

Northern Ireland Assembly

Monday 12 April 2010

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

Members observed two minutes' silence.

Speaker's Business

Mr Speaker: I am sure that I speak for the entire House when I express my deepest sympathy to the Polish people following the tragic death of their president. I am sure that Members and staff will wish to record messages of support in the book of condolence that will be available in the Great Hall until the close of business today.

Executive Committee Business

Budget (No.2) Bill: Royal Assent

Mr Speaker: I inform Members that the Budget (No. 2) Bill has received Royal Assent. The Budget (No.2) Act (Northern Ireland) 2010 became law on 26 March 2010.

Local Government (Miscellaneous Provisions) Bill: Royal Assent

Mr Speaker: I inform Members that the Local Government (Miscellaneous Provisions) Bill has received Royal Assent. The Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 became law on 26 March 2010.

Assembly Business

Suspension of Standing Orders

Lord Morrow: I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 12 April 2010.

Mr Speaker: Before I put the Question, I remind Members that the motion requires cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

That Standing Orders 10(2) to 10(4) be suspended for 12 April 2010.

Mr Speaker: As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

Matters of the Day

Car Bomb at Palace Barracks

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

Mr A Maginness: I rise to speak about the bombing that took place at Palace Barracks early this morning. I am sure that all Members share the view that the attack must be condemned outright. The explosion was potentially lethal and was heard right across Belfast. One assumes that the bomb was intended to kill. The Real IRA has claimed responsibility for that dastardly act and should be condemned. It was a provocative act and was designed to create embarrassment on the day of the new Justice Minister's election. It was designed to disrupt and undermine the political process in the House. Therefore, it should be condemned by all of us here today.

I sympathise in particular with the people who were disrupted by the bomb and whose lives were put in danger. I also sympathise with the taxi driver who was apprehended by the people responsible for the attack and forced to drive the bomb to its destination early this morning. There was no regard for his human rights or his profession.

The people responsible have learnt nothing from the Troubles. They wish to recreate the futile campaigns of the past. We all know about the Provisional IRA's futile and disastrous campaign. The people responsible for last night's attack should learn the lessons from that and come to their senses. If one reads the recently published book containing interviews with Brendan Hughes, one can see a man who was dedicated to armed action. In the conclusion of that book, Hughes says that the struggle was futile, that the violence was futile and that it was not worth losing one life for. Let those who perpetrated last night's attack learn from those remarks.

Finally, there should be an effective police response to the action that took place early this morning. A resolute police response should be undertaken. The creation of strong politics in this House and of a strong bond of partnership and goodwill among all parties in the House and between both communities are what will really undermine the intentions of the perpetrators of last night's attack. We should all dedicate ourselves to those goals.

Mr Weir: I associate myself with the remarks that have just been made and add to the universal condemnation of a despicable act by evil men who are trying to drag Northern Ireland back to a past of death and destruction. We must ensure that those people do not succeed.

It is clear that the intent of last night's attack was to cause widespread death and destruction, and we must be thankful that that was thwarted and that no one died. The intent was clearly one of callous disregard not simply for the lives of members of the security forces but for the residents of Holywood. I join Alban Maginness in praising the fortitude of the people of Holywood for their resolve and resistance. Despite experiencing some inconvenience due to the Real IRA, the people of Holywood and north Down stand unbowed.

The intentions behind the attack are clear, and its timing was no accident. The attack was clearly meant as a signal of opposition to the progress that we have been making in Northern Ireland, particularly the devolution of policing and justice. Although there has been a wide range of debates on that subject, we should unite today as democrats to send a clear signal across the board that we wish to see progress in Northern Ireland, that we are united in pursuing a peaceful way forward and that we are united in providing that progress. As well as ensuring that democracy stands together to thwart these men of evil, we need to ensure that the Police Service and the security forces continue to receive the resources that they need to combat the threat. Although the people involved are small in number, last night's events and those on other occasions show that they have the potential to pose a real threat to the lives of the citizens of Northern Ireland.

I have a final message. It is clear that some people in the wider community know details of the activities of the dissident republicans and are aware of who perpetrated last night's

actions. There is an onus not only on politicians to provide leadership and on police officers to provide a security response but on the whole community to unite and pass information to the police to ensure that we are not dragged back to the past. People are trying to drag us back to the past at a time when we are trying to move Northern Ireland forward. They cannot be allowed to succeed. They will not be allowed to succeed. This House represents the future.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. Today, the peace process will move forward in a very important way with the election of a Justice Minister who will be representative of and accountable to all Members of the House and, more importantly, to the people we collectively represent.

As Gerry Adams said this morning, the peace process has been challenged on a number of fronts. Sinn Féin absolutely rejects the activities of those who seek to bring the peace process down. Our party will continue in its efforts to provide the important positive political leadership that it has been providing. We are arguing that that has been delivering a stable political environment within which we can all pursue our political objectives. We reject outright the activities of the people who seek to bring the peace process down and take us all backwards. Thankfully, the vast majority of people have rejected those activities.

Mr Cree: Last Saturday in north Down, we had a most enjoyable day when we welcomed home members of our Royal Irish Regiment after their distinguished service in Afghanistan. I could not help but contrast those good men and women who carried out brave and courageous service in that faraway war-torn land with the low, cowardly actions of those who used a proxy bomb in an attempt to murder and maim anyone in the Palace Barracks area of Holywood. Many civilians, including children, were forced to leave their home and spend a long, uncomfortable night in the local community centre.

I sympathise with those who have suffered in any way, and I know that the House has the same view. The actions of that unrepresentative group will not be allowed to distract from the peace process or the lives of ordinary people, and it will have no effect on the devolution of policing and justice. The military will continue to be welcome in the north Down area, and MI5, which is sited in the complex — I am sure that

that is no coincidence — will undoubtedly be encouraged to take an even keener interest in the actions of those out-of-touch dissidents.

Dr Farry: I stand with my four colleagues in condemning last night's bomb attack on Palace Barracks. It was a callous attack, and its intent was, clearly, death and destruction.

Only one injury has been reported: a gentleman was blown to the ground by the force of the blast. It was sheer luck that the situation was not worse. No proper time was allowed for an evacuation. Indeed, as people were being evacuated, shrapnel rained down on them. Others were still in their homes when the bomb went off. Those who planted the bomb need to reflect seriously on the situation in which they placed themselves and the situation in which they placed an innocent taxi driver and his family from north Belfast.

12.15 pm

The incident has had an effect on the community in the Redburn area of Holywood, and on Holywood as a whole. Indeed, Palace Barracks is an integral part of that community. It was part of that community throughout the darkest days of the Troubles and will continue to be so in the future. Naomi Long and I visited Redburn Community Centre during the night and this morning. Emergency procedures have been put in place by the council and the police to deal with the aftermath of the situation. The people are, naturally, very upset about what has happened. There are concerns about family life, access to medication and the fate of people's property. It is important to send out a message that this House will not be deflected one bit from moving society forward. Those who are trying to drag us back to the past will be defeated. Through politics and through sending out a message of partnership in this Chamber today and in future, we will send out that clear message and stand shoulder to shoulder with the community in Holywood and elsewhere in Northern Ireland to ensure that the men and women of violence are sent packing.

Executive Committee Business

Welfare Reform Bill: First Stage

The Minister for Social Development (Ms Ritchie): I beg to introduce the Welfare Reform Bill [NIA13/09], which is a Bill to amend the law relating to social security; to amend the law relating to child support; and for connected purposes.

Bill passed First Stage and ordered to be printed.

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

Ministerial Offices (Number and Functions) Determination 2010

Mr Speaker: The Business Committee has agreed to allow up to one hour 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 are called to speak will have five minutes.

The First Minister (Mr P Robinson): I beg to move

That the Ministerial Offices (Number and Functions) Determination 2010 be approved.

Last night's attack on Palace Barracks was an attack on our entire community. This Assembly is never better than when it is prepared to stand and face down those who would try to undermine our democratic institutions. I join the Members who have already spoken in expressing my sympathy to the taxi driver who was taken, threatened and put in the most difficult circumstances. Indeed, I pay my respects to all those residents whose lives were disrupted and who faced discomfort.

The way to deal with terrorism is, of course, by sending a clear message that the terrorists cannot win. That undermines terrorism more than anything else. Therefore, today in this Chamber, we will demonstrate the primacy of politics in Northern Ireland. There could not be a clearer contrast between those who are seeking to take Northern Ireland backwards through violence and those who are seeking to move Northern Ireland forward.

Despite the attack last night, today is clear evidence that Northern Ireland is changing. On each occasion that this Assembly has been tested, we have demonstrated a united response to those who threaten the peace and stability that has been achieved. I am confident that we will do so again today. I am sure that I speak for the whole Assembly when I say that we will not be distracted or diverted from the work that we have been elected to do here. The proper response is simply to get back to business.

The debate on this determination is another important step in the Assembly's assumption of responsibility for policing and justice functions. For the first time since 1972, Northern Ireland will have its own Department with responsibility for policing and justice matters. The House will be aware that, in line with the motion passed by the Assembly on 9 March 2010, policing and justice responsibilities have today become the responsibility of the Northern Ireland Assembly. In future, it will be this Assembly that will legislate for policing and justice matters.

Under powers that this Assembly passed last autumn, a new Department of Justice was established at the weekend. Later today, this Assembly will elect a Minister to take charge of that Department. After that process is complete, a departmental Committee will be established to scrutinise the Minister, his or her Department and its agencies. We will then have the full apparatus in place for local democratic control and accountability in respect of policing and justice.

The Northern Ireland Act 1998 requires that, when a new Department is established, a determination of ministerial responsibilities must be made by the First Minister and deputy First Minister and approved by the Assembly. It is also an essential trigger for the election of the Justice Department and Justice Minister. That is why we are jointly moving the determination.

The determination lists the Ministers of the Executive and defines their functions in having charge of the relevant Departments. That was the approach taken when the first determination was made in 1999. Although that original determination will be revoked, the functions and status of the 10 existing Executive Ministers are unaffected by the new determination. To their number is now added a Minister of Justice in charge of the Department of Justice. That

Minister takes his or her place as a full and equal member of the Executive.

At an earlier stage, concerns were expressed by some that the Justice Minister would be a second-class Minister, inferior in status to the rest of the Executive. Those fears were always completely unfounded. The Justice Minister will have the same standing in attending and voting at the Executive as other Ministers. The operation of the Department of Justice will be subject to his or her direction and control just as any other Minister is in charge of his or her Department. The deputy First Minister and I look forward to welcoming the new Minister of Justice to the next meeting of the Executive on Thursday 15 April.

With the addition of policing and justice, the range of Executive responsibilities set out in the determination will be more comprehensive and will better address the needs of our citizens. The House will be aware that the debate on the Budget (No. 2) Bill addressed the expansion of the Executive's financial responsibilities as enhanced by the Prime Minister's package of October 2009. The workforce under the control of the Executive will increase by over 5,000 staff. A vast corpus of legislation will become the responsibility of the devolved institutions. The Executive and Assembly will have the responsibility of scrutinising, reviewing and amending those laws.

Perhaps the most important implication for the Executive of today's transfer will be an enhanced capacity to address policy problems in the round. There are synergies to be developed between our work on justice, social development, good relations, education and health. I hope that the Executive will exploit that potential to the full. That will demonstrate to our people the value of devolution, local control and local accountability. Today represents another stage of Northern Ireland's moving forward to a better future.

Mr Spratt: I declare an interest as Chairperson of the Assembly and Executive Review Committee, but I stress that I am not speaking in that capacity. Members will be aware that the Committee had a long and active interest in the matter over a fairly lengthy period. As the First Minister said, the requirement to bring the determination before the House results from primary legislation governing the number of Departments that there should be in the Executive and the establishment of an

additional Department that would house the range of policing and justice functions that have been transferred. That is in keeping with the Committee's three reports on the devolution of policing and justice matters.

The functions to be exercised by the Minister and the Department have already been subject to rigorous scrutiny by the Committee and the Assembly on a number of occasions. The name of the Department is also consistent with the Committee's earlier recommendation on the matter, and that recommendation has already been approved by the Assembly.

