume that the utility companies mean that anyone who has to carry out any roadworks should have to pay a charge to obtain a permit. The charging for permits needs to be considered in more detail. Is the purpose of a permit scheme simply to generate some income for the Department, or is there something more to it? In Committee, we will want to

examine the fairness of such a system and to ensure that no undue burden is placed on those who might carry out roadworks on a one-off basis, such as members of the farming community or people who are building a new home in the countryside. That kind of work can often entail building a house on one side of the road and a septic tank on the other. We will seek further clarification on that kind of issue at Committee Stage.

There are merits in transferring powers to local councils to allow them to close roads in order to facilitate local festivals and other events, such as sporting events. As I said earlier, we will seek more detail on that at Committee Stage.

Mr Kinahan: I, too, welcome the chance to speak to the Bill. It has caused us to focus on the management of the digging-up of roads and on how we pass that responsibility to local councils in future.

I congratulate Roads Service on many areas of its work, especially over the winter period. Staff have put in long hours and a great deal of work into everything that they have done.

I shall concentrate on one or two little points that should be raised. In the Bill, we see passed down to councils a tiny morsel of what my colleague Sam Foster had envisaged for the review of public administration. It is pathetic. A few more powers, concerning on-street and off-street parking, are to be delegated to councils, but we have not properly considered what we should pass to councils. The RPA lets us down in that respect.

The councils welcome those powers and any accompanying resources. However, I have two areas of concern. One is over the need to ensure that when they use permits to close roads, councils talk to one another, whether through Roads Service or directly. That is so that we do not witness a large pop concert in one council area being hindered by closed roads in an adjacent area. We need a dynamic system to ensure that councils and Roads Service talk to one another.

My other concern relates to a point that the Public Accounts Committee raised last year about the Northern Ireland street-works register and notification system (NISRANS). It was pointed out that the system does not work properly, largely as a result of late notifications, some of which are given by Northern Ireland Water. In the Bill, we give more power to one facet of the Department for Regional Development (DRD) — namely, Roads Service — yet the present system does not work at times. The Department needs to look at that system and get it to work much more effectively.

Most Members, wherever they live, see roads being dug up. Where I live, in Templepatrick, one of the main roads to Belfast International Airport is being dug up endlessly by electricity or gas companies or to install traffic lights. Now driving on it is like driving on a country road. With all due respect to Fermanagh,

that road could be a back road in the middle of the countryside.

When I was at school, I learned that the Romans built good roads, with their systems running alongside them. Today, we have many more roads, and many, many more systems, which must run under, over or beside the roads. We must manage our roads in a slicker way than we do at present.

I sometimes wonder whether computers and desk-based studies have taken away from the experience of people who carried out practical work on the ground and knew what mattered. Therefore, we should consider whether we are cutting the right jobs. My party supports the Bill, and I look forward to discussing it at Committee Stage.

The Minister for Regional Development: Go raibh maith agat, a Cheann Comhairle. I thank all the Members who commented on the Bill during the debate on Second Stage. Some general issues and several specific points were raised, and I will try to deal with all of those. However, as is the practice, I will study the Hansard report, and if I have missed any significant points, I will respond in writing to the Members who raised them.

I thank the Committee Chairperson, the Deputy Chairperson and all the Committee members who spoke in support of the Bill. I also thank the Committee for its co-operation in trying to facilitate the smooth passage and proper scrutiny — as is its function — of several pieces of legislation that are before it. I intend to ensure that the Department co-operates as best it can and that we work together to pass the legislation following proper scrutiny from the Committee.

The Chairperson raised the issue of cost, and Tommy Gallagher further developed that theme. The introduction of permit schemes is essential for the better management and control of all works on the roads. Members spoke about the need to better regulate such works and to ensure that roads are properly reinstated after they have been dug up by utilities or other organisations, including Roads Service, which have access to them. The cost of introducing a scheme can be kept to a minimum by using the existing computerised street-works register and notification system to manage permits.

Tommy Gallagher asked whether permits are, effectively, a tax on utilities to raise revenue. Utilities have statutory rights to place and maintain their apparatus on the roads, but those rights must be controlled to avoid unnecessary congestion and disruption to road users. Both the Committee for Regional Development and the Public Accounts Committee have strong views on that. Permits will assist the Department in the co-ordination of all roadworks, and the fees for the permits will be set at a level that will cover the administrative costs of running the scheme rather than generate revenue. The permits are intended to create better control and

co-ordination of works. Inevitably, an administrative cost will be associated with permit schemes, but the fees will cover that cost and will not be used by Roads Service to generate revenue.

Danny Kinahan raised an issue about the ability of the councils to become involved in the process and asked whether powers would be transferred to them. In cases where it is suitable for functions to be exercised at local government level, I am keen that we play our part in devolving them. As the Deputy Chairperson and other Members said, the closure of roads is one of the functions that local government and councils can, quite rightly, exercise.

Some organisations, including the PSNI, are unclear about who is responsible for, and has the legal power to, close roads. By clarifying the position, the Bill will give some comfort not only to the organisations and agencies involved, but to the promoters, the general public, the councils and the community and voluntary sector, all of which may wish to host events on streets and roads. To ensure that that is done in a consistent way and that the councils are aware of their responsibilities, the Department may issue guidance to councils, and they must have regard to that when considering whether to make an order.

If an event crosses a council boundary, the promoter will be required to seek authority from both councils. That will ensure a level of co-ordination between councils. The Department and the PSNI must also be consulted on any road closures. The Department will be involved in providing councils with guidance to make sure that there is a consistent approach and no confusion between councils, particularly where an event straddles a council border.

I very much welcome the comments from Members and the level of support shown for the Bill. Undoubtedly, the Committee will have further issues to tease out in its scrutiny of the legislation. I and my officials look forward to working with the Committee on that and to continued engagement with the Committee and Members as the Bill progresses through its legislative stages. Go raibh míle maith agat.

Question put and agreed to.

Resolved:

That the Second Stage of the Roads (Miscellaneous Provisions) Bill [NIA 6/09] be agreed.

Water and Sewerage Services (Amendment) Bill

Consideration Stage

Mr Speaker: I call on the Minister for Regional Development to move the Consideration Stage of the Water and Sewerage Services (Amendment) Bill.

Moved. — [The Minister for Regional Development (Mr Murphy).]

Mr Speaker: No amendments have been tabled to the Bill. However, the Chairperson of the Committee for Regional Development, Mr Fred Cobain, will speak to clause 1.

Clause 1 (Grants to water and sewerage undertakers: extension of initial period)

Question proposed, That the clause stand part of the Bill.

The Chairperson of the Committee for Regional Development (Mr Cobain): As Chairperson of the Regional Development Committee, I welcome the opportunity to contribute to the Consideration Stage of the Water and Sewerage Services (Amendment) Bill. The purpose of the Bill is to ensure the continued provision of customer subsidies to Northern Ireland Water in the absence of funding from customer charging.

At Second Stage, the Committee for Regional Development supported the principles of the Bill, and following Committee Stage, its report was published on 6 January 2010. During Committee Stage, the Committee received written submissions from Northern Ireland Water, the Utility Regulator, the Consumer Council for Northern Ireland and the Northern Ireland Committee, Irish Congress of Trade Unions (NICICTU). In October and November 2009, the Committee took oral evidence from Northern Ireland Water, the Consumer Council, the Minister for Regional Development, officials from the Department of Finance and Personnel (DFP) and the trade unions. The Committee recognised that the Bill is largely technical in nature. During its clause-by-clause scrutiny, the Committee considered the evidence received and agreed to all clauses without amendment.

At Second Stage, the Committee decided to seek clarification on the cost of continued deferral. That included the costs associated with the reclassification of Northern Ireland Water for public expenditure purposes, the basis for valuing Northern Ireland Water assets and its ongoing ability to claim input VAT. The Committee sought clarity on the financial impact that ongoing deferral may have on the Northern Ireland block, on the Department for Regional Development budget, and on the budgets of other Departments. The Committee also sought clarification on those issues

during Committee Stage, the report of which reflects the evidence taken and the information received.

At the time of considering the Committee Stage report, the Committee was generally satisfied that further clarification was not available on the budgetary and financial implications of the continued deferral of water charges. The Committee understands from witnesses that greater clarity is unlikely to be available unless or until the Executive make a decision on funding arrangements for, and provision of, water and sewerage services in Northern Ireland. The Committee continues to be of the view that the budgetary and financial implications of the Executive's decision on water and sewerage services and the reclassification of Northern Ireland Water should not fall on the Department for Regional Development but should be addressed by the Executive. The Committee is firmly of the view that those costs should be fully discussed and debated in an open and transparent manner.

The Committee welcomes the Minister's ongoing commitment to consult it during any decisions on the future and funding of water and sewerage services. I want to express the Committee's thanks to the witnesses who provided evidence, to the Department's Bill team for its co-operation and assistance during Committee Stage and to Committee staff for their work in producing the Bill report.

The Deputy Chairperson of the Committee for Regional Development (Miss McIlveen): I welcome the opportunity to speak to the Consideration Stage of the Bill, and I will be brief.

As the Chairperson said, this short, technical Bill will ensure that subsidy continues to be paid to Northern Ireland Water while water charges continue to be deferred. Essentially, therefore, it is necessary legislation that is designed to make sure that the Executive not only keep their promises around the deferral of water charges but retain the option to continue deferral. I believe that the decision not to pass on charges to private customers at this time has been one of the most positive moves made by the Executive and one which saves families hundreds of pounds each year during the deep, global financial crisis. Decisions such as that are often lost on the public and ignored by the media as it seeks to criticise the political institutions.

Concerns were raised by the Committee prior to the deliberations. Those concerns were explored, but, although important to future decisions that may have to be taken, they were not deemed relevant to the Bill. After careful consideration of the clauses in Committee and after we heard evidence from key stakeholders, it was decided that the Bill should proceed unamended. In their appreciation that the Bill is largely technical in nature, all the parties are showing unity of thought.

11.00 am

I echo the Chairperson's comments, in which he welcomed the Minister's commitment to consult the Committee before decisions are taken on future funding decisions that relate to water and sewerage services.

I thank the witnesses who provided evidence to the Committee, the Department for its assistance to us during the Committee Stage and, of course, the Committee Clerk and the Committee staff.

Mr Gallagher: I, too, will be brief, Mr Speaker. Even if you permitted me to open up a debate on water charges, it would probably not be a good day for it. I welcome the Minister's commitment to come back to the Committee before future funding decisions are made on water and sewerage services, and I look forward to the debate on water charges, whenever it happens.

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

It is clear that, if the Executive decide not to implement water charges, there will be a lot of issues to discuss. Payment for a deferral of water charges will come from the block grant, and we will need to be clear about what services may be cut if we go down that road. As I said, I look forward to getting into the detail of that at another time.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I welcome the support for the Bill from the Chairperson and the Deputy Chairperson of the Committee. I thank them and the Committee for their co-operation, their interest and the level of scrutiny that they brought to the discussion.

As they said, the Bill makes a technical change to ensure the continued provision of customer subsidy to Northern Ireland Water from 31 March 2010. Wider questions on future funding for water and sewerage services are matters for the Executive. The Executive have given a commitment to consult on any decision, and I confirm my commitment to engage with the Committee in that process.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Long title agreed to.

Mr Deputy Speaker: That concludes the Consideration Stage of the Water and Sewerage Services (Amendment) Bill. The Bill stands referred to the Speaker.

COMMITTEE BUSINESS

European Issues

Mr Deputy Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 15 minutes to propose and 15 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): I beg to move

That this Assembly approves the report of the Committee for the Office of the First Minister and deputy First Minister on its inquiry into consideration of European issues; and calls for enhanced engagement and improved interaction with the European institutions to raise the profile of Northern Ireland in Europe.

In spite of ongoing political events outside the Chamber, the motion's subject matter is important and should receive serious attention from the House. Before commenting on the substantive matter before the House, I express my gratitude to the people who assisted the Committee during the inquiry.

The inquiry generated substantial interest. We received 41 written submissions and held 34 oral evidence sessions. On behalf of the Committee, I express gratitude to everyone who provided evidence during the inquiry. That includes oral evidence from Northern Ireland's Members of the European Parliament, the chairman of the House of Commons European Scrutiny Committee, the Houses of the Oireachtas Joint European Committees and numerous other key stakeholders. In addition to taking oral evidence locally, the Committee made a number of important visits, including visits to the Parliament of Catalonia, the House of Commons, the House of Lords, the Scottish Parliament and the Houses of the Oireachtas. The Committee has learned a great deal about best practice from those Parliaments, and the report's actions and recommendations reflect that.

I thank the people whom we met for taking the time to share their experience of and expertise on Europe with our Committee. Moreover, I thank my Committee colleagues for their commitment to the inquiry and for the constructive and collective approach that all members took. The Committee has brought forward a total of 12 actions for Assembly Committees and 17 recommendations for the Speaker, the Assembly Commission and the First Minister and deputy First Minister. Those actions and recommendations seek to improve scrutiny of European legislation, enhance engagement with the European institutions and promote Northern Ireland as an active region of Europe.

I place on record my thanks to the Committee staff for their work in arranging what was a major inquiry. I

also record my appreciation of the Assembly's Research and Library Services for the high-quality research and analysis provided to the Committee. Furthermore, I thank Hansard staff for their patient and accurate reporting of the evidence sessions that were held with 34 organisations and individuals.

In early evidence sessions, members heard that a study had found that European policies affected 80% of the Programme for Government. During the inquiry, the Committee gained an understanding of the importance of concentrating on Europe and on prioritising issues to ensure that Northern Ireland is involved in the development of European legislation and policies.

There has been long-standing European financial support for Northern Ireland as one of the priority regions under the European cohesion policy. In the period 2000-06, six programmes, including the Peace II programme, received European aid of some €2.2 billion. For the current planning period of 2007-2013, Northern Ireland has six programmes, with a European contribution of €1.1 billion. The six programmes are Peace III; the competitiveness and employment programme; the Northern Ireland European social fund programme; the territorial co-operation programme with western Scotland and Ireland; the rural development programme; and the fisheries programme. Those programmes cover a wide range of areas but are specifically targeted to the pursuit of growth and the jobs agenda.

The funding has been invested in Northern Ireland, and the production of the Northern Ireland task force report proves that Northern Ireland has an important role to play in Europe. That report highlights the importance of networking in Europe, particularly with the European Commission. The report advised that contact with Commission departments should be established on a more systematic basis, and, as a result, there is improving awareness in Northern Ireland of the different possibilities that EU policies offer and of how to compete for support in different fields. To that end, the Committee is pleased that the European Commission has seconded an official to the Department to provide advice and co-ordination on European policy and European engagement.

The Committee agreed to hold an inquiry into the consideration of European issues at its meeting on 8 October 2008. The inquiry considered how legislation and directives that originate from the European institutions are implemented in Northern Ireland. It also considered the best approach for the Assembly and the Executive to take to ensure that Northern Ireland has an input into European legislation and directives. The Committee seeks to highlight the importance of a joined-up and cohesive approach to the European institutions, and actions and recommendations in the report show how Northern Ireland can improve in that

area through networking, the sharing of information and having an increased presence in Europe.

The Committee for the Office of the First Minister and deputy First Minister agreed that it will continue its role in scrutinising Europe, albeit in an enhanced and focused manner, and that now is not the most appropriate time to form a new Standing Committee of the Assembly to deal solely with European issues.

The Speaker informed the Committee that the consideration of European issues will be crucial to the Assembly's future effectiveness and that the Assembly Commission has discussed the importance of the Assembly's ability to scrutinise European policy and engage with the European institutions. The Committee understands that the large amount of legislation and policy that emanates from Europe would make it impossible to scrutinise all legislation, policies or Green and White Papers. Therefore, it will seek to prioritise the areas of legislation and policy on which it can have input and a development role. The report outlines actions whereby the Committee can receive regular briefing sessions from Northern Ireland's representatives in Europe. That will help the Committee to share information, form opinions and prioritise the many European issues that it will consider. It will further ensure a strong and cohesive approach in conveying the view of Northern Ireland to the European institutions.

The Committee for the Office of the First Minister and deputy First Minister will seek to become involved in European legislation and directives at as early a stage as possible by prioritising issues of relevance. The Committee will also seek and consider detailed briefings on the European Commission's legislative and work programme. At an early stage, the Committee will also engage with the holder of the presidency of the European Council to discuss the presidency's priorities and to consider how it can become involved in the development of policy.

The Committee recognises that all Statutory Committees of the Assembly realise the importance of their role when dealing with European issues and of prioritising those issues to ensure that Northern Ireland has an active role in developing European policy and legislation. The Committee recommends, therefore, that Departments take into consideration European policies and directives when completing business plans and strategies and that departmental officials brief Statutory Committees regularly on European matters.

To aid the prioritisation of European issues, the Committee recommends that the Assembly's Research and Library Services screen the European Commission's legislative and work programme and produce a prioritised menu relevant to each Statutory Committee. Research and Library Services should continue to monitor the development of European policy topics that are of

particular interest to Statutory Committees, thereby ensuring that they can have input into policies and legislation.

Once a year, probably in the autumn, the Committee for the Office of the First Minister and deputy First Minister will request from each Statutory Committee an annual report providing details of its activity on European issues. The Committee will then formulate a report that will be submitted to the Business Committee for plenary debate.

The Committee agreed that the Assembly Commission should develop a European engagement strategy to aid the Assembly in its enhanced involvement in Europe. Such a strategy may include appropriate opportunities for Assembly staff to be seconded to the various European institutions to build their knowledge and expertise on Europe.

During evidence sessions, the Assembly and its Committees were repeatedly criticised for not becoming involved in European proposals and directives early enough and for being reactive instead of proactive. The Committee regards the appointment of an officer in Brussels as central to playing an active role in Europe.

A Brussels officer would be able to engage with the European institutions and the United Kingdom Government at a much earlier stage in the process of developing legislation and policies. That would help to ensure that the Assembly could provide input into the strategic direction of European legislation and policies at an early stage. The officer would be a representative of the Assembly, not simply of the Executive.

11.15 am

The Committee has made recommendations to the First Minister and deputy First Minister about their role and the role of the Executive in enhancing Northern Ireland's status in Europe and promoting Northern Ireland as a region. There is a need for closer working relationships with Northern Ireland's representatives in Europe so that Northern Ireland's position can be jointly presented in all the European institutions. There is also a need for Ministers to work closely with their UK ministerial counterparts to ensure that Northern Ireland's views are taken on board. The Committee sees the Joint Ministerial Committee on Europe as a key forum for putting across the Northern Ireland perspective.

The Committee also recommends that the Northern Ireland Executive continue to be proactive in seeking opportunities for their Ministers to be actively engaged in European business, including attendance at the European Council of Ministers. The Committee is aware of the important role played by the Office of the Northern Ireland Executive in Brussels, and we experienced at first hand the expertise of staff in the office during a fact-finding visit. However, concerns

were raised in evidence that the office may be under-resourced and overstretched. To that end, the Committee has recommended that the First Minister and deputy First Minister carry out a review of the Office of the Northern Ireland Executive in Brussels and consider whether it is sufficiently resourced to enable it to perform productively and keep abreast of all relevant developing issues.

Ministers should also consider the possibility of locating other representatives, including other Northern Ireland Departments, local government and other sector experts, in the Office of the Northern Ireland Executive in Brussels. The Committee would point to Scotland House, Team Wales and the West Midlands model as examples of good practice in Europe.

Through its inquiry into consideration of European issues, the Committee has sought to produce a comprehensive set of actions and recommendations that will ensure a joined-up approach to Europe and ensure that Northern Ireland continues to play an important role in Europe. The Committee looks forward to the responses from the Statutory Committees, the Assembly Commission and the First Minister and deputy First Minister, and it expects the report to be the basis for the Assembly and Executive in enhancing engagement with European institutions and in seeing the region of Northern Ireland become more fully involved in relevant legislation and policy.

I look forward to hearing the contributions of Members and commend the report to the House.

Mr Spratt: I apologise for not being in the Chamber for the opening remarks of the Chairperson of the Committee for the Office of the First Minister and deputy First Minister. I was chairing the Assembly and Executive Review Committee.

I am pleased to be able to speak as a member of the Committee for the Office of the First Minister and deputy First Minister. The Assembly does not have a European engagement strategy at present, and it is important that it have one. During the Committee's visits to Committees in the House of Commons, House of Lords, Scottish Parliament and in the South, we saw that engagement with many European matters was important. It is important that we have a degree of networking and support in Europe.

Northern Ireland is already represented in Europe through its MEPs; representatives on the Committee of the Regions and the European Economic and Social Committee; the European Commission Office in Belfast; the Office of the Northern Ireland Executive in Brussels; and the Congress of Local and Regional Authorities of the Council of Europe. That provides a reasonable base for the creation of work in Europe.

The report advises against the creation of a European Committee for the time being. It recommends instead

that each departmental Committee scrutinise the European legislative issues that are relevant to it. It also recommends strengthening links with other regional and national legislatures in Europe and having regular briefings among all our representatives.

The report details recommendations for the attention of the Assembly Commission as well as the Committee for the Office of the First Minister and deputy First Minister. During some of our evidence sessions, a list of ministerial visits was provided to the Committee by the Office of the First and deputy First Minister. There has been a significant enhancement in the number of those visits since devolution, and there has also been increased engagement on various issues with the European Parliament on other EU issues.

During the Committee's visit to Brussels, we saw the necessity of networking in Europe. That is important, particularly in areas such as research and development. The Committee observed that some other regions had good networking systems in Europe, and we need to examine and improve that area. More must be done to ensure that Northern Ireland is effectively networked and that opportunities for any possible grant aid and so forth are available in the European system.

The Committee agreed the nine recommendations in the report on an all-party basis. I commend the report to the Assembly.

Ms Anderson: Éirím chun tacaíocht a thabhairt don mholadh.

I support the motion. As a member of the Committee for the Office of the First Minister and deputy First Minister, I was privy to many of the deliberations and discussions that informed the content of the report. The Committee took evidence from a huge number of organisations and individuals as part of its inquiry into European issues. I thank everyone who took the time and effort to engage with that process.

There was a strong, common theme in the evidence that the Committee took, namely that the Assembly and the Executive need to further enhance relationships with various European institutions. That would enable the North to play a more active role in the shaping of European policy, as well as benefiting from the opportunities that Europe provides. It was abundantly clear that the North is missing out on many opportunities because of a lack of engagement with Europe. That concern was raised by Bairbre de Brún MEP and other MEPs from the North.

One of the main concerns raised by the Federation of Small Businesses during its evidence session to the Committee was the failure of the North to capitalise on the European multiannual programme for enterprise and entrepreneurship. That was a European funding scheme particularly aimed at small and medium-sized enterprises. However, the FSB warned that local firms

did not benefit from the finance that was available. That largely occurred during the period of direct rule.

As Committee member Jimmy Spratt said, our engagement with Europe has accelerated since these institutions have been up and running. However, the Federation of Small Businesses warned that we are still not exploiting many of the available European funding streams because of our failure to engage fully with Europe. Two of the so-called big four banks here failed to take advantage of a multibillion-euro pot to assist small and medium-sized enterprises. Those banks failed to draw down funds from the European Investment Bank, which made €30 billion available over two years to help SMEs that are struggling in the economic recession to access credit.

It was a similar story with the European globalisation adjustment fund. Other regions have tapped into that €500 million fund, which assists in retraining and reskilling the workforce when major employers go under, but, unfortunately, we have not. Those are just some of the examples that we heard during the evidence sessions of how our lack of engagement and interaction with European structures has a direct, tangible and detrimental impact on our communities. Throughout the inquiry, it was clear that Administrations in other areas have been much more effective than us in engaging with Europe.

We hope that the recommendations and actions emanating from the report will correct some of that. I am of the firm belief that we must work together on an all-Ireland basis and, where necessary, create new engagement structures to ensure that we maximise our voice in Europe and make the most of all the available opportunities. I fully endorse the report, which identifies a series of actions to be undertaken by the Assembly's scrutiny Committees and makes key recommendations to the Assembly and the First Minister and deputy First Minister. The Chairperson, Danny Kennedy, dealt with some of those earlier, and Members will be glad to hear that I do not intend to go through them all again. Once implemented, those actions and recommendations will go a long way towards greatly improving the North's cohesiveness and direction and its influence in Europe. As a member of the Committee who, like many others, helped to compile the report, I commend it to the Chamber.

Mrs D Kelly: I speak as a former member of the Committee for the Office of the First Minister and deputy First Minister and on behalf of the SDLP. Our current Committee member, Mr Alex Attwood, sends his apologies. He has business elsewhere this morning; let us hope that it is fruitful.

European matters are serious, and people here in the North have been far too insular and inward-looking for far too long. Europe controls much of our business in

the House and elsewhere through its directives and legislation. Indeed, more than 70% of our legislation emanates from Europe. The report's recommendations are sensible, appropriate and, indeed, long overdue. I commend the Chairperson and the Committee for their work on the inquiry, which is a detailed and inclusive piece of work.

The Committee heard evidence from across the sector, both from statutory agencies and the voluntary and community sector. In the early stages, there was quite a bit of consideration and deliberation about whether there ought to be a subcommittee or a Committee formed to examine European matters. Those discussions have not yet led to a considered response, but I think that it would be preferable if there were a subcommittee devoted to Europe.

Mr Jimmy Spratt mentioned our Ministers' involvement in Europe. Some Ministers' attendance records are better than others, but I understand that some Ministers have yet to attend any meetings in Brussels. That is to our detriment, because Europe presents opportunities for the people whom we represent both in finance and influencing policymaking at an early stage. When the Committee for the Environment, of which I am the Chairperson, visited Brussels, it struck members that we come in at far too late a stage to influence policies.

We need to invest more money and resources in Europe.

11.30 am

I particularly welcome recommendation 11, which relates to the responsibilities of the First Minister and deputy First Minister to set up a mechanism through which community and voluntary sector agencies can have representatives in Europe and avail themselves of the secondment opportunities that are currently available for civil servants.

We hear from other Departments, particularly the Department of Agriculture and Rural Development (DARD) and the Department of the Environment (DOE), that there is too much reliance on GB legislation in the implementation of EU directives. Often, the cry is that there is gold-plating. The very essence of having devolution is to look at legislation that meets the needs of the people whom we represent and provides the best way ahead for them.