Today is an historic day for policing and justice. After some 38 years, policing and justice will again be looked after at a local level. It proves that devolution in the Province has moved forward. This is a good day for all the people of Northern Ireland, from whichever section of the community they come. As the First Minister said, a local Minister will deal with and address the needs of local people on policing and justice issues. That Minister will work alongside the various agencies and non-public bodies in the justice system. The devolution of policing and justice powers has already received widespread approval from bodies such as the Policing Board. The Chief Constable and the Police Service have also been on record as welcoming the devolution of policing and justice powers.

It augurs well for the future of this place that all those powers are being devolved today and will be dealt with in the Assembly over the coming period. I am sure that there will be some extremely interesting debates in the days ahead. However, the people of Northern Ireland deserve to have issues dealt with locally rather than by a Minister who comes in for a couple of days a week. I commend the motion to the House.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. On behalf of Sinn Féin, I support the motion and welcome it as an important step forward. Of course, we do that against a backdrop of many people having said that it would never happen. I welcome the fact that we are at the point of passing a motion that will give effect to the establishment of a Department of Justice. We will appoint a Minister later today, which is an important step forward for the entire community and the politics of the jurisdiction in which we live and have responsibilities.

This is an important occasion for the whole Assembly. I hope that, under the tutelage of the incoming Minister, we will take the opportunity that is afforded to us by this move forward to have a full and informed debate on the type of criminal justice system that we want, which is one that benefits our community more than the current system does. My party has no hesitation in supporting the motion, which we believe is an important step forward. It is precisely the type of response that we need to give to the people who wish to set back the political and peace process.

It is important that we look forward to a new ministry and a new Minister who, for the first time in our history, will be representative of and accountable to all the people we represent. We must take the opportunity to debate whether we want a larger penal colony here or whether we want to put more effort and resources into working, particularly with young people, to ensure that they are prevented from moving into antisocial or petty criminal lifestyles as they grow up. Many choices have to be made in this society. The establishment of a Department and the appointment of a new Minister will give us the time and opportunity to make those fully informed choices.

Mr Kennedy: Although the Ulster Unionist Party opposed the devolution of policing and justice powers at this time for good, well-documented and, indeed, genuine reasons, we recognise that the House has taken other decisions, and, therefore, we have moved on. I am a member of the Ulster Unionist Party, which has an historic importance in the governance of Northern Ireland, and the party recognises the fact that this is, potentially, a significant day for the people of Northern Ireland. However, given the events of last night and early this morning, it is also a day on which we are mindful of the difficult security situation that the Administration face. Nevertheless, that is not and never will be a reason to walk away from democratic accountability or control.

Our concerns are based on timing and democratic accountability. A number of them remain to be dealt with. We regret that there was a lack of proper discussion and involvement of all the parties on an inclusive basis in the devolution of policing and justice. Consensus should have been sought, even at the level of the Executive, never mind that of the Assembly.

12.30 pm

In order for the Justice Minister to operate fully and properly, and with the confidence not only of this House but of the people of Northern Ireland, we seek that consensus so that, even at this late stage, we can proceed on a more inclusive basis.

Mr Attwood: The SDLP welcomes the devolution of policing and justice for two reasons. I concur with the First Minister that what we do in this Chamber to deepen politics and democracy is one of the best strategies for dealing with those who threaten them. On that ground, if on no other, people should welcome the devolution of justice.

The second ground was touched on by other Members. Across the North and in every one of our constituency offices, frustrations associated with policing and justice and fears created by disorder and a lack of justice are expressed. They should act as a catalyst for the Assembly to take forward, as fully as possible, the opportunity presented to the people of the North this afternoon.

In recent months, Members of virtually every party have spoken about how devolution has not, to date, lived up to all the hopes and needs of the citizens and communities that they represent. Mindful of that background, there is a heavy expectation in the community and a heavy responsibility on the Minister of Justice, whoever he or she may be, and on the parties in the Assembly to maximise the opportunity that the devolution of justice creates to ensure that those who live in fear of crime and who seek justice on behalf of themselves and their families have those opportunities fulfilled.

The SDLP has outlined how the justice manifesto for the next year should look. I will highlight three examples. There is a need for an overhaul of the Public Prosecution Service. The experience of victims and families, and experience in the administration of justice more generally, confirm that victims' families are not central in the communication and management of cases. They are not central when it comes to disclosure of the reasons why prosecutions fail, are dropped or are changed. That should be one of the immediate priorities for the incoming Minister. The Prison Service requires reform in both cost and character. Our judges, consistent with their independence in laying down penalties, should receive input from those in the community

with experience in deciding the right tariff for various offences. The creation of a sentencing guidelines council would achieve that.

I make a further plea. Over the past few weeks, good work has been done in protecting the Patten architecture and the delicate balance of relationships between the Justice Minister, the Justice Committee, the Policing Board and the Chief Constable, but there will inevitably be a further opportunity for one or two people in the Chamber who are tempted or ambitious to reformulate the delicate architecture of the Patten report. Members should deny them the opportunity to do so. We should live with that which has worked so well over the past 10 years. In the experience of the people in the North, the work of the Policing Board and the transformation of policing are still unfinished.

The SDLP will work with the Minister of Justice, whoever he or she may be, to bring about, in particular, fast and deep change to justice policy and law in the North. In one way, this is the last speech that I and the SDLP will make on this phase of the justice debate.

Some Members: Hear, hear.

Mr Attwood: I thought that that would get a warm welcome from some of the Members opposite.

Devolution of justice leaves a bad taste in the mouth of 105,000 nationalists who voted for the SDLP in the last Assembly election. They, like many others throughout this society who struggled and campaigned for equality and inclusion during the years of conflict and the years since, have a bad taste in their mouth, because 105,000 people do not have equality, the rights and the democratic inclusion to which other Members of the House are entitled.

Dr Farry: The Alliance Party welcomes the motion. It is an important and critical step in finalising the devolution of policing and justice, and is, indeed, perhaps the penultimate step that we are to take, with the final step being taken later this afternoon.

The devolution of policing and justice powers occurred at midnight. Clearly, this is a momentous occasion for Northern Ireland, and it is the biggest change to the devolved settlement in the past 12 years. Indeed, policing and justice was so contentious that it could not be transferred at the time of the making of the Good Friday

Agreement, and it was central to the collapse of the old Stormont regime in 1972. That gives a sense of the importance of what the Assembly is achieving today.

We now have control over resourcing and policymaking with respect to justice matters, with accountability for decisions and issues that need to be taken forward in local hands. It is important that the Minister of Justice be a full member of the Executive. It is also important that any incumbent Minister can fight the corner for justice around the Executive table with respect to resources or access to legislation, and that justice aspects can be taken into consideration when the Executive are taking collective decisions on other issues.

Most critically, perhaps, we now have new opportunities for better joined-up government with regard to justice. Better services and outcomes for the people of Northern Ireland will not be delivered simply by a new Minister sitting in a silo. Those are the responsibilities of the entire Executive, with many other Departments able to bring their own proposals, commitments and resources to the table so that we can have better collective outcomes for a safer community and justice for the entire community. In doing so, we will deliver things on a more efficient and effective basis financially and socially through better outcomes for people.

A Minister who is elected by a cross-community vote will have considerable legitimacy from the Assembly in what he or she will want to do over the months to come. Indeed, the Minister will be working to a new addendum to a Programme for Government that sets out in detail not only the proposals from a new Minister of Justice, on which our party has done substantial work in recent months, but the collective view of the Executive about what needs to happen to make society better.

Today may well be the end of one process, but it is a new beginning in several respects. First, this has to be seen as a new beginning for the Executive. Wrangles about policing and justice have been a major source of discontent between the parties over the past few years, and, in particular, over recent months. Hopefully, the motion takes away those political difficulties, and we can have a new sense of partnership around the Executive table that focuses on the common good of the people of Northern Ireland, and on building a shared future for them.

This is also a new beginning for justice. This cannot be a case of the old Northern Ireland Office continuing under devolution, with simply the nameplate on the door changed.

The Department is not just a new Department; it is a new way of doing things that will create the situation in which justice will be able to respond better to the needs and interests of the people of Northern Ireland. We will be able to focus better on community planning, assuring that we will take account of local voices and try to co-ordinate agencies' actions. We will be able to focus on the speed of justice and on tackling avoidable delays in the system, ensuring that it is more responsive to the needs and interests of victims and witnesses. We will have more confidence in the integrity of sentences that are handed down, and we will be more effective at preventing offences and antisocial behaviour. Moreover, whenever people offend, we will be more effective at rehabilitating them so that they do not go on to reoffend.

We must ensure that the Justice Department plays its role in contributing to building a shared future, which remains the central challenge for all in the Assembly and for those who sit around the Executive table. I and my party wish the process well in the coming months.

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

Dr Farry: It will be an immense challenge for the person who takes on the job, but I have no doubt that we will see tremendous changes in the months and years to come.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I support the motion. Many terminologies will be used about the significance of today's events for our collective histories. Clearly, however, those who will come after us will say that today was the day that we took a further step towards having politics rule supreme in this society and that it was the day that the people of Ireland took control of their destinies.

Those who planted the car bomb outside Hollywood barracks last night will no doubt claim that they are the voice of republicanism, they are the people who are leading the way towards a united Ireland and they are the people who will deliver that united Ireland. I say to them that they have learned nothing in the past 12 years of political progress. In fact, they have ignored

those 12 years. All parties in the Chamber can debate, fight and argue like the best of them, and, at times, I enjoy that. At the same time, all the parties have shown that politics can work and that it is working in this society. Not only is politics working, but it is delivering change in people's everyday lives. As an Irish republican, I passionately believe that politics will deliver constitutional change on the island and that we will move towards a reunified Irish state.

Today, by establishing the Justice Ministry, we have taken control of a very important aspect of political life. We have taken control of how our society protects its most vulnerable and deals with offenders and of how people, as individuals and communities, are at peace with themselves. I suspect that the people who planted the bomb last night could not care less about the progress that we make here today. I suspect that they are not tied to any political cause; rather, they are tied to violent acts. I have no doubt that they will have no strategy on how to reach a new Ireland, because their strategy is to drag us back to the past and into conflict. They have a strategy that will lead us there, but they have no strategy to lead us out again.

As politicians, we are not only supporting and voting for a new Justice Ministry, and, later, a Justice Minister, but we are voting to ensure that fortress politics is working. Politics is not simply about this Building, the Chamber or us politicians; it is about the citizens on the streets who are lucky enough to be in work, and it is about those who need society's care and attention. That, and not merely politicians, is what makes politics work.

In the weeks and months ahead, there will be a particular focus on the new Justice Minister's role, which, like all Ministers' roles, will be very difficult. The Hillsborough agreement contained a possible amendment to the draft Programme for Government that sets out a wide range of areas that require attention. Not all those areas will be resolved in this Assembly's lifetime. However, as politicians, we will have to make a start on ensuring that we have, as Dr Farry said, reform in the Public Prosecution Service and a Prison Service that not only detains prisoners but rehabilitates them, because that is what prison is about. Prison is not simply about punishment; it is about rehabilitation, and I fear that no such work takes place in many of our institutions. We must also ensure that we

have a justice system and a judicial system that reflect the community's mood and concerns.

12.45 pm

In the last part of my address, I turn to the SDLP's continued claims that it was somehow done out of the Justice Ministry — I note that Alex Attwood said that he had made his last speech on the subject. I again remind him that in this very Chamber on 1 December 2009, the SDLP voted for the appointment mechanism that will be used today. That was in clause 2 of the Department of Justice Bill, which had only three clauses, so I assume that SDLP Members read all of it. Therefore, the SDLP voted for the system that will be used today to appoint a Justice Minister. If 105,000 SDLP voters have today been robbed of equality, if gerrymandering is taking place, if the corruption of democracy is taking place —

Mr Attwood: Will the Member give way?

Mr O'Dowd: No, I will not.

Then, the SDLP voted for that.

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

Mr O'Dowd: If the SDLP believes any of those accusations, shame on its Members for voting for that.

Mrs D Kelly: I welcome the opportunity to speak in the debate in order to nail the lies propagated across the airwaves and elsewhere by John O'Dowd and other Sinn Féin members. *[Interruption.]*

Mr Speaker: Order. I remind the Member to temper her language. She is coming very close to crossing the line; I ask her to not to do that.

Mrs D Kelly: I apologise Mr Speaker, but Mr O'Dowd has made claims and there have been misrepresentations on the airwaves by Sinn Féin Members in relation to the voting for the devolution of policing and justice. I make it very clear that in December 2009, my party put forward an earlier date — the end of December 2009 — for the devolution of policing and justice, which Sinn Féin voted against.

In December, the SDLP tabled amendments to protect and uphold the principles of the Good Friday Agreement and d'Hondt. What Sinn Féin will do later today will betray the 105,000 nationalist voters and others who voted for

equality protections for the institutions of this House. Therefore, let me be very clear: Sinn Féin is today colluding with the SDL — with the DUP. *[Laughter.]* I nearly got it right. *[Laughter.]* Collusion with the DUP — *[Interruption.]*

Mr Speaker: Order.

Mrs D Kelly: Thank you, Mr Speaker. Lest there be any mistake on anyone's part, I repeat that Sinn Féin is today colluding with the DUP in their betrayal of the Good Friday Agreement and of nationalist voters. Indeed, we will see later today that as far as the post of Justice Minister is concerned, no nationalist need apply. Therefore, Sinn Féin need not come out with the fairy tales that it is trying to put across today.

It is interesting that although the d'Hondt mechanism is not being employed to appoint a Justice Minister, it is being used as the correct and proper mechanism to appoint the Chairpersons and Deputy Chairpersons of the Committees. It is for the Members of the House who accept that discrepancy to explain to the electorate and others why there is such a difference and why d'Hondt is protected in one case but not another.

It is also interesting to hear the Alliance Party's words about a shared future, when we heard the deputy leader of that party say yesterday that chapters — not paragraphs or lines — were and are missing from the so-called agreed cohesion, sharing and integration policy. I, for one, look forward to seeing that policy finally published in full. On behalf of our divided communities, let us hope that in its haste to claim the Justice Ministry portfolio, the Alliance Party has not bought a pig in a poke.

Having said all that, however, the SDLP is a party that seeks to move politics forward. We believe passionately that politics is the only way in which society in the North will move forward. We will do our bit and step up to the mark to meet the challenges that lie ahead as the devolution of policing and justice powers unfolds.

The deputy First Minister (Mr M McGuinness): Go raibh maith agat, a Cheann Comhairle. I associate myself with the First Minister's remarks and offer my sympathy to all those who were affected by the bomb explosion last night. People should be under no illusions whatsoever about the real target of that explosion. The bomb may have been placed outside Palace

Barracks, but the real target was the peace process and the political institutions with which we have been charged with stewarding in recent years.

The work in which we are engaged today sends out a very clear message. We all know and understand the history of the North of Ireland. There was a failure of politics in the past, which led to conflict, injustice, inequality, violence and death on the streets. Armed groups were effectively in command, and they drove the agenda. Now it is different. As a result of the negotiations and the agreements that were reached at Hillsborough, the political process is in command and we dictate the pace. We are sending very clear messages to all those who are intent on destroying the peace process and the political institutions that their activities are totally futile. Their activities will not work, because we will not allow them to work.

The unity that has been demonstrated in the House over many months, and indeed the past number of years, and the agreements that have been reached have placed us in a much stronger position than we have ever been in. I will not recriminate about anything that any Member has said, be it a Member from the SDLP or the Ulster Unionist Party, about what is happening here today, except to say that the overwhelming majority of people in the North and throughout the island of Ireland wholeheartedly supports the agreements that have been made and the further step that we are taking today to push forward the peace process and levels of co-operation in a way that is unprecedented in the House. In other words, there is no going back. Those who try to drag us back to the bad old days will fail miserably because we have taken up our responsibility as political leaders to build a better future for all the people whom we represent.

I do not have any concerns about our process. As I said on 'Good Morning Ulster' today, the peace process is rock solid. The political institutions, whether they be the power-sharing institutions in the North, the all-Ireland institutions or the east-west institutions, are rock solid. What is happening at the moment is a waste of time and totally futile. It will not succeed, because the political landscape has changed for ever. All the major political forces in the North are clearly in favour of the success of the peace process and the ongoing working of the institutions.

Today marks the culmination of a process that has lasted for several years. At an earlier stage in the process, in November 2008, the First Minister and I charted a way forward that was marked by 37 steps. Almost all the steps in that process have now been accomplished. We have in place legislation, we have secured additional financial resources to adequately fund policing and justice functions in the challenging years to come and we have demonstrated community confidence. That enabled the First Minister and me, on 5 February, to announce agreement at Hillsborough Castle and a date for the devolution of policing and justice responsibilities: 12 April, which is today.

Others have contributed to the process also. The Assembly and Executive Review Committee has worked tirelessly on analysing the detail of devolving policing and justice responsibilities. In two years, the Committee produced three substantial reports on the devolution of policing and justice. It has heard evidence from a wide range of stakeholders, and I thank all those who served on that Committee for their efforts in laying the groundwork for today. In particular, I thank its Chairman, Jimmy Spratt; former Chairman, Jeffrey Donaldson; and Deputy Chairman, Raymond McCartney. The Committee for the Office of the First Minister and deputy First Minister and the Finance and Personnel Committee contributed substantially by scrutinising the necessary legislation over the past year. The Assembly as a body has also made a great contribution. There have been several extensive debates on the devolution of policing and justice, most recently on 9 March. Last year's debates on the Department of Justice Bill were arguably the most intensive discussions of any legislation that has come before the House — justifiably so, given the importance of that Bill.

Beyond the Assembly, the community has demonstrated its support for the devolution of policing and justice powers. Our people realise the benefits of local control and accountability in matters that can impact on their lives in the most sensitive ways. Today, finally, those responsibilities transfer to our devolved institutions. However, we must recognise that this is not the completion of the process. The arrangements that the First Minister and I agreed in November 2008 are not necessarily permanent. The ministerial arrangements will be subject to review, and the Assembly must come

to a decision on permanent arrangements by 2012.

The Assembly and Executive Review Committee has been separately mandated to conduct a review of the arrangements for judicial appointments. The timescale is challenging, and we must recognise the scale of the work that lies ahead. The determination, which the First Minister and I have jointly signed, and which we are asking the Assembly to approve, may seem a formality in some ways, yet it is of great symbolic importance. The determination sets the Department of Justice and the future Minister of Justice firmly within the structures of the devolved Administration.

The Minister will be a full and equal member of the Executive, and the Department will have the same status as others in this Administration. In the coming days, a Justice Committee will be established, integrating policing and justice within the scrutiny and legislative structures of the Assembly. This really is a huge step forward, and it demonstrates a decisive advance for the devolved institutions and their growing maturity. It challenges all of us to deliver on the community's expectations, and it gives us another chance to prove the value of devolution.

I urge the Assembly to approve the Ministerial Offices (Number and Functions) Determination 2010. Go raibh míle maith agat.

Mr Speaker: Before we proceed to the Question, I advise Members that the motion requires cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

That the Ministerial Offices (Number and Functions) Determination 2010 be approved.

Assembly Business

Minister of Justice

Mr Speaker: I will conduct the process for filling the office in accordance with the procedures set out in Part 1A of Schedule 4A to the Northern Ireland Act 1998, and in Standing Order 44A.

I will begin by asking for nominations. Any Member may rise to nominate another Member of the Assembly to hold the office of Minister of Justice. If Members from more than one party rise, I will call first the Member from the largest of those parties to make a nomination, which is the convention for other items of business in the House.

I advise Members that the Act requires that one nomination must be processed before a further nomination can be made. I will, therefore, take only one nomination at a time and put the Question on that nomination. If the Assembly resolves by parallel consent that the nominated Member shall be the Minister of Justice, and that person takes up office as required by the Act and Standing Orders, no further nominations may be made. I will call for further nominations only if those conditions are not fulfilled.

1.00 pm

I advise the House that there will be no debate at any point. However, I will provide three opportunities for short speeches during the proceedings. I will allow a Member who rises to make a nomination to speak for up to three minutes. When I have announced that the Minister of Justice has taken office, I will invite the new Minister to address the House for up to three minutes. After that, I will allow a round of short speeches by a representative of each party. Those Members will also have up to three minutes in which to speak.

The Northern Ireland Act 1998 requires that the person nominated shall not take office until he or she has affirmed the terms of the Pledge of Office. The Pledge of Office will now be read into the record of today's proceedings.

The Pledge of Office is as follows:

"To pledge:

(a) to discharge in good faith all the duties of office;

(b) commitment to non-violence and exclusively peaceful and democratic means;

(c) to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination;

(ca) to promote the interests of the whole community represented in the Northern Ireland Assembly towards the goal of a shared future;

(cb) to participate fully in the Executive Committee, the North-South Ministerial Council and the British-Irish Council;

(cc) to observe the joint nature of the offices of First Minister and deputy First Minister;

(cd) to uphold the rule of law based as it is on the fundamental principles of fairness, impartiality and democratic accountability, including support for policing and the courts as set out in paragraph 6 of the St Andrews Agreement;

(d) to participate with colleagues in the preparation of a programme for government;

(e) to operate within the framework of that programme when agreed within the Executive Committee and endorsed by the Assembly;

(f) to support, and to act in accordance with, all decisions of the Executive Committee and Assembly;

(g) to comply with the Ministerial Code of Conduct."

Paragraph 6 of the St Andrews Agreement says:

"We believe that the essential elements of support for law and order include endorsing fully the Police Service of Northern Ireland and the criminal justice system, actively encouraging everyone in the community to co-operate fully with the PSNI in tackling crime in all areas and actively supporting all the policing and criminal justice institutions, including the Policing Board."

The Pledge of Office has been read into the record. We shall now proceed.

Do I have a nomination of a Member to hold the office of Minister of Justice?

Sir Reg Empey: I propose Mr Danny Kennedy for the post of Minister of Justice. As Members know, my party had objections to this process, but a democratic decision has been taken. Furthermore, had the d'Hondt process been applied to this election, and given that the parties of the First Minister and deputy First Minister stated that they would not put names forward, it would fall to the Ulster Unionist Party as the next party on the list. Therefore, I am proposing Mr Kennedy, who has been a member

of the Northern Ireland Policing Board and who, by representing the constituency of Newry and Armagh along with other Members, knows more than many others, I suspect, about the issues that the community is facing.

I take this opportunity to respond to a point that the deputy First Minister made in his speech. Despite our concerns and worries about what has happened in recent times, particularly our concern that no pre-discussions have taken place among the parties as to how things should be handled here, and whatever failures we might have perceived in the handling of this issue, in light of the events of last night, let there be no doubt that whatever challenge is made, it is made to all of us, and the response has to come from all of us, irrespective of the views that we have expressed. I think that the people will expect nothing less than that, and they certainly deserve nothing less. That will be our approach to this matter.

Mr Speaker: Mr Kennedy has been nominated. Mr Kennedy, do you accept the nomination?

Mr Kennedy: I accept.

Mr Speaker: Before we proceed to the Question, I remind the House that the Northern Ireland Act 1998 requires that the resolution must be passed by parallel consent.

Question put, That Mr Danny Kennedy be the Minister of Justice.

The Assembly divided: Ayes 51; Noes 35.

AYES

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Ms Purvis, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Ayes: Mr Armstrong and Mr Cobain.

NOES

NATIONALIST:

Mr Adams, Ms Anderson, Mr Boylan, Mr Brady, Mr Butler, Mr W Clarke, Mr Doherty, Mr G Kelly, Mr Leonard, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mrs McGill, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane.

OTHER:

Dr Deeny, Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr Lunn, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Noes: Mr Boylan and Mr Butler.

Total votes 86 Total Ayes 51 [59.3]

Nationalist Votes 26 Nationalist Ayes 0 [0.0]

Unionist Votes 51 Unionist Ayes 51 [100]

Other Votes 9 Other Ayes 0 [0.0]

Question accordingly negatived.

Mr Speaker: Is there a further nomination of a Member to hold the office of Minister of Justice?

Ms Ritchie: I welcome the devolution of policing and justice powers last evening, which is a significant step forward. Today, a new Justice Minister will be in place, and that is also to be welcomed. We must not look over our shoulders at those who would take us backwards, including the despicable bombers in Holywood last evening. Today, the DUP and Sinn Féin could have nominated their pre-agreed candidate, and that would have been the end of it. That would have been carve-up politics masquerading as cross-community consent. Clearly, they want to stretch out the ritual to give the appearance of allowing the House to make a choice, and they want to do so with an embedded DUP veto against any nationalist.