We have heard, on many occasions, the cry of how the gold-plated EU directives are having a substantive financial impact on our farming community. Recently, I noted that the South of Ireland is seeking to derogate from tags on goats and other animals — some of the farmers here can keep us right on that. That derogation is not yet being sought by our farming Minister. It needs to be sought because I think that the tagging will cost the industry an additional €15 million, which is totally

unacceptable. Many people will believe that Whitehall has too much of an undue influence on EU directives that ignore the needs of even the north of England. We very much need to have our own representatives battling in the European structures for the people here.

The Committee's recommendations are also to be looked at in respect of making the best use of whatever financial and funding opportunities are presented to us. That was one of the outcomes of the Barroso report, but we are still not availing ourselves of the opportunities. As other Members have already said, networking is the key. That was the message, time and again, from all of those who gave evidence to the Committee. The South of Ireland, in particular, puts a lot of resource into networking and getting to know —

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

Mrs D Kelly: I welcome the Committee's recommendations and urge the House to support them in full.

Mr McCarthy: Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Alliance Party, I support the resolution that is before the House. I apologise on behalf of our deputy leader, Naomi Long, who is part of the Committee. Unfortunately, through no fault of her own, she has had to devote her attentions elsewhere this morning. I support the recommendations.

Northern Ireland has benefited greatly from being in the European Community. I have been to visit the centre in Brussels, where a lot of good work goes on. I support the resolution on behalf of my party.

Mr Deputy Speaker: As this is the first occasion on which the Assembly will hear from Mr Jonathan Bell, I remind the House that the convention is that a maiden speech is made without interruption.

Mr Bell: I declare my interest as the chairperson of the Northern Ireland Local Government Association (NILGA) working group and also as a member of the Committee of the Regions, the East Border Region Committee and the Special EU Programmes Body.

I have been given the enormous privilege of representing the Strangford constituency, which must, above all, be one of the most beautiful constituencies in the United Kingdom. It is a tremendous privilege to follow on. I have worked in family and childcare social work for 21 years. For the last 13 of those, I have been a fieldwork officer as a senior practitioner in the Family Resource Centre in James Street, Newtownards. I pay tribute to the many staff there. Released yesterday were the figures of the number of referrals that have, unfortunately, been received — particularly, in the past year — in relation to child sexual abuse. I pay tribute to the dedicated staff of all backgrounds, the work of whom I have left to take a career break. Those people

continue to work in what must be one of the most difficult set of circumstances in any employment area.

John Donne said: "No man is an island". In my maiden speech, I pay tribute to my parents, who sacrificed much to give their three boys an education. From the age of nine, I grew up in east Belfast. Lord Morrow was born in Dungannon in his constituency, but I was rushed to west Belfast to be born in the Royal Victoria Hospital, where I was kept for some weeks. I spent my childhood growing up in east Belfast.

My party leader, Peter Robinson, has been my Member of Parliament since I was nine. I learned a lot from him about service. Whenever we sent him a letter on behalf of our church or of those who asked us to, without fail, a letter always came back by return post, acknowledging our letter and indicating the work that he would do on our behalf. Peter Robinson never failed or delayed, and he always sent us a letter by return post. That taught me a lot about the Democratic Unionist Party's constituency service, and I would like to emulate that.

For years, my predecessor, Iris Robinson, had a distinguished role working night and day for the people of Strangford. She worked hard on issues such as housing and health, and she met people. For a long time, my social service office was beside hers, and I know that she worked night and day for people. I place on record my gratitude for the example that she gave of working hard for a constituency. I will also seek to emulate that work.

I pay tribute to the staff of Strandtown Primary School in east Belfast, Sullivan Upper School and Queen's University for giving me and others an education that allowed us to make progress in our careers. The General Epistle of James tells us:

"If any of you lack wisdom, let him ask of God".

I will follow that example and seek that wisdom.

Returning to the debate, we must look at the enhanced focus on European matters, and we must target the issues through scrutiny. We must closely examine the work programme and priorities of the EU president to see what opportunities Northern Ireland can develop and enhance. As has been said, we need synergy between our Executive Ministers and those of the United Kingdom Government. We need a better understanding of the mechanics of Europe so that we can access and target our resources to maximise benefits for the people of Northern Ireland. That is difficult, because often one sits on European committees without seeing much progress, but then some gradually emerges.

That was the case for those of us who sat on the East Border Region Committee for a number of months, until we saw progress in the form of a major

grant to an equestrian centre in Greyabbey. Tourism iPods were introduced in Mountstewart outside Newtownards, and, temporarily, in Portaferry. Christian Heritage was linked into St Patrick's Trail so that tourism facilities for Strangford would be enhanced.

In conclusion, I pay tribute to my former colleagues in the Northern Ireland Human Rights Commission, from which I had to resign because I cannot serve in both places.

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

Mr Bell: Professor Colin Harvey of the commission sent me a lovely text to tell me that politics is still a noble pursuit. With God's help, I will pursue it to the best of my ability.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo thacaíocht a chur in iúl don rún fosta.

I commend the motion. It is a no-brainer that the Assembly requires a European engagement strategy. I am sure that everyone agrees with that. How could we hope to maximise our influence in the European Union without such a strategy? Without an engagement strategy, we would surely continue to miss opportunities to promote this region to the full. Níl aon dabht faoi sin.

As a representative of West Tyrone, I am conscious that the European Union's key function is to help to overcome the negative social and economic impact of borders in Europe, including borders on the island of Ireland. That has obvious relevance for constituencies such as mine, where organisations such as the Irish Central Border Area Network (ICBAN) administer INTERREG funding programmes. Such bodies have done good work in trying to overcome the negative social and economic impact of the border, along which two currencies and two systems of everything operate. Surely, greater engagement with Europe can bring only benefits for communities such as those that I described.

In the Assembly, the EU is everyone's business. Recently, the Committee for Culture, Arts and Leisure looked at the European Commission's culture programme, and we scrutinised the degree of engagement or participation with the Commission among arts organisations that were trying to access funding. We found that only 12 organisations in the North had engaged directly with the culture programme, and we encouraged the Arts Council to expand its work specifically in that area. We need that sort of focus, because the EU is everyone's business. In addition, it would be a good idea for every Committee to feed into a report on EU matters, at least annually, and for the Assembly to conduct a plenary debate on that report.

It is important that we engage better with our MEPs. For example, when MEPs addressed the Committee for the Office of the First Minister and deputy First Minister, it came to my attention that they do not have a special pass to gain admission to this Building. The situation may have been corrected since then, but, at the time, although MEPs deserve to be able to engage directly with the Assembly, they had to go through normal security procedures to gain admission.

It is essential that issues be prioritised, and I agree with the emphasis that Dolores Kelly placed on doing that. She said that we have to secure influence, at the earliest stage possible, on policy formulation and development. I direct Members' attention to recommendation 9 in the report, which suggests that Ministers should be more:

“proactive in seeking opportunities for its Ministers to be actively engaged with European business affecting their interests including attendance at the European Council of Ministers.”

The Department of Agriculture and Rural Development is a case in point; major benefits will surely accrue if the Minister of Agriculture and Rural Development can secure a full seat on the European Council of Ministers. If we rely on UKRep — British Government representation — our particular agricultural or rural circumstances cannot possibly be reflected or represented.

Rev Dr Robert Coulter: I speak today on behalf of the Assembly Commission. The Commission welcomes the opportunity to contribute to the debate on the Committee for the Office of the First Minister and deputy First Minister's 'Report on the Inquiry into Consideration of European Issues'.

At the Assembly Commission's meeting on 10 December 2009, the Chairperson of the Committee for the Office of the First Minister and deputy First Minister, my colleague Mr Danny Kennedy, provided a very helpful overview of the issues in the report that are relevant to the Commission. I commend the Committee on the detail in the report, and I welcome its proposals to further enhance the Assembly's relationship with the European institutions.

The report contains a number of recommendations for consideration by the Assembly Commission, the first of which encourages the Commission to consult the Committee of the Office of the First Minister and deputy First Minister before making decisions on any European issue. The Commission is keen to build on its existing relationship with the Committee, and it will work to make progress on moving the relevant matters forward. We will also consider the detail proposed and the framework required for developing a European engagement strategy, including the benefits of appointing a parliamentary officer based in Brussels, aimed at supporting and developing our relationships with the European institutions.

11.45 am

Members will be aware that the Commission has agreed a comprehensive engagement strategy for the Assembly and has facilitated a number of visits to the European institutions. In early February 2010, the Northern Ireland Assembly and Business Trust will be taking part in a visit to Brussels aimed at fostering greater links with Europe, with an emphasis on issues relevant to the business sector. Further recommendations relate to areas of professional development for staff and Members of the Northern Ireland Assembly, and the Commission will explore each of those in detail.

We acknowledge the value and benefits that training on European matters will bring to staff and Members of the Northern Ireland Assembly, and in tandem with the European institutions, our secretariat officials and appropriate business areas, we will explore the options for enhancing training and professional development opportunities in that field.

The Commission plans to visit Brussels as part of its forward work programme for 2010, and we hope that that visit will allow us to gain a greater understanding of the application of the recommendations outlined in this very good report. The Commission will give further consideration to the recommendations set out in the report at a future meeting and looks forward to working with the OFMDFM Committee to progress those matters.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): I welcome the opportunity to respond on the important issue of engagement with Europe. First, I apologise to the Deputy Speaker and to Members for not being here at the commencement of the debate.

This has been a time of great change in Europe. After a period of some uncertainty, we have a new European Commission, a newly elected Parliament and the Lisbon Treaty has come into force. The newly appointed President of the European Council, Herman Van Rompuy, working with the Spanish President, has just taken over the reins of the Council of the European Union, and he is now tasked with implementing the institutional changes resulting from the treaty achieving its full enforcement. Spain is assuming the presidency at a key moment, as we recover from the worst economic crisis in decades. Its main priority is to give impetus to economic recovery and job creation, balanced against the more sustainable model for economic growth.

President Barroso, who has been a good friend to Northern Ireland, has secured a second term of office as head of the European Commission, and we have every reason to believe that his high level of interest in Northern Ireland will continue in his new term of office. His new commissioners designate are engaged in European parliamentary hearings.

The Committee of the Regions and the European Economic and Social Committee are also in the process of renewing their mandates for 2010-14. The Assembly played a key role in securing nominees for the Committee of the Regions, and I congratulate Mr Molloy, Mr Dallat, Jonathan Bell and Arnold Hatch on their appointments.

Against the backdrop of substantial constitutional and operational change in Brussels, Europe has in recent months been marking time in relation to its strategic direction and priorities. That has made our job more difficult as we seek to identify the issues emerging from Brussels that are of most importance to us and as we seek to set our priorities and protect our interests. A key priority for the Spanish presidency is a new strategy for growth in jobs, including a debate on the EU 2020 strategy to develop a European economy that is increasingly based on investment in R&D, innovation, education and competitiveness. That falls much in line with the announcement by Minister Foster to the House yesterday. Our debate today will inform us as we adjust and renew our engagement with Europe. It marks a time of policy renewal for us, set against the backdrop of Europe moving into a new era and out of global recession.

I very much welcome the careful work of Committee for the Office of the First Minister and deputy First Minister in producing its report. I am aware that its members have taken comprehensive evidence from stakeholders both locally and in Brussels. There is no doubt that contributions such as the report, which are thoughtful and constructive, add to the quality and nature of the public debate. I welcome debate on European matters; that is central to the development of sound policy responses to European legislative proposals.

I thank Committee members for their detailed and valuable work in producing the report. I have had the opportunity for only slight initial insight of the document. It will take time to consider all of its conclusions in more detail. There are 12 actions for Statutory Committees; a recommendation for the Speaker; six recommendations for the Assembly Commission; and 10 recommendations for OFMDFM. Although the Department received the report at the end of last week and, therefore, further work and analysis will have to be carried out, I can indicate to the Assembly that we agree with much of the report.

The report contains an analysis of the current situation. It provides a context in which the Assembly and the Executive can interact better to further enhance European goals. That is extremely helpful. It makes it clear that European policy impacts deeply on the majority of the Assembly and Executive's work. We must operate within the European system, ensuring that we not only pursue our interests, but fulfil our legal obligations. We should continuously appraise

how we can better influence European institutions in key policy areas that impact on devolved responsibilities. A key determinant of our success will be a focused approach that results in a clear, strong voice in Europe.

All Ministers, Committees and people who are involved in the policy process, which includes civil society, need to understand the wider European system within which key policies are developed and laws are made. OFMDFM has a major role to play in helping to develop the Executive's strategic approach to Europe and in taking forward co-ordination with European matters. In that task, we can only be assisted by the Committee's advice and support in raising awareness of key issues.

The Executive are committed to effective European engagement, which is a crucial task for any modern, forward-looking region. As the debate on Europe's strategic priorities begins, we will participate in and contribute to it. We will do that in an informed and broadly based way that reflects not only the Executive's views, but those of all stakeholders.

As I said, the inquiry report has 10 recommendations for OFMDFM. It will take time to consider each of them carefully and to reflect on the report in its entirety. It would be not be right to respond in detail to a work of that depth at short notice. The proposals have implications for other Departments and, indeed, may impact on other actions that the Assembly will take forward. We must analyse what is proposed and consider the resource implications. Therefore, I cannot say that we accept the report in its entirety or that we will implement in detail every one of its recommendations, because there are many matters to be considered. All of those will be considered carefully and set against the limitations on departmental resources for 2010-11 and beyond. We will respond with respect to our priorities and secure the most effective and efficient use of our resources.