No person is better placed to recognise an unjustified veto against anyone from a nationalist background assuming high office than my party's nominee, Alban Maginness. It was Alban who, several years ago, brushed aside the veto on anyone from a nationalist background becoming Mayor of Belfast. He served with great distinction in that office, working for all people in our divided community. Now, 13 years later, Northern Ireland's largest party finds it

unacceptable to have a nationalist hold the office of Justice Minister, despite the fact that the next Ministry is the democratic entitlement of a nationalist party and despite the fact that a majority in the Assembly has already indicated support for Alban Maginness, or so I thought.

Why is Alban unacceptable to the DUP? Could it be because of his legal training and long experience as a barrister? Could it be his outstanding public service as an elected representative? Could it be the fact that he has always stood against violence and thuggery from whatever quarter, more so indeed than many of those who might exclude him now? Alban Maginness is supremely qualified for this Ministry, and everyone knows it.

However, the public might ask where the DUP veto came from. The answer is that it came from Sinn Féin. Sinn Féin did not have to give it, but it decided to do so. The DUP veto against nationalists was made in Connolly House. Why did Sinn Féin do that? Again, the answer is simple. It could not claim the position itself, so it made sure that the SDLP could not claim it either. That is the same party that is bleating about nationalist unity so that it can win the sectarian headcount in places such as Fermanagh and South Tyrone. In public, it bleats about nationalist unity and, in private, it plots with the DUP against the SDLP, as one DUP senior negotiator laughingly told me.

I come now to my nomination. Alban Maginness should be the first Justice Minister of our new dispensation. I hereby nominate him for that position.

Mr Speaker: Mr Alban Maginness has been nominated. Mr Maginness, do you accept the nomination?

Mr A Maginness: I accept the nomination.

Mr Speaker: Before I proceed to the Question, I remind the House that the Northern Ireland Act 1998 requires that the resolution be passed by parallel consent.

Question put, That Mr Alban Maginness be the Minister of Justice.

The Assembly divided: Ayes 43; Noes 42.

AYES

NATIONALIST:

Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Gallagher, Mrs D Kelly, Mr G Kelly, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

UNIONIST:

Ms Purvis.

Tellers for the Ayes: Mr P J Bradley and Mr Burns.

NOES

UNIONIST:

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

OTHER:

Dr Deeny, Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr Lunn, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Noes: Mr Bresland and Mr Spratt.

Total votes 85 Total Ayes 43 [50.6]

Nationalist Votes 42 Nationalist Ayes 42 [100]

Unionist Votes 34 Unionist Ayes 1 [2.9]

Other Votes 9 Other Ayes 0 [0.0]

Question accordingly negatived.

Mr Speaker: Do I have a further nomination of a Member to hold the office of the Minister of Justice?

I call Mrs Naomi Long.

Mrs Long: I nominate my party leader, David Ford, for the position of Justice Minister.
[Interruption.]

Mr Speaker: Order.

Mrs Long: I have worked with David Ford for some considerable time in the Alliance Party, most recently and most closely as his deputy leader. During that time, I have witnessed David as a person and a politician, and I know the calibre of the person whom I am nominating. He has shown a consistent and deep-seated commitment to serving everyone in our community without fear or favour and irrespective of religion, class, colour, nationality, gender, sexuality or disability. He is a man who has shown an innate sense of fairness in his dealings with other people privately and publicly. As an individual, he is committed to making politics work in Northern Ireland for our people, and he is committed to being a constructive force in whatever role is entrusted to him. For those reasons and many others, I believe that David Ford is the right person to take on responsibility for such a sensitive issue as policing and justice and that he can be trusted to act in the best interests of the whole community.

I recognise that the SDLP and the Ulster Unionist Party had preferred candidates in Alban Maginness and Danny Kennedy. My colleagues and I preferred David Ford. Having had the opportunity to express their preference, I ask those parties to give consideration to giving their active support to David Ford by voting for him at this point, as we would have done were the order of the nominations reversed.

I am pleased to be here to nominate David Ford for the post.

Mr Speaker: Mr Ford has been nominated. Mr Ford, do you accept the nomination?

Mr Ford: I accept the nomination.

Mr Speaker: Before we proceed to the Question, I remind the House that the Northern Ireland Act 1998 requires that the resolution must be passed by parallel consent.

Question put, That Mr David Ford be the Minister of Justice.

The Assembly divided: Ayes 69; Noes 33.

AYES

NATIONALIST:

Mr Adams, Ms Anderson, Mr Boylan, Mr Brady, Mr Butler, Mr W Clarke, Mr Doherty, Mr G Kelly,

Mr Leonard, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mrs McGill, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane.

UNIONIST:

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

OTHER:

Dr Deeny, Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr Lunn, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Ayes: Dr Farry and Mr McCarthy.

NOES

NATIONALIST:

Mr Attwood, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Burns, Mr Dallat, Mr Durkan, Mr Gallagher, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr O'Loan, Mr P Ramsey, Ms Ritchie.

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Cobain, Rev Dr Robert Coulter, Mr Cree, Mr Elliott, Sir Reg Empey, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McFarland, Mr McNarry, Mr K Robinson, Mr Savage.

Tellers for the Noes: Mr Armstrong and Mr Kennedy.

Total Votes 102 Total Ayes 69 [67.6]

Nationalist Votes 42 Nationalist Ayes 26 [61.9]

Unionist Votes 51 Unionist Ayes 34 [66.7]

Other Votes 9 Other Ayes 9 [100]

Question accordingly agreed to.

Resolved (by parallel consent):

That Mr David Ford be the Minister of Justice.

Mr Speaker: I ask Mr Ford to affirm the terms of the Pledge of Office, which have already been read into the record of proceedings.

Mr Ford: I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

Mr David Ford appointed Minister of Justice.

Mr Speaker: I confirm that Mr Ford, having affirmed the terms of the Pledge of Office, has taken up office as Minister of Justice, in accordance with the Northern Ireland Act 1998. I offer my congratulations to the new Minister, and I invite him to make a short address to the House.

1.45 pm

The Minister of Justice (Mr Ford): Thank you, Mr Speaker, and I thank your staff for the efficient way in which the proceedings have been managed today.

Today is a significant day for Northern Ireland. It is a step forward in the peace process and in the political process, and it will ensure that the institutions that have been in place since 1998 are firmly fixed and that they will play their part in serving the needs of the people of Northern Ireland. Today is not the completion of a process; the completion of the process will come when the devolved Assembly and Executive carry out all their duties well, consistently and in partnership for all the people of Northern Ireland. Today is but a staging post to that effect, and that is — *[Interruption.]*

Mr Speaker: Order. Allow the Minister to continue.

The Minister of Justice: It is important that the process delivers for the people of Northern Ireland and is not regarded as a one-day event. That is why my colleagues and I spent a significant amount of time in recent months before, during and after the talks at Hillsborough Castle seeking to agree policies that might help to form a Programme for Government for the Department of Justice and to ensure that progress is made on building a shared future for all our people. We believed that it was vital to agree those matters in advance to ensure that delivery is possible.

I want to thank publicly my party's deputy leader, Naomi Long, not only for nominating me today but for her role in those talks alongside our justice spokesperson, Stephen Farry. I thank the

other members of my team who have given their support to ensure that we now have the option of a Department of Justice that will truly deliver to meet the needs of all our people. I also thank those in the DUP and Sinn Féin with whom we negotiated. Some of the talks were not easy, but, as a result of having them, we have got better.

I am fully conscious that I am not the Assembly's unanimous choice. However, I say to every Member of the House, regardless of what Lobbies they walked through this afternoon, that we have a duty to provide leadership together. If we did not know that already, we, sadly, were reminded of it at 12.30 am today. We in the Assembly, through the Executive and the Committees, have a duty to show that we can provide partnership, leadership and delivery and ensure that all our people receive the benefits of devolution. I pledge myself to that end, and I trust that others will work with me.

Mr Speaker: There will now be an opportunity for Members from each of the other political parties to make remarks. I ask Members to limit their contributions to three minutes.

Mr McCausland: I congratulate David Ford on his appointment as Minister of Justice. I look forward to seeing him at the Executive meetings and to working with him in that capacity.

As a party, we believe that the devolution of justice powers is good for Northern Ireland. However, we also believe that that ministerial position carries additional sensitivity. It is not an ordinary ministerial position, and, therefore, it was important that whoever was appointed today had cross-community support. That support has been well demonstrated already.

Some people have argued that the appointment should have been made by the d'Hondt system. However, we are not wedded to that system. Others might argue that the appointment is a move away from the Belfast Agreement. Again, that will not cause us any difficulty. However, difficulties have arisen for certain other parties. I am thinking in particular of the way in which the Ulster Unionist Party argued very strongly that the appointment should be made through the d'Hondt system and that the post should, therefore, go to the SDLP. It was rather strange to hear the Ulster Unionist Party say that, given that its leader made a different argument in August 2009, when he said:

“Many unionists... would be very concerned that our first Justice Minister could therefore be someone who is not pro-Union.”

Having argued that the post should be given to someone who was a nationalist, he then argued against giving it to someone who was a nationalist. Today, therefore, the Ulster Unionist Party ended up sitting down and not voting when it had the opportunity to vote for the nationalist whom it previously argued for. If that is unionist leadership, it is no wonder that that party is in the state that it is in today.

The position of the SDLP was put forward forcefully by a number of its folk, and particularly by its leader, who asked why anyone would not vote for Alban Maginness. I will give two reasons; one is a general political reason, and the other is a particular political reason. First, we could not vote for Alban Maginness because of the SDLP's continuing support for an issue that gets right to the heart of policing and justice: the 50:50 recruitment policy for policing, which discriminates against those in the Protestant and unionist community. It is the discriminatory approach of the SDLP that is the general political issue.

The more particular reason for not voting for Alban Maginness was the situation in my constituency, where, as a result of intimidation and ethnic cleansing in the Torrens estate, an entire Protestant community were put out of their homes. Alban Maginness described the vacant houses as a “windfall site” for nationalists. A windfall is something that is good for you, but it is not good if it means that people have been driven out of their homes. That sort of sectarian comment — that housing would become available for nationalists because unionists had been driven out — is the reason why we could not vote for Alban Maginness.

Mr Adams: Ba mhaith liom mo chomhghairdeas a chur in iúl don Aire nua agus guím an t-ádh air.

Today was the day that, we were told, would never happen. There was once great opposition from the unionist parties to what is happening today. That is the age-old lesson of history: never to say never, or never, never, never. As for the SDLP, it threw the towel in on policing legislation almost 10 years ago in 2001, when it said that it would be impossible to get any other legislation.

Interestingly enough, the parties that whinged and gurned the loudest about what they called carve-up politics were the most eager to have ministerial positions. The Ulster Conservatives and Unionists - New Force — the Tories — failed to win cross-community support, and the SDLP just failed, again.

Despite all that, Sinn Féin stuck at the hard grind of making progress. We have delivered, with our colleagues, an increased policing and justice budget and a whole raft of new legislation. The reality is that the North never had acceptable or proper policing. Therefore, today is yet another important, proud day in the progress and necessary steps forward of an ongoing change process. Sinn Féin is very pleased — as, I am sure, are the vast majority of citizens — with today's progress. We are determined to keep moving, step by step, bit by bit.

For the first time since partition, there is a Justice Minister who is accountable to a local elected power-sharing Assembly that is representative of the citizens who live here. That is a good thing. Sinn Féin wishes the Minister well. He can be assured of our critical support in what will be a challenging ministerial post. Go raibh mile maith agat.

Sir Reg Empey: I understood that the opportunity was to be taken to make some comments about the Justice Minister, but Nelson McCausland chose to turn it into an attack on us. He is a person, incidentally, who has as many positions as there are days in the week. Never mind that; we will move on.

The fact is that a decision has been made. My party has had anxieties about the timing of this event. We regret deeply that there was no consultation, discussion or agreement in advance as to how we were going to confront the inevitable challenge that was going to come from renegade IRA elements. Sadly, they left their calling card with us today.

David is going to have to live with the fact that he is no longer the leader of the opposition. He and his party are now avid supporters of the Programme for Government, which is to be welcomed. — *[Interruption.]*

Mr Speaker: Order.