I take the opportunity to offer observations on the recommendations that relate to OFMDFM. The European work area is complex, and the volume of documentation is heavy. Clearly, the Assembly will need to consider carefully the best way to ensure clarity in respect of relationships between Departments and the appropriate Committees on key cross-cutting issues. That will be crucial to successful engagement.

Much good work has been done on European training and secondments, a point with which, I am pleased to say, the report agrees. Under the Lisbon Treaty, the European Parliament has gained new co-decision powers. In anticipation of the treaty's entering into force, the Executive's Brussels office, in conjunction with the Scottish and Welsh devolved Administrations, participated in an event at the

Parliament's Strasbourg seat to announce our engagement with MEPs and to raise our positive profile.

The report's suggestion that we might encourage greater liaison among all our European representatives, including those on the Committee of the Regions and on the European Economic and Social Committee, is worthy of further consideration. Better communication and co-operation, particularly on key issues, can only benefit Northern Ireland.

Many Members will know that our Brussels office recently moved to new and expanded premises, a fact that was referenced by the Acting First Minister at Question Time on 18 January 2010. That presents a timely opportunity to consider how we can optimise the use of that excellent resource for local government, civil society and other interests.

I welcome the report and the interest of the Committee. It has provided an endorsement of our strengthening EU approach and food for thought about new directions and potential improvements. It will require more detailed consideration than has been possible in the short time available before today's debate. That said, I hope that my response demonstrates our desire to advance our approach to the European Union in a constructive and participative way. In a number of respects, our existing approach is in tune with the spirit of the Committee's proposals, and we look forward to further discussion in the coming months.

I thank the Chairperson of the Committee, Mr Kennedy, and his colleagues for their detailed and constructive work. It is important that the Committee should be formally apprised of Ministers' views. We, therefore, intend to report formally to the OFMDFM Committee in due course and set out our response to each of the proposals.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: I am grateful for the opportunity to make a winding-up speech on the debate. Given the day that is in it, the debate was useful and important. It is a reminder to the Assembly of the importance of Europe in the lives of this Administration and the people of Northern Ireland.

I repeat my thanks to the staff in the Assembly secretariat for their assistance during the inquiry, and I place on record my appreciation for the contributions from the organisations and individuals who submitted evidence. Furthermore, I am grateful to the Members who contributed positively to the debate on the report and to Dr Coulter, who spoke on behalf of the Assembly Commission, and junior Minister Robin Newton for their initial responses.

Members' contributions were positive, and I will give a summary of each of them. Mr Spratt highlighted the importance of networking in Europe and the degree of networking and support in other places such as the

House of Commons, the House of Lords, the Scottish Parliament and the Houses of the Oireachtas. He also spoke about strengthening the links with Northern Ireland's representatives in Europe.

Martina Anderson talked about the many opportunities available to Northern Ireland, and she highlighted the evidence from the Federation of Small Businesses, which stated that streams of available funding had not been tapped into. She stressed the importance of banks' drawing down that funding, which the European Investment Bank has made available for small and medium-sized enterprises.

Sadly, Dolores Kelly is no longer a member of the OFMDFM Committee. However, she mentioned the vast amount of legislation and directives that emanate from Europe and said that there is a need for further resources to be invested in building networks from the Assembly and Europe.

12.00 noon

Mr Elliott: Does the Chairperson accept that it is important to scrutinise the European legislation at an early stage? European legislation often has a negative impact on society in Northern Ireland, particularly for agriculture and the environment.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: I am grateful to the Member for making that important point. Early knowledge of and early intervention on directives and other European legislation will be key to the Assembly's making Europe a greater success for the people of Northern Ireland.

Mrs Kelly highlighted the important role of the community and voluntary sector in Europe. I also welcome the positive comments that Kieran McCarthy made on behalf of the Alliance Party.

I welcome to the House and congratulate Mr Jonathan Bell on his maiden speech. It is a great honour to represent one's constituency and constituents, and I genuinely wish him well. He brings with him considerable experience on European matters, and I look forward to his bringing that to bear in future debates on issues that affect the Assembly.

Mr McElduff mentioned the cross-cutting nature of Europe. He is the Chairperson of the Committee for Culture, Arts and Leisure, and he highlighted its work on European issues. He also said that prioritisation was of the utmost importance when seeking to have input into European policy and legislation.

I thank my party colleague Rev Dr Robert Coulter for responding on behalf of the Assembly Commission and for his positive contribution on the Committee's recommendations. The Committee looks forward to working with the Commission on those issues and on European matters generally. It is helpful that Dr

Coulter indicated that the Commission is prepared to explore the different options available for secondments and staff training. I welcome the fact that the Assembly Commission will be considering the recommendations at a future meeting.

I give a positive welcome to junior Minister Newton's statement that OFMDFM regards the report as a constructive piece of work. The Committee looks forward to working with the Department to implement the recommendations and to ensure that Northern Ireland plays a more active and beneficial role in European affairs. We want to prioritise the important issues, including those that will have a positive impact on the entire community here.

Today's debate represents the conclusion of the Committee's inquiry into the consideration of European issues. As was once more famously said:

"It is not even the beginning of the end. But it is, perhaps, the end of the beginning."

The debate does not, therefore, signal the conclusion of the Committee's interest in the matter. As Members can see from the report, the Committee has set itself a number of key actions to take to involve itself more fully on European issues.

The motion calls for:

"enhanced engagement and improved interaction with the European institutions to raise the profile of Northern Ireland in Europe."

I assure the House that the Committee will work with the Assembly Commission and OFMDFM to ensure that there is enhanced engagement and improved interaction with Europe. In addition, we look forward to receiving formally the responses of the Assembly Commission and those of the First Minister and the deputy First Minister to the report.

The Committee made recommendations on a wide range of issues that were reflected in the debate. European issues are very cross-cutting, covering matters from equality to quotas. Therefore, the Committee will seek the support and assistance of the other Statutory Committees in scrutinising the Department's work in Europe, and it will encourage those Committees to become more involved in the development of relevant legislation and policy.

The purpose of the Committee's inquiry and report is to help to promote Northern Ireland as an active region of the European Union that does not simply receive European funding but that is more fully involved in the development of legislation and policy and in the sharing of our experiences with the other regions of Europe. Therefore, I warmly commend the report to the House and ask for support for the Committee's motion.

Question put and agreed to.

Resolved:

That this Assembly approves the report of the Committee for the Office of the First Minister and deputy First Minister on its inquiry into consideration of European issues; and calls for enhanced engagement and improved interaction with the European institutions to raise the profile of Northern Ireland in Europe.

Mr Deputy Speaker: The Business Committee has arranged to meet at 12.30 pm. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 12.07 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

PRIVATE MEMBERS' BUSINESS

Special Educational Needs

Mr Deputy Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion 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.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. I beg to move

That this Assembly acknowledges the anxiety amongst parents and teachers of children with special educational needs regarding the future policy outlined in 'Every School a Good School - the Way Forward for Special Educational Needs and Inclusion'; and calls on the Minister of Education to ensure that the policy brings clarity around the use of the term "inclusion", no diminution of the present statutory rights of children with special educational needs, early expert diagnosis and effective intervention, a fair balance of responsibility between schools and statutory agencies, and ring-fencing of resources to ensure that children with special educational needs benefit from delegated funding.

The consultation on special educational needs and inclusion has provoked more controversy than I can remember. Almost all of the disability rights groups in the North of Ireland, along with parents, teachers, teachers' unions and the General Teaching Council for Northern Ireland, have expressed strong reservations about the changes proposed in the consultation document. Today I hope to concentrate on three aspects of that: early identification and intervention; co-ordinated support plans; and resources.

I will begin with the issue concerning the change of terminology from that which we were used to — early diagnosis and early intervention — to early interpretation and intervention. It is true that the classroom teacher, when reflecting on a pupil's learning, can identify barriers to learning and, in some cases, intervene appropriately to remove those barriers. However, where more complex needs exist, it is doubtful that a teacher, even with enhanced training and the assistance of a learning support co-ordinator, will be in a position to identify the underlying condition and intervene appropriately.

I attended one of the workshops provided by the Department, at which parents were told that an intervention might be tried for a year before its effectiveness would be reassessed and, if it were found to be ineffective, another intervention would be tried.

In that way, a year or more could be wasted on interventions that are neither appropriate nor effective. Identification, in the context of the consultation document, seems to be a form of observation, without the expertise necessary to lead to appropriate and effective intervention. Such an approach would lead to a hit-or-miss process, and we cannot afford to leave our children open to such a flawed approach.

Diagnosis is, of its nature, a more in-depth process, and requires the input of experts who can, on the basis of that expertise, give an authoritative assessment of a child's needs and determine an appropriate and effective intervention. Teacher observation of classroom learning can be extremely useful in raising concerns about barriers to learning that a child may be encountering and may lead to basic diagnostic testing. However, it is very important that teachers and learning support co-ordinators know their professional limitations and call in external expertise as early as possible so that an expert diagnosis can be completed and appropriate, effective intervention initiated.

I am concerned about the legal implications of that approach for teachers, in so far as a greater onus than at present will be placed on teachers, without the commensurate levels of expertise to fulfil the possible demands of the law. Appropriate diagnosis and intervention for pupils with, for example, autistic disorders, which are usually co-morbid with other disorders, may be delayed to the extent that their effectiveness will be reduced.

A learning support co-ordinator may be in a position to interpret signposts to autism, but, unless trained to master's degree level or above, he or she will not be able to diagnose the place of that pupil on the autistic spectrum or assess the nature of the required intervention. In such cases, an early professional diagnosis and an appropriate, effective intervention are required, neither of which would be available during the within-school stage. Autism experts suggest that, in many such cases, children should proceed to the second stage with the shortest possible delay.

The consultation document tends to delay expert diagnosis until the school has exhausted other types of intervention. In that context, the move away from external support and the placing of greater reliance on in-school interventions is worrying, because it may mean that diagnosis is delayed even beyond the current unacceptable timescale. A system that provides early, expert diagnosis and appropriate intervention as early as possible is required. Children, parents and teachers need the consultation to produce outcomes that accelerate the input from experts, not delay it still further.

Early diagnosis and early intervention are accepted as the most effective ways of ensuring that barriers to learning are reduced, if not completely eliminated, as

early as possible in a child's school life. Some parents, through observing their children in their earliest years, begin that process even before the child reaches school age.

Co-ordinated support plans are, arguably, among the most contentious of the range of proposals in the document. Paragraph 18.6(c) suggests that children who currently hold statements of special educational needs could lose them and not be given a co-ordinated support plan (CSP). That is extremely worrying for the many parents of children who currently hold statements, the many representative groups that advocate on behalf of children with disabilities and for teachers who have worked with children to ensure the provision of their statutory rights.

Many parents regard the move away from statutory assessment and statements of special educational needs as an erosion of their children's rights. It seems that, in future, CSPs and the support that accompanies them will be available only in exceptional circumstances. The emphasis will be more on personal learning plans being developed in school, which, once again, underlines the need for greater resources to be available to schools. According to the consultation document, such resources are far from guaranteed.

The Department of Education has not convinced parents and advocacy groups that the move from statements to co-ordinated support plans will be beneficial to children. In fact, many groups hold the view that the proposed change is a retrograde step. The Department has not convinced people that the removal of statements will improve provision.

The document proposes a change from the current one to five code of practice to a three-phase model of provision: within school; within school plus external support; and co-ordinated support plans. That change may not facilitate early diagnosis and appropriate early intervention; it may merely increase the responsibility placed on the classroom teacher and the school, and they may not have the level of expertise to fulfil that responsibility properly. The danger is that the in-school phase of the three-strand approach may become elongated, thus rendering void any advantage gained from the elimination of administrative rigidity.

Many of the changes implied in the document are predicated on the availability of the necessary resources. As I said, and according to the consultation document itself, those resources are by no means guaranteed. Without the necessary resources to implement the high principles, many parents feel that the proposals are comparable to theory that may never be put into practice. Parents are also concerned about the delegation of funding to schools without it being ring-fenced. Last week, departmental officials said that

the direction of travel was for schools to have control over that funding.

The Minister has said that the issue of special needs is one of her flagship themes. However, her proposals are wrong. The Minister should listen to the children, their parents, the teachers and their unions, and the disability groups, and take those proposals back to the drawing board. She should come back to the House with proposals that meet with the approval of children, parents, teachers, teachers' unions and disability groups. Only then will she have some chance of gaining the approval of the House. If she does not do that, the House will not support any legislation that she may bring forward on this issue.

The Chairperson of the Committee for Education

(Mr Storey): I am glad to make my opening remarks as the Chairperson of the Committee for Education. I wrote to all Members yesterday to draw their attention to some important information that is on the Committee's website and which is relevant to today's debate. The Committee received a number of briefings about the Department's policy proposals from departmental officials and from organisations that represent children, parents and teachers who are directly affected by the proposals. The detailed submissions from the Children with Disabilities Strategic Alliance, which represents 46 organisations, and the briefing paper from the Northern Ireland Teachers' Council, which was submitted on behalf of the five teachers' unions, can be viewed on the Committee's website. Those groups and many other stakeholders have voiced concerns about the consultation documents.

The following comments will be made in my capacity as a Member of this House. I am glad that, for the first time, we have a motion that deals with inclusion, which all parties, including the Minister's party, support. The Minister should not ignore that, nor the effort that has been made by all Members who sit on the Committee for Education to reach a consensus to deal with the concerns that the proposals and the document give rise to.

The Minister's proposals contain major weaknesses. They contain very little detail, which is a point that has caused concern among professionals, and the Minister should take note of that. Her Department calls the proposals "high level". However, many consider them lightweight and without any substance or detail. They do, however, manage to cloud the essential issues around adequately delivering on special educational provision.

The Minister is presiding over a troubled panorama that is characterised by her and her officials' lack of focus and understanding. The consultation proposals fail to add clarity to the statutory obligations of the Department to concentrate on the effective management

of special needs education, and instead create the potential for diluting the focus and the policy.

How can the Minister reassure parents and professionals that her Department has a clear focus on the importance of stating children accurately and effectively in future when there is a strong view that it has been getting harder to have an assessment of special educational needs (SEN) carried out?

Is the Department not aware that schools have been struggling with allocations for educational psychologists to come forward to carry out those assessments? The Minister should know that there is already a problem with delivery for children with special needs. She has failed to meet those needs.

I have spoken to many people who have concerns about special schools. Although it is important for the Department to continue to support the inclusion and integration of SEN pupils in mainstream schools, there is an obligation on the Minister to focus some of her attention on special schools within the scope of the consultation and address the long-standing issues about the absence of maximum enrolment numbers, overcrowding in special schools and the lack of sufficient funding and resources to support her Department's special schools provisions.

2.15 pm

Let me raise an issue that was brought to my attention before I entered the House today: temporary days' cover for special schools. In 2007-08, some 24,000 days of cover were provided. Can the Minister, if she is listening, assure me that that promotes a consistent service? I do not think so, and that needs to be addressed. I want to hear from the Minister on that today. It is unfortunate that we do not have sufficient time; five minutes is not nearly long enough to raise all the necessary issues in regard to the matter.

If the Minister thinks that she can dilute the current provision for children with special educational needs and introduce something inferior to cut costs and save money, she has got it fundamentally wrong.

Mr Deputy Speaker: Your time is up, Mr Storey.

The Chairperson of the Committee for Education: Let me conclude with this.

Mr Deputy Speaker: Very quickly please.

The Chairperson of the Committee for Education: I call on the Minister to remember the words of the inspectorate, which said that the various agencies need to work more collaboratively and with greater impetus to improve identification, assessment and intervention.

It is time that the Minister delivered; perhaps, by the end of today, she will have run out of time because she may no longer be in office.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. Like other Members, I welcome the opportunity to speak in the debate. Let me begin by offering the apologies of my colleagues Michelle O'Neill, who is a co-sponsor of the motion, as the Member who spoke previously pointed out, and John O'Dowd, for not being able to take part in the debate.

I welcome the Minister's presence for the debate. Further to the words of the Member who has just spoken, I am not a fortune-teller, but I assume that the Minister supports the motion. Given that Members from each of the five main political parties have sponsored the motion, a clear message is given that, whatever may be going on in the bigger political picture, the Members in this Chamber deal with bread-and-butter issues. Members who sponsored the motion did so in order to change people's lives for the better.

Members have said, repeatedly, that society judges us on how we treat the most vulnerable. It is clear from reading the motion that all parties are serious about this issue and want to ensure that we treat the most vulnerable with the greatest respect and ensure that they get all necessary care in health, education, play, and resources. That is important. Five parties signed the motion, so I assume — I do not wish to speak for the Minister — that she will not oppose it. It is a collective motion, and it will be approved.

My party welcomes the consultation and review on special educational needs. We must also take on board that there have been two extensions to that consultation, which Dominic Bradley mentioned earlier. That sends out a message that people are listening.

The Chairperson of the Committee for Education: Will the Member give way on that point?

Ms S Ramsey: I am sorry, Mervyn; I will not. I want to make my point. Normally, I give way, and I apologise for not doing so; however, I am conscious of the time, and there are other points that I want to make.

The purpose of a consultation exercise is to listen to the professionals and to the people who are affected directly or indirectly by the proposal. If as a society — or as Members, policymakers and lawmakers — we decide that we need an extension to the consultation, let us do that. We need to ensure that we have listened and that we get the policy right. That is another clear message that the debate must send; that is how we reassure parents, professionals and those who are affected by the proposal.

Assessments, and the level of support offered in all the board areas, must be highlighted. Members represent different constituencies, and most Members are involved in, or began in, local government. We deal with that on a daily basis depending on where we live. I represent an area that falls into the Assembly constituency of West Belfast, and I also represented

that area as a member of Lisburn City Council. That area is, therefore, caught in limbo, and it is difficult to know which education and library board to deal with, because the Belfast Board is two minutes down the road and the South Eastern Board is just up the road. All of that simply adds to the confusion.

When people start talking to one another, they realise that the timeline for a statement of needs has an impact on the families that are dealing with children who have special educational needs on a daily basis. We need to hear those families' real stories. If the process is flawed, we need to change it by making it easier for statements to be carried through. There is no point in a child getting a statement of needs for education if the health sector ignores it. We therefore need to ensure that a holistic approach is taken.

We welcome the review and the concept of inclusion. Children who face barriers to learning need to be given help to ensure that they receive every level of educational need so that they can move forward.

I also wish to address the speculation about special schools being closed as a result of the review. That is wrong, and my knowledge is that there are no plans to do that. If people are saying that, they need to be challenged, because they should not be allowed to hype up the issue in that way.

In conclusion, our objective, which the motion reflects, is to improve the system.

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

Ms S Ramsey: We want to ensure that there is a new beginning that enshrines the rights of everyone involved.

Mr B McCrea: I am conscious of the fact that we are debating an all-party motion, and, as such, it is appropriate that the language used is conciliatory and supportive. I realise that the Minister's attention is also focused on other issues, so it is good of her to be present for the debate.

Undoubtedly, there are concerns about the projected change, but that is the nature of change: people are sure about what they know and are worried about what might come in the future. The all-party motion is testament to the fact that we have a general concern about dealing with that anxiety. Some of that anxiety might have been caused by a lack of information or detail or by information not being presented in an appropriate way.

The Committee Chairperson mentioned the fine gathering in the Great Hall last week, at which people had the opportunity to put forward ideas and to try to get explanations. Parents and their groupings are still not convinced that we have really got the message. Therefore, we all have a job of work to do collectively to address that.

The Chairperson of the Committee for Education:

I thank the Member for giving way. I want to emphasise one point. The Minister accused me and my party of delaying the consultation for weeks. If the Minister — this is what worries me about Sue Ramsey's comments — had listened to the issues that we raised with her about why we did not want the policy document to go out for consultation in the first place, we would not be having to go back to her to raise those same issues. She has not been focused, and she has not been listening, either before the document went out for consultation or it seems — I hope that I am wrong — during the consultation.

Mr B McCrea: The Member makes his points in his style, and I will attempt to make my points in my style. Either way, the most vulnerable in society require our support. Members will know from the Register of Members' Interests that I chair the all-party Assembly group on learning disability, and I have also had quite a lot of interaction with some special schools. It is a privilege, an honour and somewhat humbling to be involved with those people, and it behoves us all to try to find the right way forward. Some of the points that Mr Storey raised need to be addressed. There is anxiety among parents that, if the security of a statement, which has legal status and provides an opportunity to appeal, is taken away, the resources that their children receive will also be taken away. We need to deal with that and with the lack of detail in the proposals.

As yet, nothing has been brought forward to explain why inclusivity issues and the European aspect of what is required are included in the consultation. There is a feeling that, in trying to deal with inclusivity, perhaps we have taken our eyes off the needs and, in particular, the special needs of children. There must be a balanced approach, and I hope that the Minister will address those matters in her response or at some other time.

The current system of statementing is unsatisfactory. We all accept the need for change and that something has to be done. I buy into the argument that it would be better to focus energy and resources on areas that really need them and to take away bureaucracy where it is not required. Communication is necessary to explain that that would be for the betterment of folk.

I am sure that the Minister is aware that, when it comes to funding, there is a feeling that, if a parent is looking after his or her own child, there are at least certain resources available but that there are perhaps better ways of pulling together resources so that schools can manage them. However, there is also concern that, if funding is given to schools as a block, it might be used in areas that are not appropriate for that particular child. Those are legitimate concerns, and we have to find a way to address them.

All of us on the Education Committee are aware of the fiscal problems facing the Department of Education and of the very difficult decisions that will have to be made. It is important that we give solidity and comfort to people and, when looking at any fiscal changes for special educational needs, we ensure that such changes are ring-fenced and protected. The biggest worry for people is that changes will be made without the money or the resources to follow through on the intentions.

In conclusion, I ask: what is the Assembly here to do? People look to us to see what can be achieved and what we can come together on. The passion shown, quite rightly, by the Members who spoke previously, shows how important the issue is. There is an opportunity for us, collectively, to try to do something better; to build a little bit of trust; to see if proper representation can get a proper and appropriate response; to do something that we can be proud of when we go back to our communities, having heard what people have to say —

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

Mr B McCrea: There is something incredibly positive in the process that I have witnessed. Mr Deputy Speaker, I thank you for your indulgence.

Ms Lo: The Alliance Party supports the motion. I am standing in for Trevor Lunn, who cannot be here. Although I am not a member of the Committee for Education, as a social worker, I do have some experience in helping families through the process of statementing. So often, that is a long and frustrating process for the children, parents and teachers involved. Waiting to be assessed by an educational psychologist can take a long time, and, of course, educational psychologists are in short supply.

The Alliance Party welcomes the Department's public consultation on reform and supports, in general, the principles of the proposed policy framework. However, we have some reservations around how those principles will be translated into practice.

Personally, I welcome the addition of the theme of inclusion, relating, as it does, to Traveller children and to children for whom English is an additional language. However, some clarification is needed on that. Currently, provision is made for those children. However, some ethnic minority communities are concerned that schools are not using resources to specifically target those children. If those children and young people were grouped under SEN, interventions to meet their educational needs may be more effective. It should not be a zero-sum game. The current provision could be included in the policy under SEN.

The Alliance Party is particularly concerned that the proposals would lead to the Department moving away from the use of statements. A lot of families have

contacted our offices to say that they do not want to see statements done away with, and we agree with them. Statements give families reassurance, because they show the exact needs of a child. They are also useful for children who have multiple disabilities. Co-ordinated support plans are not legal documents in the way that statements are. Schools and the education and library boards are legally obliged to carry out the provisions that are outlined in the statement. That legal protection would not apply to the co-ordinated support plans in their present form.

2.30 pm

Mr D Bradley: Does the Member agree that there are no guarantees on the rights that parents will have under the new proposals? At this stage, the Minister herself does not know what rights parents will have. In answer to a question from Mr Boylan in the House yesterday, she said:

“Depending on the detailed outworking of the proposals, parental rights may be differently reflected, but that detail is yet to be developed and can only be considered following consideration of the responses to the consultation.” — [*Official Report, Vol 47, No 5, p242, col 1*].

That means that, at this point, the Minister cannot give any assurances to parents about their future statutory rights.

Ms S Ramsey: Will Ms Lo give way briefly?

Ms Lo: Yes.

Ms S Ramsey: The answer to Mr Bradley is that a consultation is in progress, and the Minister is listening to what people are saying.

The Chairperson of the Committee for Education: That would be a first.

Ms S Ramsey: The Minister is always listening; not to you.

Ms Lo: I concur with what Mr Bradley said. The proposals would be a step backwards. If they are implemented, the resultant changes may lead to a loss of enforceable legal rights for children with special educational needs, which means that there will not be the same accountability to parents.

Co-ordinated support plans will be available for children who have complex needs, but there is no definition of complex needs in the policy document. We need clarity on that. We are also concerned about the funding programme that will have to be put in place to achieve the aims outlined in the proposals. We will need to see a more in-depth outline of the funding arrangements.

Long delays in assessment are unacceptable and potentially disastrous to the development of children. Such delays in development can lead to young people becoming NEETs — not in education, employment or

training. The Department for Employment and Learning was talking about NEETs fairly recently.

We would welcome any effective reform, such as the removal of the prohibition on school nursing staff informing educational psychologists of a child's needs. We would also welcome the removal of the policy that no referrals for assessment should be made until after year 2. So often, one can see the effects of delayed development in children from a very young age. We urge the Minister to listen to the consultation, to parents and to communities.

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

Ms Lo: Children and parents need to be at the centre of the reforms. Parents know their children best and have practical experience in the process, so we urge the Minister to listen to them.

Mr McCallister: I thank my colleagues for securing such an important debate. As Mr Bradley said in his opening remarks, the debate about special educational needs has led to one of the largest responses that most of us have ever witnessed, even on a constituency basis. The debate has also led to a recognition of the widespread concern that there is about the policy.

I welcome the extension of the consultation period. It has been useful and has allowed us to gather the views of parents, teachers and the representative groups, because we must get this right. There is a worry that the proposals will not adequately assist parents, teachers or experts to deliver for children with special needs or ensure that all children develop their capabilities.

The Ulster Unionist Party appreciates that this is a high-level policy. The Lamb inquiry into special educational needs, which was commissioned by the Department for Children, Schools and Families, was published last month. It states that, in order to achieve success, we need to listen to parents more and to bring them into meaningful partnership with statutory bodies. This policy does not put parents at the heart of special needs support, does not facilitate adequate partnerships and does not include the detail required to give parents, teachers and professionals the confidence that they need.