Sir Reg Empey: Despite the fact that today's script was written some time ago, decisions have been taken. People are at risk, and, in the

spirit of the comments that David made earlier, we have to move on.

We have still not had any discussion or agreement on an addition to the Programme for Government. We are confronting huge challenges in the community. It is incumbent on us all, whatever our views might have been on the process, to decide that we have made our point. We feel those issues genuinely, and I hope that some of the points that we have raised can be dealt with and resolved. However, the one thing that we cannot do is continue an argument during the struggle and challenge that now confront us all, because the elements that were active in Holywood earlier today have not gone away. They will not listen unless they are faced with an absolutely solid wall of confrontation, with all the representatives of the people — whatever differences they have had in the past — showing their determination to face them down. We must ensure that people and our economy are not subjected to more years of destruction.

What happened this morning sent a very clear signal: we will be challenged. I appeal once more to all parties to allow proper discussions to take place to build a consensus on how that challenge will be met. That has not yet happened, and I regret that.

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

Sir Reg Empey: I say to David Ford that, despite our reservations about the matter, we will work with him. We hope that we will get a positive response.

Ms Ritchie: The SDLP welcomes the fact that a Justice Minister is now in place. We have already recorded our dismay at the denial of nationalist rights in the appointment. There is no escaping the fact that there has been gerrymandering as regards that office. Mr Adams referred to things that he thought had happened, but his record of the situation is incorrect. There is no doubt that the SDLP and others did considerable heavy lifting on policing over a period when some people sat outside and others engaged in violence. The SDLP has a substantial agenda on justice issues and will engage constructively with Mr Ford and the new Department on that agenda.

Mrs Long: I congratulate David Ford on his appointment as Minister of Justice. I wish him

well in the challenges that await him in that role, and I assure him of my support and that of his party colleagues as he strives to make a real difference in the role that has been given to him. I know that he will make a constructive contribution to move Northern Ireland forward, because that is something that he has consistently done.

There has been a lot of talk about how we arrived at this point. I want to talk about the road ahead, not the road behind. We have taken a step today. It is another important step that we are taking together away from the dark days of the past and towards a better future for everybody. We were reminded in the early hours of the morning that there are those out there who wish to threaten progress. They do so because they are threatened by progress. We have to demonstrate that politics can work and send a clear message to those people that violence will not deflect us from the course on which we are set and that such actions are futile.

I understand that, on a day such as this, there may be some rancour, but I trust that there is the maturity in this House and in these elected parties to put those issues behind us after today and to show that there is more in common to keep us working together than there is to divide us on the fundamental issues, and there is no issue more fundamental than justice. We must show that we want to put the interests of the entire community first.

2.00 pm

There are serious challenges ahead. Today is just a milestone, albeit a highly significant one, on a journey to a better future. It is not the destination. We will have to face challenges in the House and those that are placed on us from outside. We have moved further down that road today, and I believe that we will do so again tomorrow, the day after and the day after that. No attack or threat can deflect us from that journey, and nor should it. I wish David well in everything that he does.

Ms Purvis: I congratulate Mr Ford on his appointment as the new Minister of Justice. None of us underestimates the challenges with which the new Minister will have to grapple, not least the dissidents' attempt to derail all the political progress that we have made. They will not succeed. Policing and criminal justice issues are hugely important, and they impact

on all our lives. Devolution will mean greater transparency and accountability without affecting independence. I hope that devolution will also mean greater co-ordination and collaboration between Departments, not only in dealing with crime in a just and fair manner but in tackling the causes of crime, which include poverty and disadvantage.

I am happy to take on the role of leader of the opposition, and I look forward to working with the Minister and his departmental officials in delivering what is a crucial public service for all the people of Northern Ireland.

Dr Deeny: I, too, congratulate Mr Ford. I have known David for some years. He is a caring and intelligent man, and he undoubtedly has the ability to be a very good and thorough Justice Minister. His professional background will also hold him in good stead for the post. I wish David well in his role as our Justice Minister.

Committee Business

Statutory Committees

Mr Speaker: As this is a business motion, there will be no debate.

Resolved:

That, in accordance with Standing Orders 48(1)(a) and 49A, this Assembly establishes the following Statutory Committees:

the Committee for Agriculture and Rural Development;

the Committee for Culture, Arts and Leisure;

the Committee for Education;

the Committee for Employment and Learning;

the Committee for Enterprise, Trade and Investment;

the Committee for the Environment;

the Committee for Finance and Personnel;

the Committee for Health, Social Services and Public Safety;

the Committee for Justice;

the Committee for the Office of the First Minister and deputy First Minister;

the Committee for Regional Development;

the Committee for Social Development.

The composition and quorum of the Committees shall be as prescribed in Standing Orders 48 and 49. — [Ms Ní Chuilín.]

Assembly Business

Statutory Committees: Chairpersons and Deputy Chairpersons

Mr Speaker: I shall ask the nominating officer or acting nominating officer of each political party, in the order required by the formula contained in Standing Order 48, to select an available Statutory Committee and nominate a person who is a member of his or her party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

I call on the Rt Hon Peter Robinson, as nominating officer of the political party for which the formula laid down in Standing Orders gives the highest figure, to select an available Statutory Committee and nominate a person who is a member of his party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

Mr P Robinson: I select the position of Chairperson of the Committee for Justice and nominate Maurice Morrow to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Lord Morrow: I accept the position of Chairperson of the Committee for Justice.

Lord Morrow appointed Chairperson of the Committee for Justice.

Mr Speaker: I now call on Mr John O'Dowd to select an available Statutory Committee and nominate a person who is a member of his party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. Molaim Jennifer McCann mar Chathaoirleach an Choiste Airgeadais. I nominate Jennifer McCann as Chairperson of the Committee for Finance and Personnel.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Ms J McCann: Yes.

Ms J McCann appointed Chairperson of the Committee for Finance and Personnel.

Mr Speaker: I call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Chairman of the Committee for Education and nominate Mervyn Storey to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Storey: I accept the nomination.

Mr Storey appointed Chairperson of the Committee for Education.

Mr Speaker: I call on Sir Reg Empey to select an available Statutory Committee and nominate a person who is a member of his party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

Sir Reg Empey: I select the position of the Chairperson of the Committee for the Office of First Minister and deputy First Minister, and I nominate Mr Danny Kennedy for that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Kennedy: I am.

Mr Kennedy appointed Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

Mr Speaker: I call on Ms Margaret Ritchie to select an available Statutory Committee and nominate a person who is a member of her party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

Ms Ritchie: I nominate Alban Maginness as Chairperson of the Committee for Enterprise, Trade and Investment.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr A Maginness: I am, Mr Speaker.

Mr A Maginness appointed Chairperson of the Committee for Enterprise, Trade and Investment.

Mr Speaker: I call on Mr John O'Dowd to select an available Statutory Committee and nominate a person who is a member of his party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

Mr O'Dowd: Molaim Barry McElduff mar Chathaoirleach of the CAL Committee. I propose Barry McElduff as Chairperson of the Committee for Culture, Arts and Leisure.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr McElduff: Tá mé sásta an post sin a ghlacadh. I am willing to accept the nomination.

Mr McElduff appointed Chairperson of the Committee for Culture, Arts and Leisure.

Mr Speaker: Once again, I call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Chairperson of the Committee for Health, Social Services and Public Safety and nominate Jim Wells to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Wells: I will be very pleased to accept.

Mr Wells appointed Chairperson of the Committee for Health, Social Services and Public Safety.

Mr Speaker: I call again on Mr John O'Dowd to select and nominate.

Mr O'Dowd: A Cheann Comhairle, may we take a 15-minute break?

Sir Reg Empey: Am I to assume that, if we are having a 15-minute adjournment, to all intents and purposes it will be after Question Time before we can resume?

Mr Speaker: We will take the nomination before Question Time.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. Molaim Cathal Boylan mar Chathaoirleach of the Environment Committee. I propose Cathal Boylan as Chairperson of the Committee for the Environment.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Boylan: I accept, Mr Speaker.

Mr Boylan appointed Chairperson of the Committee for the Environment.

Mr Speaker: Again I call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Chairperson of the Committee for Agriculture and Rural Development and nominate Ian Paisley Jnr to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Paisley Jnr: I would like to take it on, hopefully for a temporary period.

Mr Paisley Jnr appointed Chairperson of the Committee for Agriculture and Rural Development.

Mr Speaker: I once again call on Sir Reg Empey to select and nominate.

Sir Reg Empey: I would like to select the position of Chairperson of the Committee for Regional Development and propose that Fred Cobain occupy that post.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Cobain: Yes, Mr Speaker.

Mr Cobain appointed Chairperson of the Committee for Regional Development.

Mr Speaker: I call again on Ms Margaret Ritchie to select and nominate.

Ms Ritchie: Mr Speaker, may I have a recess for 10 minutes, please?

Mr Speaker: Yes.

2.15 pm

Ms Ritchie: I nominate Mrs Dolores Kelly to be the Chairperson of the Committee for Employment and Learning.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Mrs D Kelly: I accept, Mr Speaker.

Mrs D Kelly appointed Chairperson of the Committee for Employment and Learning.

Mr Speaker: I call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Chairperson of the Committee for Social Development, and I nominate Simon Hamilton to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Hamilton: Mr Speaker, I accept the nomination.

Mr Hamilton appointed Chairperson of the Committee for Social Development.

Mr Speaker: I call on Mr John O'Dowd to select and nominate.

Mr O'Dowd: Molaim Raymond McCartney mar LeasChathaoirleach of the Justice Committee. I propose Mr Raymond McCartney to be the Deputy Chairperson of the Committee for Justice.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr McCartney: Glacaim leis an phost. I accept.

Mr McCartney appointed Deputy Chairperson of the Committee for Justice.

Mr Speaker: I call on Mr Kieran McCarthy to select an available Statutory Committee and to nominate a Member to be its Chairperson or Deputy Chairperson.

Mr McCarthy: Go raibh maith agat, a Cheann Comhairle. I am delighted to be in David Ford's chair, albeit temporarily. Nevertheless, it gives me great pleasure to nominate our deputy leader, Naomi Long, to the position of Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

Mrs Long: Deputy Chairperson. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr McCarthy: There is no harm in trying. I nominate Naomi Long to the position of Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Mrs Long: For as long as I am a Member of the Assembly, yes.

Mrs Long appointed Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

Mr Speaker: I call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Deputy Chairperson of the Committee for Finance and Personnel, and I nominate Peter Weir to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Weir: I am willing to accept.

Mr Weir appointed Deputy Chairperson of the Committee for Finance and Personnel.

Mr Speaker: I call on Sir Reg Empey to select and nominate.

Sir Reg Empey: I choose the position of Deputy Chairperson of the Committee for Agriculture and Rural Development, and I nominate Mr Tom Elliott.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Elliott: I accept.

Mr Elliott appointed Deputy Chairperson of the Committee for Agriculture and Rural Development.

Mr Speaker: I call on Mr John O'Dowd to select and nominate.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. Molaim Michelle O'Neill mar LeasChathaoirleach an Choiste Sláinte. I nominate Mrs Michelle O'Neill as the Deputy Chairperson of the Committee for Health, Social Services and Public Safety.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Mrs O'Neill: I accept.

Mrs O'Neill appointed Deputy Chairperson of the Committee for Health, Social Services and Public Safety.

Mr Speaker: I call on Ms Margaret Ritchie to select and nominate.

Ms Ritchie: May I take a few minutes, please?

I have pleasure in nominating Mr Dominic Bradley as Deputy Chairperson of the Committee for Regional Development.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr D Bradley: Glacaim leis an cheapachán. I accept the appointment.

Mr D Bradley appointed Deputy Chairperson of the Committee for Regional Development.

Mr Speaker: Business is suspended for a few seconds while officials and I clarify a matter.

We can now proceed. I again call on the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: We will take a full 15 minutes, which would take the matter beyond Question Time.

Mr Speaker: I suspend the House until Question Time at 2.30 pm. After that, we will come back to this business.

The business stood suspended.