I hope that the Minister and her departmental officials listen to the voices of the countless parents who have responded to the consultation; they are best placed to know the needs of their children and the difficulties that they face.

The Chairperson of the Committee for Education: Given that one concern is the removal of statements, are we not starting from a difficult position in asking the Minister and the Department to listen? In the results of the Department's 2005 survey, 80% of parents were satisfied with the statement process, 80% thought that the final statement represented a fair and

accurate assessment, and 73% felt that the annual review was necessary. The Minister's proposals attempt to do away with those very things. She ain't listening.

Mr McCallister: I hope that the Assembly supports the cross-party motion and that the Minister not only listens to the Assembly's united call but to parents' comments during the useful event that the Committee for Education hosted last week.

I was about to mention the statementing process. Colleagues, including Basil McCrea and others, said that statementing secures the rights to which people are entitled and gives protection and security to parents that their child cannot be overlooked, ignored or sidelined. One of the biggest concerns about the policy is that it will remove the protection that statements offer. I mentioned the Lamb inquiry earlier and in a question to the Minister yesterday. It provides evidence of similar experience. It states:

"parents told us they value the security of a statement and the confidence it gives them to challenge the authority if provision agreed is not forthcoming. Parents were crystal clear that they wanted the letter and spirit of law adhered to and the system made to work better."

As the Chairman said in his intervention, one major problem with the policy is the security of the statement.

The policy replaces early assessment by experts with that by teachers, and the profession is concerned about the limited detail on how teachers will gain the expertise that is required to make the correct decision. There is widespread scepticism about teachers' ability to do so for children who suffer from conditions that are difficult to diagnose, such as autistic spectrum disorder. That raises questions about the lead-in period. I also have concerns about proposals whereby schools must go through a largely internal process that will, in effect, have to fail before children receive a co-ordinated support plan. What will happen to children's rights during that period?

All those questions have to be answered. It should be noted that, when similar arrangements were introduced in Scotland, compared with statements the number of support plans fell considerably. That also causes anxiety for parents and teachers.

Given that some of the relevant legislation has not been put before the House, questions must also be asked about the ESA's structures and how they will be dealt with.

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

Mr McCallister: Perhaps the Minister will give us a timeline shortly.

Mrs M Bradley: The motion gives me a sense of déjà vu, as it seems that nearly every day my constituency office takes complaints about the issue of special educational needs. Parents, teachers and principals alike

are frustrated, to say the least. The lack of security in education provision per se is the catalyst for that angst.

Parents of pupils with special educational needs have to fight constantly to get the right educational pathway for their children. Parents of children who need the nurturing environment of a special school have an entirely different fight on their hands in securing proper care services during the school day.

In essence, although there are many issues surrounding the special educational needs of any child, regardless of their creed or community, I am extremely keen to point out the main issues that are frequently brought to my attention in my constituency. They can all be brought under the broad headings of resources, early intervention and tardy departmental responses that contribute to the slow — if not snail-like — pace at which schools can respond to the requirements of a child with special educational needs. Statementing is a huge issue, and the consultation document clarifies the situation in which children who are already in possession of a statement are not guaranteed a co-ordinated support plan. Furthermore, the protection of rights that statementing offers children will no longer be beneficial to them.

In numerous debates on children's issues and education in the House, we have quoted the findings of Professor Heckmann, who contended that it is only sensible and economically beneficial to invest in early intervention and diagnosis. In order to do that, there is a clear need for the ring-fencing of delegated funding. Although learning support co-ordinators should be qualified to carry out low-level diagnostic testing, it is vital that such testing is not used as a substitute for the external high-level testing and diagnosis that currently form the basis for statementing.

In short, we have a bad situation that is threatening to fester into a huge fireball that will incinerate the rights and requirements of pupils with special educational needs. Although finance is a problem in the current economic climate, it is not the only problem. The state of the education system and the anxieties of parents, pupils and teachers have all aided and abetted the current state of special educational needs services.

We must ensure that the ring-fencing of budgets, the appropriate allocation of resources and the protection of children's rights always remain at the heart of education, especially for special needs provision. In keeping with the United Nations Convention on the Rights of the Child, we must deliver all those things to create a holistic approach to all the educational needs of children in Northern Ireland.

Parents of children with special educational needs should not have to worry every day about whether they are going to get services for their children. I appeal to the Minister to listen and to respond soon to what parents

are saying so that they, their children and the teachers can have some peace of mind. I support the motion.

Mr Deputy Speaker: I now call the Minister of Education. As we must move to Question Time at 3.00 pm, I will set her a little assignment: when the clock reaches 3.00 pm, she must bring her remarks to a close.

The Minister of Education (Ms Ruane): I will be like Cinderella. Cuirim fáilte roimh an deis seo chun freagra a thabhairt ar an rún seo. Ba mhaith liom a dhearbhu go soiléir go ndéanfar breithniú iomlán ar thuairimí na bhfreagróirí don chomhairliúchán poiblí atá á dhéanam maidir leis na moltaí a tháinig ón athbhreithniú ar riachtanais speisialta oideachais agus chuimsiú nuair a bheas deireadh leis an tréimhse chomhairliúcháin i gceann cúpla lá.

I welcome the opportunity to respond to the motion. I want to provide an assurance that the views of respondents to the current public consultation on the proposals emanating from the review of special educational needs and inclusion will be fully considered following the end of the consultation period in a few days' time.

2.45 pm

I welcome the fact that this is an all-party motion, and I welcome the tone of the considered debate, particularly the contributions from Basil McCrea, Anna Lo and my friend John McCallister. We had the usual ranting from other Members, but that is par for the course and, I suppose, to be expected.

The framework proposed in my consultation document puts the child or young person firmly at the centre of education provision and allows for their views and those of their parents to be heard and valued. I am committed to improving outcomes for all children. The proposals recognise the fact that more than 60,000 children, which is over 18% of the school population, have some form of special educational need, and just over 13,000 children, or 4.1% of the school population, have statements of special educational need.

The review of special educational needs and inclusion aims to strengthen the current provision for children with SEN and address the growing diversity of need in our schools. Almost 70% of children with statements of special educational need now attend mainstream schools. It is clear from the review that improvements are needed so that the education system as a whole ensures that those children and young people — future adults — are best equipped to deal with education, life and work.

Raising standards for all children and young people is at the heart of the Department's policies. I have continually supported the belief that early identification

and appropriate support interventions enable children to develop educationally alongside their classmates. That means that help is available as early as possible for those who need long-term support, thus reducing the risk of longer-term underachievement and disadvantage. Therefore, the proposals in the 'Every School a Good School: The Way Forward for Special Educational Needs and Inclusion' consultation document aim to put in place a more robust and accountable support framework that identifies and supports the needs of all children, whenever they occur and as early as possible. It is, therefore, vital that school principals, teachers and other staff in schools are given the skills, confidence and support to meet the challenges presented by the diversity of need that they experience every day in the classroom.

Chuíge sin, tá £25 milliún faighte agam, sa bhreis ar an £202 milliún a chaitheann mo Roinn cheana féin ar pháistí a bhfuil riachtanais speisialta acu, chun tús a chur le cur i bhfeidhm cláir chuimsitheach oiliúna agus forbartha acmhainní do cheannairí scoile, do mhúinteoirí agus do bhaill foirne eile in earnálacha na scoileanna agus na réamhscoile.

To that end, I have secured £25 million over and above the £202 million that my Department already spends on children with special needs to begin the implementation of a comprehensive training and capacity — *[Interruption.]*

Mr Deputy Speaker: Order. The Minister will take her seat. Will Members please allow the Minister to make her speech? It is important that, from the Chair, I hear every word that is spoken. Therefore, I once again ask the usual offenders not to persist. Thank you. Go ahead, Minister.

The Minister of Education: Go raibh maith agat, a LeasCheann Comhairle. The proposed workforce development programmes will increase the expertise in our schools and ensure that the focus for school leaders, teachers and other staff is firmly on the early identification of need and is closely followed by appropriate in-school intervention and easy access to external support as necessary.

Currently, mainstream schools require access to external supports for approximately 35% of special educational needs children in their care. The proposals aim to enable schools to meet the educational needs of more mainstream children from their own resources, and I firmly believe that that can be achieved through a dedicated capacity-building and development programme. That increased expertise in schools is expected to reduce the current over-reliance on external assessment and assistance to support children who face barriers to learning and diminish the need for acquisition of a statement and the associated delays and bureaucracy. That is not to say that the proposals

aim to reduce or remove external supports for every child who needs them. My wish is that parents and children feel confident that the system is there to help and support them, and that education, health, social care and other professionals work in partnership to deliver effective support.

The consultation proposals are necessarily at a high level at this stage. The existing SEN framework is complex, and, if improvements are to be made, I need to understand how the public view the high-level proposals before I can develop detailed policy proposals or legislative change. I assure parents that I will carefully consider their consultation responses and that no changes can be made to the current statutory framework without detailed proposals that will also be subject to consultation.

I firmly believe that we should have a fully inclusive society with equality at its core. I also recognise the wishes of children and parents in choosing their educational setting. I know that many parents feel that a mainstream education maximises their child's educational experience. However, I also know that many parents and children value highly our special schools sector. Therefore, the proposals are not intended to change the current mix of mainstream and special provision here.

The proposals are not intended to diminish the rights of children with special needs or their parents. I must carefully consider options for improvement to the current statutory powers and duties associated with every organisation that provides for those children. I particularly welcome the views of all those with an interest in rights-based issues on how I can strike a fair balance of responsibility between schools and statutory agencies.

The proposals also recognise the need for greater collaboration and co-operation among agencies in order to achieve fully the aims that have been set. The way in which all relevant sectors and agencies work together to achieve timely educational assessment, diagnosis and intervention must improve. My colleague Sue Ramsey made a particularly important point about the need for the health and education sectors to work together closely.

The Department of Education and the five education and library boards spent £202 million supporting special needs provision in 2008-09. I want to ensure that that significant resource is used as effectively as possible. I will carefully consider the views of respondents to the consultation to ensure that our children derive the maximum benefit from all available funding to support their needs.

After the public consultation period ends, the Department's immediate work programme will be to consider and analyse the responses received and to

compile and publish a summary response document. A thorough analysis of those responses will guide and inform the development of the detailed policy proposals for implementation, including financial and operational considerations.

Work is under way on the development of a school capacity-building programme, which will begin to be rolled out during the 2010-11 school year. That sits well within the current statutory framework.

D'iarr mé ar an gCigireacht Oideachais agus Oiliúna treoir do chomhordaitheoirí riachtanais speisialta oideachais agus táscairí dea-chleachtais do scoileanna a fhorbairt. .

I have asked the Education and Training Inspectorate to develop guidance for special educational needs co-ordinators and to identify indicators of good practice for schools. The proposals provide the basis for a robust and detailed consideration of the future shape of an inclusive special educational needs framework. That will be informed by the wealth of views and ideas that I expect to see in the varied cross-section of responses to the proposals.

The proposals are some of the most important that are being considered in the House. It is important that we ensure that children and their rights and needs are at the heart of our decision-making. I do that in every single policy that I propose.

Mr Deputy Speaker: As Question Time commences at 3.00 pm, I suggest that the House take its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mr Alastair Ross.

The debate stood suspended.

3.00 pm

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Deputy Speaker: Question 1 has been withdrawn.

Ministerial Responsibilities

2. **Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment what steps she and her officials are taking to ensure that her new responsibilities as Acting First Minister will not impact on her role in dealing with the recession. (AQO 649/10)

The Minister of Enterprise, Trade and Investment (Mrs Foster): I have confirmed with my officials that, as far as my Department of Enterprise, Trade and Investment (DETI) responsibilities are concerned, it is business as usual.

Some Members: Hear, hear.

The Minister of Enterprise, Trade and Investment: Yesterday, for example, I delivered an oral statement on the independent review of economic development (IREP). I am taking DETI oral questions today, and, later this evening, I will meet the Invest Northern Ireland board. In addition, I will continue to carry out a wide range of engagements and meetings that are related to my DETI portfolio.

Mrs D Kelly: I am sure that the men will not regard me as being sexist, but I know that all women carry out multitasking roles, usually quite well, and the Minister is also a young mother. Two weeks have already elapsed since her party leader vacated the position of First Minister, so there are four weeks left in the six-week time frame that he gave himself. What long-term plans are in place in case he is unable to return as First Minister?

The Minister of Enterprise, Trade and Investment: It may well be the case that he will be back as First Minister this week, next week, or the following week. Whenever he comes back, I will be quite happy to hand back the reins of Acting First Minister to the substantive First Minister. The substance of the Member's question was about what I had done in relation to my portfolio. I hope that she recognises that the work of DETI continues. I note that she was not in the House yesterday when I made the independent review of economic policy statement in relation to economic policy. That was a very fundamental statement looking forward. I hope that she has the chance to look at that statement and the consequences

for the economy because it gives us a blueprint for moving forward.

Mr K Robinson: I was very reassured by what the Minister said in regard to her position here today. I am delighted to see her here in her role as the Minister of Enterprise, Trade and Investment. However, when I saw Mr Jim Wells arriving in the Chamber, given his previous record of being the last Member to speak in an Assembly, I began to get worried. *[Laughter.]* I am watching him very closely.

The recession and the challenging economic conditions are of paramount importance to us all. They demand maximum attention at this time. Some ambitious targets have been set in the Programme for Government. Will the Minister assure the House today that those targets can be attained? Will she indicate the current position regarding the targets?

The Minister of Enterprise, Trade and Investment: The Programme for Government set some quite challenging targets for me and for other Departments. As I stated in the House last week, the public service agreements (PSAs) that were set in respect of productivity and employment relate not just to my Department, but to other Departments. The employment PSAs, in particular, relate to the Department for Employment and Learning (DEL). It is important that we look at all those targets, which we do periodically. We check that the targets are on course. If they are not, the Office of the First Minister and deputy First Minister (OFMDFM) sets up accountability meetings at official or ministerial level. The Member will know that one such meeting has taken place on the tourism PSA to make sure that we do all that we can to deal with the economic recession and its impact on the tourism target.

One reason why I asked the independent review to look at economic policy and the performance of Invest Northern Ireland was to make sure that we were properly equipped to meet the Programme for Government targets. As Members know, that report came back to me at the end of September 2009, after which there was a short period for consultation. We took those consultation responses together with what Professor Barnett gave us, and we have given a very reasoned response to that report. Indeed, I am sure that Members will have noted that it has been welcomed by a wide range of business interests, including the Institute of Directors and the Confederation of British Industry. We now have the blueprint for moving forward, and I very much look forward to the implementation phase of the IREP report.

Next Generation Broadband

3. **Mr Gallagher** asked the Minister of Enterprise, Trade and Investment for an outline of her Department's £48 million investment in the next generation

broadband project announced on 3 December 2009.
(AQO 650/10)

The Minister of Enterprise, Trade and Investment: On 3 December 2009, I announced, jointly with BT, the next generation broadband project, which will deliver next generation broadband services to 85% of businesses across Northern Ireland by 2011.

That £48 million project is supported by government funding of £18 million from the European regional development fund's sustainable competitiveness programme, the European agricultural fund's rural development programme and matched funding from the Executive.

Mr Gallagher: I have a question for the Minister on behalf of the 15% of people she referred to who have never had first generation broadband, some of whom are in the constituency that we both represent. Since the Minister announced the initiative, some people in that situation have contacted BT, only to be told that they will not share in next generation broadband either. Does the Minister share BT's view? Does she hold out any hope for that group of people?

The Minister of Enterprise, Trade and Investment: In relation to the first contract referred to by the Member, which was granted to BT, I simply do not accept that very many people have been unable to avail themselves of that project. Broadband services are accessible and available to around 99% of the people of Northern Ireland through cable or satellite provision. That is how, although some areas simply cannot be reached by fibre, we have been able to provide 99% availability.

The rationale behind the Programme for Government target to reach 85% of businesses is that that was the figure at which it was deemed value for money to provide broadband for businesses. However, first indications from BT suggest that the initial target of 85% will be exceeded and that next generation services will be available to around 95% of our businesses by 2011.

I know that the Member is sceptical about broadband services, particularly in Fermanagh and south Tyrone, but I hope that he recognises that we have been proactive in improving broadband services, particularly in the west of Northern Ireland. I refer him to remote broadband services and to the Northern Ireland broadband fund, which can be availed of by people in Ballinamallard, in his constituency.

H2O Ireland's innovative use of the waste water disposal infrastructure to run an optical fibre network around Enniskillen is the most recent of other developments. That will be a great improvement. The local council has supported the bid for that project and invested a lot of money in it. Mr Gallagher may be sceptical about the provision of broadband in Fermanagh and south Tyrone, but we are doing everything in our

power to help people in that area, and everywhere else in Northern Ireland, to get access to broadband.

Mr Campbell: I welcome the announcement made by the Minister last month at the Committee for Enterprise, Trade and Investment. Will she outline some benefits for groups in rural areas and farming communities, where many people's business acumen and expertise totally depend on broadband access? After the next generation initiative is implemented, how will those people's situation differ from that of 12 months ago?

The Minister of Enterprise, Trade and Investment: The project's funding is skewed towards rural areas. That is one reason why the Department of Agriculture and Rural Development wanted to be associated with the BT announcement. Rural areas have been allocated £12 million of government money, and urban areas have been allocated £6 million. That is hugely important. Mr Gallagher, who asked the substantive question, must give cognisance to the fact that we have skewed that money for a reason. As Mr Campbell said, we recognise that many businesses in rural areas need access to broadband because it is their only portal to the Internet and, consequently, to a wider market for their services. So, it is important that we skew that money. I am delighted that we have been able to do so, because I think that we will see real benefits from it.

Mr Deputy Speaker: Question 4 has been withdrawn.

Tourism: Initiatives/New Opportunities

5. **Mr McCallister** asked the Minister of Enterprise, Trade and Investment how the Northern Ireland Tourist Board develops tourism initiatives and identifies new opportunities, as opposed to reacting to initiatives generated by councils and other bodies. (AQO 652/10)

The Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board (NITB) is responsible for product development and for marketing Northern Ireland at home and in the Republic of Ireland. It carries out extensive research and gathers market intelligence to identify the evolving demands and interests of today's visitors. That evidence provides the basis for developing strategic and operational plans for both the tourism sector and the board, which proactively identifies product development and marketing priorities.

A new tourism strategy for Northern Ireland will shortly go out to public consultation. The strategy will identify future opportunities and provide a clear and inspiring vision for developing the tourism experience through to 2020. In addition, in the past two years, the Northern Ireland Tourist Board has proactively engaged almost 1,000 people from across the tourism sector in an effort to discover all that is unique about

Northern Ireland. Subsequently, NITB implemented a series of pilot projects to highlight ways in which the tourism industry and its stakeholders can improve the experience of visitors to Northern Ireland.

Mr McCallister: Has the Northern Ireland Tourist Board considered the possibility of a measure to attract European visitors who are interested in the Pilgrim's Trail, which is a major Christian heritage initiative that traces its roots back to Canterbury?

The Minister of Enterprise, Trade and Investment: The Member's colleague Mr Cree raised that matter in the Committee for Enterprise, Trade and Investment, and the Tourist Board is looking into it. As the Member will be aware, the St Patrick/Christian heritage project is one of our five signature projects, and I feel that that fits in quite neatly with the topic that he mentioned. Therefore, we should look at any way in which we might promote that signature project and see whether we can use it as a mechanism to get more people to visit that part of Northern Ireland, which is very beautiful and rich in heritage and culture.

Mr P Ramsey: The Minister will be aware of the ongoing tourism work in my constituency, particularly on our own signature project. What efforts are being made by her Department to invest in the plantation period? Furthermore, does the Minister concur that it would be best to adopt a cross-departmental approach with the Department of Culture, Arts and Leisure in order to maximise the impact and potential of that tourism product?

The Minister of Enterprise, Trade and Investment: I wholeheartedly agree with the Member that that is something that we must take on board with the Department of Culture, Arts and Leisure and, indeed, the Department of the Environment, which, as the Member knows, plays a key role in funding the built heritage programme, particularly in the city of Londonderry. Recently, I wrote to the Minister of Culture, Arts and Leisure to ensure that he knows the importance of continuing with the built heritage programme, which I firmly believe is part of setting the Walled City in its context. A lot of work has been carried out in the city to develop the Playhouse Theatre, St Columb's Cathedral and First Derry Presbyterian Church — projects with which the Member has been associated — and, indeed, we hope to carry out work on the Guildhall.

On the wider issue of highlighting the plantation period, I have asked the Tourist Board to look at 2012 as a key year for tourism in Northern Ireland. In particular, there will be the Titanic celebration, and we very much hope that, by then, the Giant's Causeway visitor centre will be up and running. Highlighting the plantation period could contribute to making 2012 a key

year, because it would help with marketing not just in our key market, Great Britain, but wider afield in Europe.

Ms Lo: I welcome the Minister's announcement of a tourism strategy. Does she agree that we have not been ambitious enough in promoting and developing tourism in Northern Ireland? We have many beautiful lakes and mountains that we have not promoted properly. I have relatives who live in the Lake District, and I often go there in August. If one has not booked several months in advance, one cannot get a room there.

3.15 pm

The Minister of Enterprise, Trade and Investment: Part of the beauty of Northern Ireland is that we do not have to cope with the overabundance of people who visit the Lake District. I was there last year and saw the amount of visitors who came to that area. However, I think that we are moving ahead, and there is a sea change in the way in which people view the tourism industry in Northern Ireland. That is very important, because I have often said that the tourism industry could be one of our key drivers, along with the food industry. I say that because a lot of people have not visited Northern Ireland before, for obvious reasons. Therefore, there is an opportunity to get those people to come to Northern Ireland and to view the beauty that the Member talked about.

The Northern Ireland Tourist Board is about to engage in its new integrated marketing campaign, which will run here and in the Republic of Ireland. The Tourist Board's most recent piece of work was its summer campaign, and it shows that, for an investment of £820,000, an estimated £10.6 million was generated to the local economy. That is a fabulous payback for the amount of money that was put into that marketing campaign, and I congratulate the Tourist Board for that work. However, I accept that there is a lot more to be done, particularly if we want to hit the Programme for Government targets in relation to tourism. They are very stretching in numbers and in tourism spend, but we are committed to hitting those targets, and I will continue to work with the Tourist Board and Tourism Ireland to try to hit those targets.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I welcome the fact that the Minister acknowledges that the plantation did actually take place. Will she update us on what her Department is doing to promote local tourism projects?

The Minister of Enterprise, Trade and Investment: I am not going to get into a historical debate with the Member. I am sure that he does not want to talk about the Cruithin and the Gaels today, but I am not going to deny that the plantation took place. We brought a great deal to Northern Ireland and, at that time, to Ireland. Nevertheless, part of the new tourism strategy is about

the way in which we can work with local tourism providers. An awful lot of time has been spent with local industry and local stakeholders, such as local tourism, and I am thinking of the way in which Fermanagh Lakeland Tourism, in my constituency, is working with the Northern Ireland Tourist Board much more proactively. Local tourism really adds to what we have to offer. We have signature projects, which are hugely important for getting people into Northern Ireland. However, part of what the Tourist Board is trying to do is to discover people's stories and experiences when they come to Northern Ireland. That gives us added value in our tourism product.

Mr Deputy Speaker: Question 6 has been withdrawn.

Tourism: Belfast Visitor Numbers

7. **Lord Browne** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to increase the number of tourists from Great Britain visiting Belfast. (AQO 654/10)

The Minister of Enterprise, Trade and Investment: The importance of the Great Britain market for Northern Ireland tourism cannot be understated. Responsibility for marketing Northern Ireland in GB lies with Tourism Ireland, which has set challenging targets of growing the total number of promotable visitors to Northern Ireland by more than 10%. The global economic downturn has resulted in a sharp drop in visitor numbers from GB, and Tourism Ireland has undertaken a detailed review of the GB market to identify ways to stop that decline and to return the key market to growth. The review resulted in a 10-point action plan that is designed to stabilise the market and to promote recovery. It will be presented to the industry at a Know Britain — Grow Britain event in Belfast on 28 January 2010.

Lord Browne: I thank the Minister for her answer. The Minister will be aware that Belfast City Council has recently completed an integrated strategic framework for tourism in Belfast, which identified a number of capital infrastructure projects that need to be undertaken to increase tourism, particularly in Belfast. In light of that, does her Department have any plans in relation to the construction of services, such as hotels or restaurants, particularly with reference to the Titanic signature project in Belfast?

The Minister of Enterprise, Trade and Investment: The Member will know that Belfast has increased the number of beds that are available to visitors and tourists alike when they visit. Indeed, I have been at the opening of some new hotels over the past year.

As part of the Titanic signature project, a Premier Inn is due to open in autumn 2010. In addition, it is

planned that Harland and Wolff's drawing offices will be developed into a boutique hotel. That will add to the contemporary accommodation portfolio of the Titanic Quarter and, indeed, of Belfast. I understand that further hotels are to be situated in the Titanic Quarter.

As the Member will be aware, when the iconic Titanic signature project building is up and running, it will house several coffee shops and restaurants as well as conference and banqueting facilities. Therefore, great plans, which are inspiring and innovative, are afoot not only for the Titanic signature project but for the rest of Belfast.

I pay tribute to the Belfast Visitor and Convention Bureau and its work with Belfast City Council, and I commend its tireless drive to establish Belfast as the gateway to Northern Ireland.

Mr Deputy Speaker: Before I call Conall McDevitt, I ask Members to be a little quieter and to allow the Minister to be heard.

Mr McDevitt: I welcome the Minister's commitment to tourism. I know from a previous life that she genuinely cares about it. Will she confirm press reports that £1 million savings have been sought from Tourism Ireland's budget for the coming year? Will she assure the House and the industry that that will in no way affect the marketing of the region in Great Britain, which is, of course, Tourism Ireland's responsibility?

The Minister of Enterprise, Trade and Investment: I absolutely give the Member that assurance. Indeed, I have had many conversations with Tourism Ireland's chief executive on how he will increase marketing. He has indicated how he will do that through his strategy Know Britain — Grow Britain, which will be launched on 28 January 2010.

The savings that have been taken from Tourism Ireland have not only been taken by my Department but by the relevant Department in the Republic of Ireland. Therefore, it is not the case that my Department alone has taken efficiency savings from Tourism Ireland: those savings have been taken by my counterpart in the Republic. It is the same for other, if you like, cross-border bodies.