2.30 pm

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

Oral Answers to Questions

Office of the First Minister and deputy First Minister

FM/DFM: Washington Visit

1. **Mr Hilditch** asked the First Minister and deputy First Minister to outline any economic benefits which may arise from their recent visit to Washington. **(AQO 1003/10)**

5. **Mr McQuillan** asked the First Minister and deputy First Minister for an update on their recent meeting with President Obama. **(AQO 1007/10)**

US Investment Conference 2010

7. **Ms S Ramsey** asked the First Minister and deputy First Minister to outline plans for the American investment conference scheduled for Autumn 2010. **(AQO 1009/10)**

The deputy First Minister (Mr M McGuinness): With your permission, Mr Speaker, I will take questions 1, 5 and 7 together. On our recent visit to the United States, we undertook an extensive programme of engagements to promote inward investment opportunities, trade development and tourism that provided us with unparalleled access to some of the most senior decision-makers in corporate America. We met current and prospective investors as well as a range of senior business and political leaders. I cannot provide details of the companies visited, nor would it be wise to do so, given that discussions are at a very sensitive stage. By their very nature, negotiations on inward investment projects are confidential, and that is particularly important in the current financial climate when international competition is very stiff.

I can confirm that we met the senior staff of Allstate, which is one of our most important financial services investors. They also joined us at a gathering of almost 200 potential investors and key influencers in Chicago, where they provided a strong testimonial about their positive experience of investing here and why they have

continually reinvested here over the past 10 years. The First Minister also visited Hughes Tool Company in Texas.

We used those opportunities to cement relationships and to demonstrate our personal appreciation of the commitment of those companies and the commitment that they have made to the local economy. During our visit, we were particularly pleased by the announcement of the project by Q1 Labs, which is set to create 50 high-quality ICT jobs. That further demonstrates our ability to attract high-quality investment in the key sectors of ICT, financial services and business services. Invest NI's staff in the United States and its senior management team here will undertake follow-up work with the potential investors that we met. We are confident that further economic benefits will emerge from our engagement in the US.

The First Minister and I also had the pleasure of meeting President Obama at the White House. The president was joined at the meeting by Vice President Biden, Secretary of State Clinton and General Jim Jones, who is the director of the National Security Council. The meeting was very productive, and, in the course of the discussion, we briefed the president on political developments here, including the Assembly resolution to transfer policing and justice powers. We also discussed the US Administration's continued efforts to secure further US investment. The president was most encouraging and reaffirmed his personal commitment to helping us to secure a sound economic and peaceful future. Most significantly, we secured the president's and the secretary of state's support for an economic conference in Washington in October 2010. We also secured support to lobby for the continuation of the International Fund for Ireland (IFI). That demonstrates the ongoing commitment of the US Administration to helping us secure a sound economic and peaceful future.

Planning for the economic round table is at an early stage. Invest NI and our Washington bureau are working closely with the US special envoy, Declan Kelly, to maximise this unique opportunity. It is envisaged that the conference will bring together the leaders of some of the largest international companies that already operate here and potential investors and other partners. The event will be targeted at up to 30 senior executives, who will be invited to hear about our business opportunities. It will be a tremendous opportunity to showcase our

business opportunities to leading American investors, and we expect President Obama and Secretary Clinton to offer their personal support.

Mr Hilditch: I thank the deputy First Minister for his answer, and I welcome the developments that he has highlighted. Will he further update the House on the outcome of the meeting that he referred to in Houston between the First Minister, the Minister of Enterprise, Trade and Investment and senior management of Baker Hughes, which completed the programme of events in the US?

The deputy First Minister: That was an important meeting. We all understand that that company is in some difficulty at the moment, and the First Minister took the opportunity to visit Houston to speak at the highest level with the people who have responsibility for the company and, in particular, its operation here in the North. Most of those discussions are highly confidential, because there is always the hope that, no matter how difficult the scenario is for a company, something can be done to ensure continuing security for the workforce. That may not be possible in this case, but until such times as we have a definitive position on all of that, the less said about it the better.

Mr McQuillan: Does the Minister accept that the current economic climate has affected the US's ability to invest here?

The deputy First Minister: From our discussions with senior people in the US, be they from the political Administration or the business community, it is clear that despite a world recession that affects every country, with the possible exceptions of China and India, many businesses, in the context of the challenges that they face during the economic downturn, are consistently looking for new opportunities to improve their position. We believe, and others have advised us, that this is the opportune moment to put the business case for investment in the North. We have a tremendous amount to offer, such as a competitive environment and a highly educated, young workforce. We also have a near-shore location from which it is a short jump into Europe. Furthermore, the coming on stream of the Project Kelvin operation provides ongoing opportunities to build on the work in which we have already been engaged.

Although some people might be surprised that we think that now is a good time to go to the United States, all of the advice is that it is the

best time to go, because many companies are taking stock of their operations, and some of them are considering relocating to cost-competitive environments. We have one of the most cost-competitive environments in western Europe. The fact that there is so much interest in what we have had to say and in what we have to offer lends weight to our view that we have an ideal opportunity to try to take advantage of the world economic downturn in the interests of our people.

Ms S Ramsey: Go raith maith agat, a LeasCheann Comhairle. I thank the Minister for his comprehensive answer. Does he agree that the IFI should continue to be supported in delivering economic investment to those communities that are most in need?

The deputy First Minister: Everyone in the House will be aware of the hugely important contribution that the International Fund for Ireland has made, particularly to the border counties. Having spoken to representatives of the IFI and Secretary of State Clinton, the First Minister and I believe that the IFI still has an important but different role to play in contributing to community regeneration and tackling disadvantage.

The First Minister and I made a strong case to the US decision-makers for continued funding for the IFI, and we plan to meet representatives of the fund in coming weeks to develop that new approach. We took every opportunity, whether it was in the White House or on Capitol Hill, where we spoke to Congressman Richard Neal from the Democratic Party and Congressman Tim Murphy from the Republican Party, to make the case that the International Fund for Ireland should continue. We also made the point that the IFI should face up to the new challenge of ensuring that any contribution assists the Executive to target particular areas of social deprivation. As Members know, social deprivation affects the entire community. We left them with much food for thought, and we were encouraged by the response that we received.

Dr McDonnell: I congratulate the First Minister and deputy First Minister on the work that they did three weeks ago and on the gains that they made. As the deputy First Minister rightly mentioned, an economic conference was promised for May, but has been postponed until October. Is there a risk that it will be delayed further? Over the past 10 or 12 years, we have

had a number of such projects, but we have not always maximised the benefits. Therefore, will the deputy First Minister tell us more about how that project is progressing and detail the plans to maximise the opportunities?

Mr Deputy Speaker: I ask the Member to finish his question.

Dr McDonnell: Can we get our act together and as close to perfect as possible in order to maximise the benefits and milk the event for all that it can offer?

The deputy First Minister: It is fair to say that the First Minister and I share the concerns that the Member has expressed. We are all conscious that economic investment conferences have been held in the past. We understand that as we move forward in our discussions with Declan Kelly, it is important that we emphasise, as we did when he first became the US economic envoy, that we need economic investment. We can do without economic investment conferences that do not deliver. I believe that Declan Kelly appreciates and accepts that argument.

That said, there is no doubt whatsoever that both the First Minister and I have been impressed by Declan Kelly's performance, energy, contacts and commitment, and by the fact that he appears to be building a solid foundation through the work that he is charged to do. Of course, he does that work on behalf of the US Administration. He is a government employee, which means that he has the imprimatur of President Obama and Secretary of State Clinton. He is conscious of the need to ensure that many in society who have not benefited from the peace process will benefit from an effective strategy to attract inward investment. In recent times, several projects have shown success.

I am conscious that when the First Minister and I went to the United States in 2009, it was in the aftermath of the killings of two soldiers and Stephen Carroll. At that time, it was a worldwide news story that those killings had taken place after many years when there had been no such incidents. However, the big news story became the unity, not only between the First Minister and me, but of the entire House. Out of that, we achieved investment from Universal and HBO in the Titanic Quarter's Paint Hall. Those projects brought employment for hundreds of people. Of course, through our contacts in Wall Street, we have achieved another declaration of investment

from the New York Stock Exchange's Euronext company, which will bring between 400 and 500 jobs.

Therefore, all of those contacts are very important. The fact that when we visit the United States we are met by political and business leaders at the highest level shows clearly that there is still tremendous interest and every opportunity to build on what has been created so far.

US Investment

2. **Mr Gardiner** asked the First Minister and deputy First Minister what evidence is available that corporate America is ready to invest in Northern Ireland, given the experience of the Emerald Fund. **(AQO 1004/10)**

The deputy First Minister: It is clear from the overwhelming reception that we received in the United States that corporate America is ready and willing to invest here. As I explained, we are working intensively to develop foreign direct investment opportunities here. We are having considerable success, which, of course, has been facilitated by Invest NI and the work of Hillary Clinton's economic envoy, Declan Kelly, in recent months.

The House is already aware of commitments that have been made by the comptrollers of New York state and city to invest some of their vast pension funds and projects here. In March 2010, I was delighted to meet the state comptroller, Tom DiNapoli, in New York and to hear his assurance that he is still committed fully to investing pension funds here. I also met the newly installed city comptroller, John Liu, who has just completed two months in office. I was highly impressed by his knowledge of the potential for investment here and his determination to achieve mutually beneficial investment.

Indeed, we wish to extend our relationships to other state and city comptrollers throughout the United States. State pension funds are one of the most attractive forms of alternative financial reserves that are available to small regional economies such as ours. Given the restrictions on future Executive spending and the tightening of loans that are available from local lending banks, it is more important than ever that other sources of funding are made available.

Mr Gardiner: I thank the deputy First Minister for his lengthy and in-depth response to my

question. However, I am somewhat concerned that the American investment conference has been postponed until autumn 2010. The writing on the wall is not good. Will he assure me that what I am thinking is not right? I remind him of President Obama's views on inward investment and his election pledge to bring the jobs home, and that 12,000 jobs have been lost in the Irish Republic.

2.45 pm

The deputy First Minister: The Member should not be unduly concerned about the fact that the economic investment conference has been put off until October. Given the nature of the work, it is important to do things right. There was a consensus between the First Minister, me, Declan Kelly and the US Administration, and we are making better plans to do it right in the autumn and to do it in a much more focused way than was done previously. Many Members will remember the economic investment conference at Hillsborough, which was attended by well over 100 people. We are going for a focused operation this time, with 30 senior executives who are keenly interested in exploring the opportunities that we have.

The Member's concern is misplaced. The fact that President Obama and Secretary of State Clinton are supporting the economic investment conference shows that there will be high-level political input from the US. We can move forward with considerable confidence, knowing that further investment will flow from the conference.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I welcome the deputy First Minister's assurance of a focused approach to the upcoming conference. Does he believe that the New York State Comptroller and the New York City Comptroller are committed to using pension fund investments to achieve social justice and to redress patterns of disadvantage in the North?

The deputy First Minister: The Executive have enjoyed an excellent working relationship with the New York State Comptroller, Tom DiNapoli, and the Office of the New York City Comptroller. During my most recent visit to the US, I was pleased to meet Tom DiNapoli in New York and to have his assurance that he is fully committed to investing pension funds here also. I also met the newly installed New York City Comptroller, John Liu, who has just completed his first two months in office. I was impressed by his

knowledge of the potential for investments here and his determination to achieve mutually beneficial investments here. It was also clear that many of his aides and the people around him are conscious of what has been happening here and of the opportunities that that presents to them.

However, more work needs to be done by the pension management companies that are charged by the comptrollers' offices to identify projects that are suitable for investing here, and we will continue to work with both offices to make that happen. Indeed, we wish to extend our relationship to other state and city comptrollers across the United States. As we all know, state pension funds are one of the most attractive forms of alternative financial reserves that are available to small regional economies such as ours. We will continue to persevere. There were problems with the Emerald Fund at the beginning, but lessons have been learned. We hope that those initial teething problems will be overcome rapidly in our dealings with John Liu and Tom DiNapoli.

Mr Campbell: Does the deputy First Minister agree that, when he is in the United States trying to get business for Northern Ireland, it is not a very good idea to make references to a senior Roman Catholic prelate back here regarding him having to consider his position about what he was doing in the 1970s —

Mr Deputy Speaker: Order, please. I remind the Member —

Mr Campbell: Yes — when the deputy First Minister was remaining silent —

Mr Deputy Speaker: Order —

Mr Campbell: — about what he had done in the 1970s —

Mr Deputy Speaker: Order, order.

Mr Campbell: — and did not remain open and above board about what he should have done in considering his position in the 1970s?

Mr Deputy Speaker: We move on.