We have done so because the coming budgetary period will be difficult. We have spoken to the chief executive and board members and asked them to make efficiency savings; they have come up to the mark and made those savings. However, just because they have made those savings does not mean that Tourism Ireland will be any less able to deliver. It is not always simply about money; it is about using resources in the most appropriate way. I believe that Tourism Ireland's chief executive will do just that.

Sir Allen McClay

8. **Mr Wells** asked the Minister of Enterprise, Trade and Investment to outline the contribution made by the late Sir Allen McClay to the economy. (AQO 655/10)

The Minister of Enterprise, Trade and Investment: Sir Allen McClay was an outstanding entrepreneur. His personal vision and dedication to the life-sciences sector made an enormous contribution to economic development in Northern Ireland. He also contributed to wider economic development in Northern Ireland through his membership of the group that was established to work with the US economic envoy, Declan Kelly, to attract investment and to support local companies' export ambitions.

Lest we forget, Sir Allen provided significant personal funding to support healthcare research and its commercial exploitation. He also donated £20 million for the benefit of chemistry education at Queen's University to further expand scientific discovery.

Mr Wells: Needless to say, I agree with every word that the Minister said about that remarkable individual. Does she agree that people who can succeed Allen McClay and carry on his good work must be identified, nurtured and promoted? Does she agree with the message that many more people like Allen McClay are needed?

The Minister of Enterprise, Trade and Investment: I could not agree more. However, I believe that Sir Allen McClay was a unique individual. I am told that he treated the companies of Almac and, previously, Galen as his extended family. Although he was a man of great wealth and, indeed, a knight of the realm, he was known to everyone at Almac simply as Allen.

He was a humble man to whom we should all look up, not only for his personal attributes, but because, as the Member said, he was a great entrepreneur for Northern Ireland. He stood out. We were all greatly saddened by his death in America some weeks ago.

I want to pay a personal tribute to Sir Allen McClay. During the working group meeting with the US Secretary of State, Hillary Clinton, and the US economic envoy, Declan Kelly, Sir Allen spoke out in his frank way. I appreciated his frankness. When other people talked in florid terms, Sir Allen could be direct, and that was appreciated by those of us from Northern Ireland. He was intelligent, he was a man whom we should all look up to, and he will be sorely missed.

Mr Kinahan: I thank the Minister for her words; my party agrees with her sentiments. What initiatives or encouragement can the Assembly, or will the Minister, put in place to encourage more businessmen like Sir Allen McClay to get involved with us and share their expertise?

The Minister of Enterprise, Trade and Investment: Sir Allen was a great believer in research and development. On the occasions that I visited Almac, it was usually in relation to an announcement on research and development and innovation. He supported the work that we are doing in relation to the MATRIX panel, which looks at the next big things for the Northern Ireland economy and considers what we should be moving forward with. It examines how innovation, research and development can be exploited and made into an industry in Northern Ireland.

I hope that the work of the MATRIX panel and the work that we are doing in research and development in industry in Northern Ireland will stand as a tribute to Sir Allen and to all those people who see research and development as the way in which we need to make a step change for the Northern Ireland economy.

Energy Efficiency: ERDF

9. **Mr F McCann** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had in relation to the proposals to use the European regional development fund for energy efficiency in housing. (AQO 656/10)

Mr F McCann: Mr Deputy Speaker, I apologise to you and to the Minister for being late for Question Time.

The Minister of Enterprise, Trade and Investment: The Department for Social Development (DSD) is responsible for domestic energy-efficiency improvements. I can confirm that my Department had discussions with DSD following the European Commission's April 2009 decision to allow European regional development funding to be used for energy efficiency in housing. However, given that DETI's European regional development fund's competitiveness programme commenced in 2007, all funding has been designated to, or earmarked for, other priorities that have been agreed by the Executive. That includes £25 million for renewable energy, energy efficiency and energy management. The programme is due to run until 2013, and my officials will continue to keep the uptake of funding under review to ensure that it is optimised.

Mr F McCann: I thank the Minister for her response. Does the Minister agree that we need to tap into Europe if we are to promote energy efficiency in housing and eco-friendly houses, especially in these times of severe financial restrictions?

The Minister of Enterprise, Trade and Investment: In April 2009, when the announcement was made, my officials met DSD officials to see whether there was any way in which we could release any of that funding. That funding is all earmarked, but I have asked officials to make sure that if any money is, by some chance, not used, it is released, because I

accept that there is a need to look at the Housing Executive's request for use of that money. However, the funding is, unfortunately, earmarked, but we will keep it under review.

Mr Burns: Will the Minister outline the assessment that has been made for the environmental and renewable energy fund to promote renewable energy in homes and state whether she plans to implement any follow-up programmes?

The Minister of Enterprise, Trade and Investment: As the Member will know, my primary objective as the DETI Minister is not in relation to fuel efficiency in homes; that is a matter for his party colleague the Minister for Social Development. As the economy Minister, my primary focus is on business competitiveness and on ways of using energy efficiency to help businesses that have, unfortunately, received large fuel bills and that need all the help that they can get with those bills. However, we will continue to work with the Minister for Social Development on other energy-related matters, such as fuel poverty, on which the Department for Social Development has lead responsibility.

3.30 pm

PRIVATE MEMBERS' BUSINESS

Special Educational Needs

Debate resumed on motion:

That this Assembly acknowledges the anxiety amongst parents and teachers of children with special educational needs regarding the future policy outlined in 'Every School a Good School — the Way Forward for Special Educational Needs and Inclusion'; and calls on the Minister of Education to ensure that the policy brings clarity around the use of the term "inclusion", no diminution of the present statutory rights of children with special educational needs, early expert diagnosis and effective intervention, a fair balance of responsibility between schools and statutory agencies, and ring-fencing of resources to ensure that children with special educational needs benefit from delegated funding. — [Mr D Bradley.]

Mr Ross: I thank the Members who participated in the debate. As many of them pointed out, all the major parties are signatories to the motion. At a time when the media is dominated by arguments among political parties, it gives some hope to the people out there that the Assembly can get on with the job of delivering on important issues.

In his contribution, Basil McCrea asked what the Assembly can do. Devolution is important because the Assembly can have a local response to issues that concern local people. I have received more e-mails, letters and telephone calls on this issue than almost any other issue, perhaps with the exception of the debate some time ago on care homes in east Antrim. Special educational needs tops the list of issues about which the public are concerned. It is certainly not the devolution of policing and justice powers or anything else. All Members, whether they sit on the Committee for Education or not, will have had similar experiences.

The Committee Chairman talked about the number of groups with which the Committee has engaged. Over several weeks, various groups came in and talked about their concerns. Other Members talked about the event that the Committee hosted in the Great Hall last Wednesday night, and all Committee members were there for at least some part of the event. Numerous groups, including parents, teachers, lobby groups and charities, were given the opportunity to raise issues of concern. Special educational needs is a massive issue, and we have heard about the increasing number of children who are affected and who are being diagnosed with having special educational needs.

We all agree that early identification is important, but we all have concerns, and Members from all parties expressed those concerns today. We have heard of the experiences and concerns of parents, who know their children better than anyone else and who are

concerned about anything that damages their children's future prospects. However, we also heard about teachers' concerns. I spoke to a young lady today who is training to be a teacher. She attended the event last Wednesday night and asked what training will be available for new teachers. The point was made to officials who attended that meeting that awareness was not enough. It is not enough for a teacher to be aware that a child has special educational needs. Adequate training is required. However, what sort of training will be available? Half a day's training on how to deal with children with special educational needs is not enough, and that came out during the debate.

The Chairperson of the Committee for Education:

The Minister makes much play of the fact that £25 million was secured as additional funding. The problem is that when that funding is spent in one year, what happens in the following years, year on year? Someone has to pick up the bill and pay for the additional training, which is a must in order to be able to provide the service.

Mr Ross: That is absolutely right. Other Members spoke about the importance of having ring-fenced funding for that specific issue. That leads me on to the point that although several Members raised concerns and asked questions, the Minister did not deal with them. It is disappointing that Members from all parties raised points that the Minister did not adequately address.

We have not heard anything radically new from Members today because the issue has been around for some time. However, it is important that Members are able to express concerns that people have passed on to them, and I will speak briefly on Members' contributions.

The Deputy Chairperson of the Committee for Education, Dominic Bradley, opened the debate with a comprehensive speech on three issues that are causing concern: early identification and intervention; co-ordinated support plans; and resources. Other Members also referred to those issues. I, along with other Committee members, attended some of the workshops, at which I was able to speak to people who had concerns. Mr Bradley mentioned specifically the timing of the interventions and how a year could be wasted by the proposals' hit-and-miss approach. He talked about the importance of expert diagnosis and the legal implications for some teachers. Again, that goes back to what I said earlier about the concerns that many teachers have about the impact that the proposals will have on them and how they are nervous about their role.

He also pointed to the fact that teachers may be able to identify a child with autism, but may not necessarily be able to point specifically to where that child is on the autism spectrum, and that issue also concerns many teachers. Mr Bradley, and a number of other Members, also raised the issue that children who currently have

statements may not have that protection after reviews have been carried out. Indeed, all Members are greatly concerned that moving away from the process of statementing could dilute a child's legal rights.

The Chairperson of the Committee for Education, Mervyn Storey, spoke about the lack of detail contained in the proposals and how that has led to concern among professionals. He also spoke about how it is becoming more difficult for children with special needs to be assessed, and he expressed concern that the proposals could make it even more so. Mr Storey also pointed to the need for a focus to be placed on special schools, specifically on overcrowding, underfunding, and the number of cover days required because of teacher absence. Disappointingly, however, the Minister did not adequately deal with those issues in her response.

Sue Ramsey, who raised several issues, has not simply walked out of the Chamber; she is currently appearing on 'Stormont Live.' During her contribution, she made the point that Sinn Féin is supportive of the motion, which is encouraging, and welcomed the two extensions to the consultation process. She also spoke about how important it is for the Assembly to look after the most vulnerable children in our society and said that many Members who are or have been involved in local government are aware of the special education issue. As a single-jobber, and perhaps in a few hours a no-jobber, I am also acutely aware of the concerns and difficulties facing many parents across the country.

Ms Ramsey also talked about the definition of inclusion and said that children with barriers to learning require assistance. That is correct, and we must recognise that certain children face barriers. However, there would not be agreement throughout the Chamber on a definition of inclusion or on whether those who face barriers necessarily have special educational needs. Ms Ramsey specifically highlighted Traveller children as having special educational needs. Although those children may face barriers to learning, I am not sure whether including them with other children with special educational needs would find support across the community.

Anna Lo, however, agreed with Ms Ramsey on that point, and she added that ethnic minorities also face barriers and that they should also be included in the definition of inclusion. She went on to say that the Alliance Party broadly welcomed the proposals, but, after an intervention from Dominic Bradley in which he pointed out that the proposals contained no guarantee of parents' rights, Ms Lo became a little more lukewarm towards them and said that they were, perhaps, a backward step.

Basil McCrea spoke about the grave concerns and anxiety that teachers, parents and lobby groups have about the proposals. He adopted a conciliatory tone

during his contribution, and, on the issue of inclusion, said that it was important to have a balance. He went on to say that the current statementing procedures are unsatisfactory and he wondered how they could be improved. Mr McCrea stated that the procedures must be improved and that we must ensure that a retrograde step is not taken. He also talked about the importance of ring-fencing funding for special educational needs, which was a point that the Chairperson of the Committee for Education also made during his intervention a short time ago.

John McCallister spoke about the widespread concern about this high-level policy. He also highlighted the concerns about moving away from statementing, which, as the Chairperson of the Committee pointed out, is a process with which the vast majority of parents were happy when last surveyed. Indeed, if 80% of parents are happy with the current process, yet the Department wants to move away from it, the House must be concerned. Mr McCallister also pointed out that when similar arrangements were introduced in Scotland, the number of people with support plans fell. We must bear that in mind.

Mary Bradley spoke about resources and early intervention. She also said that there should be no substitute for an expert diagnosis of children with special needs.

I do not have much time left, but in response to the debate, the Minister assured the House that she was listening. If the Assembly still exists and her party remains committed to making devolution work, I suppose that the test of her words will come in future weeks and months. It is then that we will see whether she has listened to the Assembly's proposals and taken the action that Members and, more importantly, those outside the Chamber want to see. I commend the motion to the House, and I am glad that all parties in the House have been able to support it.

Some Members: Hear, hear.

Question put and agreed to.

Resolved:

That this Assembly acknowledges the anxiety amongst parents and teachers of children with special educational needs regarding the future policy outlined in 'Every School a Good School — the Way Forward for Special Educational Needs and Inclusion'; and calls on the Minister of Education to ensure that the policy brings clarity around the use of the term "inclusion", no diminution of the present statutory rights of children with special educational needs, early expert diagnosis and effective intervention, a fair balance of responsibility between schools and statutory agencies, and ring-fencing of resources to ensure that children with special educational needs benefit from delegated funding.

Motion made:

That the Assembly do now adjourn. — [*Mr Deputy Speaker.*]

ADJOURNMENT

West Belfast Tourism Podcast Initiative

Mr Deputy Speaker: The Member is not in his place to speak to the Adjournment topic.

Adjourned at 3.40 pm.