OFMDFM: Departmental Priorities

3. **Mrs Long** asked the First Minister and deputy First Minister to outline their Department's three main priorities in 2010-11. **(AQO 1005/10)**

The deputy First Minister: We have a range of priorities in 2010-11. We are determined to deliver all our Department's commitments in the Programme for Government for 2008-2011, which will continue to be our key priorities.

OFMDFM has lead responsibility for three public service agreements in the Programme for Government and contributes to five others. Those include targets to tackle poverty, particularly child poverty, social exclusion and patterns of deprivation. For example, under PSA 7, we are working with other Departments to achieve measurable improvements for people with disabilities, to remove barriers to participation experienced by lone parents and to deliver a strong, independent voice for older people. Under PSA 11, we are about ensuring a strategic, regionally balanced approach to infrastructure investment and tackling regional infrastructure disparities.

In addition, we will continue our role in supporting the institutions of government by, in particular, bringing to completion the work that we have initiated following the Hillsborough Castle Agreement on the working of the Executive, outstanding issues from the St Andrews Agreement and parades. Today, the First Minister and I finalised draft legislation on parades, which will be published later this week for full public consultation. The associated process will be completed by early July, and we hope to be able to progress the final draft through the Assembly stages quickly, with the aim of it becoming law in December 2010.

A further important area of work will be the integration of new policing and justice responsibilities into the devolved Administration. That will include specific responsibilities for OFMDFM, notably the establishment of the statutory office of Attorney General.

Mrs Long: I thank the Minister for his response. Will he agree that continuation of the progress that has recently been made on the community relations strategy would be one way of underpinning the stability of these institutions? It would also make a contribution on all of the fronts that he mentioned. For example, it would contribute to tackling social exclusion, poverty and infra-structural disparities and would deliver on some of the promise from Hillsborough.

The deputy First Minister: The First Minister and I agreed the programme for cohesion, sharing and integration (CSI) on 23 February

2010. On 15 March, officials circulated the draft document to devolved Departments and the NIO for the input of policies, programmes and activities that will translate the principles of the programme into delivery on the ground. At the same time, the draft document was also forwarded to the following organisations and bodies for their information: the Committee for the Office of the First Minister and deputy First Minister, the Community Relations Council, the Equality Commission and the PSNI.

Once Departments have replied, the draft programme will again be referred to the Assembly Committee and will be issued to the Executive for final clearance. The programme will then be the subject of a full public consultation, which will provide an opportunity for all stakeholder groups to comment and contribute to its development. The public consultation is likely to begin in June, after the general election, and will continue until the end of September. It is tremendous that the paralysis that existed around the CSI strategy has effectively been removed and that an agreement has been reached that we must move forward with all speed in a decisive way to ensure that we deliver for the entire community.

Mr Kennedy: The deputy First Minister mentioned the issue of parading. Will he elaborate on the work of the Executive subcommittee on parading? Has he any optimism or expectation that that work will lead to the resolution of parading issues for the current marching season?

The deputy First Minister: From the beginning, we have made it clear that we are adopting a unique approach. The power is transferring from London to our Administration, and the First Minister and I, and every party in the Assembly, are conscious of the need to move forward in a way that brings resolution to what have been vexed, contentious and divisive issues in our society. The working group has done tremendous work, and the work of legislation is important. All Members will have access to the outcome of all of the deliberations, which will be put out to public consultation. I am confident that that will lend itself to building a far better mood both in the community and with all the stakeholders, be they the Loyal Orders or the residents associations.

We are trying to ensure that we move forward through a process of dialogue, with people engaging with one another and treating one

another with respect, so that an issue that can be divisive can be removed. We know that others in society are ill-disposed to the work of peace in which we are engaged and that they are continually looking for angles through which they can take advantage of certain situations to ferment more division in our community. We are determined to get this right, and I think that we are on the right course. The outcome will be inclusive and will be clear for everybody to see. When the draft Bill goes out for consultation, all interested parties will have an opportunity to contribute to this ongoing and important debate.

The Member asked whether the draft Bill will solve the problems that might arise during the upcoming marching season. The Bill will come into effect only if the House passes it in December 2010, and I passionately believe that that will come to pass. In the meantime, all of us must do everything in our power to build a better mood in society and to bring about a process whereby people are prepared to engage with one another. I am from a part of the North where such engagement has taken place over recent years and where solutions have been found as a result of that engagement.

Mr Shannon: In his initial response, the deputy First Minister referred to child poverty. Many Members from all parties across the Chamber believe that greater emphasis needs to be placed on helping those who are subjected to child poverty. Will the deputy First Minister indicate whether the Department intends to give that issue extra emphasis when considering its priorities for this year? Will he assure the House that there will be cross-departmental co-operation and interaction to ensure that child poverty is addressed at this time? It is important that such an assurance be given.

The deputy First Minister: It is vital that there be cross-departmental participation in addressing child poverty. I am sure that all of us are appalled at the levels of child poverty that exist. The reality is that we have a strategy that tries to impact on those high levels by lifting more children out of child poverty. The programmes and strategies in which we have been involved, the Executive subcommittees that we have established and the work of the junior Ministers in the Office of the First Minister and deputy First Minister show that we that are conscious of the need to bear down on what are unacceptable levels of child poverty. I agree

that a cross-departmental approach is critical; without it, we are going nowhere.

Policing and Justice: Capital Projects

4. **Mr O'Loan** asked the First Minister and deputy First Minister how the Executive intend to address the funding of major capital projects, particularly the proposed police college and new prison, following the devolution of policing and justice. **(AQO 1006/10)**

The deputy First Minister: In a letter to the First Minister and me dated 21 October 2009, Gordon Brown set out the details of a financial package to address the pressures on a devolved policing and justice budget. He gave a commitment that capital budgets in the next comprehensive spending review period would be sufficient to enable the Executive to complete the police training college and that they would enable routine but necessary capital work to be taken forward and the operational capacity of existing assets to be maintained. He said that the capital budgets would also enable the Executive to come to their own view on the relative priorities for the new capital expenditure, including Magilligan prison and other projects.

Mr O'Loan: I understand that a planning application for the police training college is about to be lodged. There is continuing uncertainty about whether the Department of Health, Social Services and Public Safety will contribute to funding for the college. Will the deputy First Minister tell us when a decision about the funding will be made? Will he also tell the House whether there is absolute clarity about the level of funding that is required for the college?

The deputy First Minister: The Budget (No. 2) Act 2010 provides the formal legal authority from the date of devolution for the Department of Justice, the Public Prosecution Service and the Office of the First Minister and deputy First Minister to incur expenditure and use resources as set out in the 2010-11 Main Estimates. Decisions on the overall approach to all the Executive's capital expenditure post-2010-11, including the police college and the new prison, will be taken forward as part of the next Budget process following the spending review, which is expected to take place after the general election.

The Executive will, in the first instance, look to the Finance Minister to lead on that process.

It is our understanding that the business case for the integrated training college is now with the Department of Justice and the Department of Health, Social Services and Public Safety for their consideration. Those Departments must assess the value for money and affordability of the project. If they decide to approve the proposal, DFP will consider the case.

We continue to support fully the creation of a new police college.

3.00 pm

Environment

GAA Pitch: Bryansford

1. **Mrs McGill** asked the Minister of the Environment for an update on the status of the planning application for a GAA pitch in Bryansford and whether Roads Service has supported the application. **(AQO 1018/10)**

The Minister of the Environment (Mr Poots): On 26 October 2009, the application was taken to council as an approval. Subsequently, I met Jim Wells MLA and officials from the Planning Service and Roads Service to give further consideration to road safety issues. Roads Service is content with the approval, subject to a number of conditions. The application remains under consideration.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. I note and welcome the fact that the planning application was taken to council a number of months ago and that it was approved. Given that consultees responded and that a meeting took place with Jim Wells, the Minister and other consultees, will the Minister confirm or clarify when exactly the approval will be issued?

The Minister of the Environment: A meeting took place at which Mr Wells raised a number of significant issues with the planners. I received a report from that meeting, which I will consider over the next number of weeks. I hope be in a position to respond quite soon.

Mr Wells: I am the Mr Wells to which the question refers. I welcome the sudden interest shown by the Member for West Tyrone in the

affairs of South Down, which, at my last count, was around 120 miles away from the proposed Bryansford GAC complex on the Burrenbridge Road. Does the Minister accept that there is considerable concern in the community, not so much about the principle of a GAA club on the site but about its potential to expand and cause a considerable amount of disturbance to the local community? Does he also accept that it is essential, whichever approval is given, that the number of visitors to the site, which is on a small C class rural road, be restricted?

The Minister of the Environment: I read the papers on the background to the case. A report from the road traffic branch of the PSNI made it clear that the site is not the most suitable for large numbers of people to travel to and from, and therein lies the problem. We must ensure the safety not only of people travelling to events but of people in the vicinity when events are taking place.

Mr P J Bradley: I fully support the Bryansford club in its exciting betterment plans, and I fail to understand the created opposition, albeit minimal, to such a project. Does the Minister agree that the current arrangements, whereby the Planning Service and Roads Service act independently of each other in planning matters, are unsatisfactory and that the regulations should be amended to ensure that all issues relating to planning applications are delivered by the Planning Service alone, which is, after all, answerable for its decisions?

The Minister of the Environment: Planning Service delivers those decisions alone in that it is the final arbiter. All other organisations are statutory consultees, and anything that they present to the Planning Service is given significant weight in the planning process. However, planners make the final decisions. I am sure that the Member would wish to ensure that no one in, for example, Roads Service was stepped on for a positive decision in this case. Given the problems and false allegations with other sporting clubs, we would not want anything untoward to go on to ensure that this sporting club is able to develop in the way that it wishes to.

Mr Deputy Speaker: As the Member is not in his place to ask question 2, we will move on.

Planning Policy Statement 18

3. **Ms Anderson** asked the Minister of the Environment for an update on the supplementary planning guidance for PPS 18. **(AQO 1020/10)**

The Minister of the Environment: I recently received a copy of the revised supplementary guidance from my officials in the Northern Ireland Environment Agency. I will consider the document carefully before making any decision on the way forward.

Ms Anderson: Go raibh maith agat. I thank the Minister for his response. Obviously, people will be interested to hear him comment once he has deliberated on the document that he received.

Can the Minister tell us whether landscape character areas have ever been used elsewhere in Ireland or in Britain in planning applications? Does he agree that they are unnecessary and restrictive, as some people argue? Does he agree that the supplementary planning guidance in its original form — we have not seen the revised form — would have seriously hampered the Executive's chances of meeting their renewable energy targets?

The Minister of the Environment: Yes; I agree. That is why the supplementary planning guidance was not released with PPS 18. It is my view that, had it been released, it would have inhibited the opportunity for Northern Ireland to reach the 40% target for renewable energy that the Executive set. If the guidance had been accepted, one arm of government would have been working against official government policy.

Mr I McCrea: I thank the Minister for his answer so far. Will he detail the reasons for any delay in PPS 4 and PPS 21 coming before the Executive? Does he have a timescale for when PPS 18 will be enacted?

The Minister of the Environment: Planning policy is a cross-cutting issue. The Department for Regional Development has an interest in planning through its regional development strategy. The Department of Agriculture and Rural Development has an interest in PPS 4 and PPS 18. A whole series of Departments has an interest in those particular issues. Therefore, we need to ensure that we have ministerial sign-off on all of them. I hope that we will be in a position to move forward in the not too distant future with at least one of those planning policy statements. It is in the public's wider interest

that that be the case. There are 2,500 cases outstanding on PPS 21 and several hundred outstanding as a result of PPS 4. Many of those cases would move forward to development were PPS 21 and PPS 4 released, thereby allowing our economy to move forward also.

Mr Gallagher: Can the Minister tell us whether single, small-scale wind turbines, such as those to serve farms or small businesses, are covered under the supplementary planning guidance? Furthermore, has he made representations to the Executive to restore grant aid for such developments?

The Minister of the Environment: They are covered under PPS 18. The PPS 18 document has cleared the way by refining planning policy for renewable energies, and it will be of significant assistance in ensuring that we meet our targets. In my view, the supplementary planning guidance was too detailed and too difficult, and it would have hampered our efforts. As I said, single, small-scale turbines will be dealt with under PPS 18. The supplementary planning guidance would probably not have created a significant difficulty for those turbines.

Dr Farry: Is the Minister prepared to reconsider current Planning Service guidance that does permit turbine development? That contrasts with development being permitted for such things as solar panels. Does he recognise that there should be some permitted development of turbines of an agreed height for houses and for businesses?

The Minister of the Environment: I am happy to look at that. Obviously, the visual impact of a wind turbine is much more significant than that of solar panels and of a number of the other schemes that can be used to develop renewable energy in homes. The impact on neighbours must be taken into account. I am happy to consider what the Member said, but I think that it will be slightly more difficult to deal with that particular issue than it will be to deal with that of solar panels.

Knock Golf Club

4. **Mr McClarty** asked the Minister of the Environment to outline the status of the planning application to develop the Knock Golf Club site. **(AQO 1021/10)**

The Minister of the Environment: The application to develop the Knock Golf Club site

is going through the normal statutory process, and an opinion to approve the application has been agreed by Belfast City Council. The Belfast planning office is discussing the details of a planning agreement between the golf club, the developers and my Department to ensure the delivery of the community benefits that are part of the package of measures presented by the developers. Once the legal process has been completed, the decision notice for the development can be issued.

Mr McClarty: I thank the Minister for his response. Given that the Ulster Hospital has no plans to develop the ground that it has leased to Knock Golf Club and that no priority has been indicated by the Housing Executive, will the Minister accept that there is no significant community benefit in permitting private developers to build on 24 acres of open space? Further, does the Minister agree that should the application be approved, all open space, including Ormeau Park, will be at risk if a planning application that included a social housing element was presented?

The Minister of the Environment: No; I do not agree. I did not realise that Knock Golf Club was in East Londonderry, yet it seems to be of great interest to Members from that constituency. Perhaps the Member should consult with Councillor Rodgers from his own party who is one of the strongest advocates for this planning application, and who perhaps knows a little more about East Belfast.

The information that the Department holds on its file is that the South Eastern Health and Social Care Trust had an interest in the land in question, and no one from the trust has contacted the Planning Service to contradict that, despite what has been put into the public domain by its press office. The matter has been discussed with the Health Estates agency, which supports and develops land on behalf of the trust, and which is considering the long-term future of the site. All that will form part of the discussions on the details of the article 40 agreement.

If the Member did not know, there were also a number of other issues, aside from the hospital, in which there was particular community benefit. Perhaps the Member should look at the file or consult with Councillor Rodgers and the other representatives of the Ulster Unionist Party in

East Belfast, who will explain those benefits to him.

Mrs Long: Does the Minister have any concerns that the approval of this application could lead to a watering down of PPS 8, which protects open space, or an undermining of the draft Belfast metropolitan area plan strategy, which states that the green wedge should be maintained? Are there implications that are wider than this particular site and the local community benefits that the developer may have tried to establish?

The Minister of the Environment: I would have had significant concerns had the original planning application been approved. The original application, which was supported by Belfast City Council, of which Mrs Long is the Lord Mayor, would have seen a larger number and a greater density of housing units being built on the site. However, Planning Service refused that application and arrived at a decision through which the community benefits could be taken into account. The current application is much more considered than the one that the council that Mrs Long represents was pressing Planning Service to take.

Mr Dallat: Does the Minister agree with me that the residents in the area were entirely justified in objecting to the planning application, as were elected representatives, irrespective of where they come from? Will the Minister further agree that, on reflection, it was entirely wrong to use the term “morally corrupt,” and will he take the opportunity to withdraw that remark?

Mr Deputy Speaker: As the Member knows better than most, Members should keep to the subject of the question. The Minister should respond to the question put.

The Minister of the Environment: The one resident who objected during the normal planning process was absolutely correct to do so. After the recommendation had been taken to Belfast City Council, and after the council, which includes representatives from the SDLP, Sinn Féin, the Alliance Party, the Ulster Unionist Party and the Democratic Unionist Party, had rubber-stamped the decision as the statutory consultee on planning, we were able to move forward.

Why did objections come in after that? It was highly unusual that the objections did not arrive before a notice of approval was put to Belfast City Council. I do not believe that any of the

residents who objected are morally corrupt, and I never suggested that they were.

3.15 pm

Mr Deputy Speaker: Mr Savage is not in his place to ask question 5, and questions 6 and 7 have been withdrawn.

Planning Service: Conflict of Interest

8. **Mr Durkan** asked the Minister of the Environment to outline his plans for the introduction of a requirement for all staff within the Planning Service to sign an undertaking that any commercially sensitive information will be protected to avoid any potential conflict of interest. **(AQO 1025/10)**

The Minister of the Environment: I have no plans to introduce any new requirement for Planning Service staff to sign an undertaking to protect commercially sensitive information in order to avoid any potential conflict of interest.

All civil servants, including those in the Planning Service, are required to adhere to the conditions of the Northern Ireland Civil Service staff handbook, the Official Secrets Act and the Northern Ireland Civil Service code of ethics. The code of ethics specifically states that staff must not misuse their official positions, for example by using information acquired over the course of their official duties to further their private interests or those of others.

In addition, Planning Service staff are required to abide by the agency's code of conduct, which deals with private occupations, and to complete a declaration of interests on any outside interests that they may have. That is to ensure that they are not engaged in pieces of work that could leave them vulnerable to accusations of an actual or a perceived conflict of interest. Planning officers are also required by their professional body to abide by the Royal Town Planning Institute's professional code of practice.

Mr Durkan: I thank the Minister for his reply. If he believes that the existing requirements are sufficient to oblige staff in the Planning Service to honour the confidentiality of any information that they have, is he satisfied that sufficient means exist to police and enforce those requirements for people who leave the Planning Service and engage in other interests and activities? Is he satisfied that there is no

cause for concern about whether the current protections are adequately enforced?

The Minister of the Environment: I am very keen to ensure that the planning processes are speeded up considerably and that planning decisions are taken much more rapidly than was the case during the years of direct rule. We are beginning to see planning decisions being taken more quickly. That will have a significant bearing on people who move from working in public sector organisations, such as the Planning Service, to the private sector, as there will be less of a time lag in decisions being taken.

It is also appropriate that people who engage with companies in the private sector after leaving the Planning Service avoid cases that they were involved in as planning officers. That is not something that we can enforce once someone is no longer employed by the Civil Service.

Mr Bell: The Minister will understand the needs of the construction industry in Strangford. A lot depends on the Planning Service. Are we able to ensure that planning staff are involved and that decisions that can be made are expedited quickly so that the construction industry can be kept afloat, given that one in two construction jobs results from this House's work?

The Minister of the Environment: The Executive, which I represent and which have been appointed by Members, have the economy as their number one priority. Sometimes when I hear Members talking in the House, I question whether they have the economy as their number one priority. There seems to be a lack of concern on the part of some to ensure that people have the opportunity to get up in the morning, go to a job and bring a wage home at the end of the week.

I will always encourage the Planning Service, the Northern Ireland Environment Agency and every other sector in my Department that has a role to play to do things as efficiently as possible, to always bear in mind that they keep within the regulations and to act with the Executive's number one priority — the economy — in mind.

North/South Ministerial Council

9. **Mr McKay** asked the Minister of the Environment if he intends to continue to attend North/South Ministerial Council meetings in person.

(AQO 1026/10)

The Minister of the Environment: I am keen to use modern communication technologies that have significant environmental benefits. Where possible, the use of video conferences instead of travelling to meetings would reduce my carbon footprint and that of my Department. The use of video conferencing instead of travelling great distances to meetings could also prove to be a more effective use of my time and that of my officials and could generate savings to pass on to the taxpayer. I will explore the use of video conferencing for the next North/South Ministerial Council meeting in environment sectoral format.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister plan to roll out that strategy and to attend other important, high-profile meetings with important groups by way of video conferences rather than in person? Has he considered putting a proposal to the Executive that all Ministers should offset carbon emissions for all flights that they take when carrying out their ministerial duties?

The Minister of the Environment: My predecessor, Arlene Foster, did that in the Department of the Environment, and work was done to offset the carbon emissions that resulted from the clocking up of air miles. The Member is bound to welcome my proposal given that his colleague Gerry Kelly engaged in a British-Irish Council meeting through such a mechanism. I believe that that meeting was very successful. I am sure that the Member did not wish to prevent Mr Kelly's participation in that British-Irish Council meeting, and I am sure that he does not wish to deny me the opportunity to use the same service as Mr Kelly.

Mr I McCrea: As the Minister knows, I raised the matter of the shortness of statements from North/South Ministerial Council meetings in a question after a ministerial statement on such a meeting. Has the Minister had discussions with any of his ministerial colleagues on such matters? In light of his comments about one of the junior Ministers just now, will he outline whether he has received any negative responses?

The Minister of the Environment: The Minister of Enterprise, Trade and Investment previously engaged in such meetings, and it would be useful for us on the Environment side of the House to offer a lead. I hope that when we demonstrate a success story, I can encourage,

from a background of positive experience, other Ministers to pursue that idea.

Mr Deputy Speaker: Question 10 has been grouped. Alex Maskey and Michelle O'Neill are not in their places to ask their questions.

Planning Service: Conflict of Interest

13. **Mr A Maginness** asked the Minister of the Environment what steps he has taken to introduce controls to ensure that the Planning Service is not vulnerable to potential conflicts of interest, collusion or impropriety. **(AQO 1030/10)**

The Minister of the Environment: Planning is a high-profile and often contentious area of work, and it is critical that the planning process be open and transparent. That is achieved in a number of ways, including the open-file process, whereby any member of the public can inspect a planning file; the corporate decision-making process, which ensures that all planning decisions are signed by three officers; and frequent reviews by the agency's audit team and the Department's internal audit branch.

In addition, a number of policies and procedures are in place to ensure that the Planning Service is not vulnerable to potential conflicts of interest, collusion or impropriety. Those include the Planning Service's code of conduct, which provides guidance on frauds, gifts, hospitality and private occupations. Moreover, all staff must complete a register of interests on a regular basis, and the agency has an anti-fraud policy and a fraud response plan in place.

To date, the agency has been covered by the Department's whistle-blowing policy, and the agency's established complaints procedure provides a mechanism for the public to raise concerns about the conduct and propriety of staff. However, in response to a recent Public Accounts Committee report, Planning Service has now prepared its own whistle-blowing policy that expands on the departmental document to include a role for external stakeholders to engage more easily with the agency on issues of potential concern. That policy will be available on the Planning Service website shortly.

Mr A Maginness: I thank the Minister for his reply. However, I asked him what steps he had taken to introduce controls. I wonder whether he is referring to controls that had previously been in place. If that is the position, what additional

controls does he intend to introduce in order to preserve the integrity of the Planning Service?

The Minister of the Environment: If there were a difficulty with the integrity of the Planning Service, it would be incumbent on me to take steps to ensure that that is dealt with. Prior to becoming Minister of the Environment, I had not been of the view that any issues of fraud or impropriety existed, nor were any such issues relating to the Planning Service brought to my attention in my 12 years as a public representative. I was often made aware of accusations, for example, along the lines of: "Those boys were taking brown envelopes." However, never once were any such allegations followed up with information that would have led to issues being taken up by the head of the Planning Service or the responsible Minister at that time.

The Planning Service has a stringent set of rules. I have spoken before in the House about the importance of having three people making decisions as opposed to one. The processes that have been put in place make it much more difficult for fraud, bribery or any other type of corruption to occur. If Members have information that suggests that there are improprieties, fraud or corruption in the Planning Service, I want to know about it. If that were the case, be assured that we would be very quick to deal with it.

Mr Deputy Speaker: Question 14 has been withdrawn.

Planning Policy Statements 4 and 21

15. **Mr I McCrea** asked the Minister of the Environment when he intends to publish PPS 21 and PPS 4 and to outline the reasons for the delay. **(AQO 1032/10)**

The Minister of the Environment: I will publish PPS 21 and PPS 4 as soon as each is agreed. I submitted PPS 21 for Executive consideration in December 2009. My predecessor submitted PPS 4 in December 2008. The passage of time meant that I had to update PPS 4 and resubmit it in November 2009. In both cases, we have taken full account of issues raised by other Ministers, including amending the documents where it was right to do so.

Mr I McCrea: I thank the Minister for his answer. Does he feel that the length of time that it has taken to bring those policies to the Executive for approval is reasonable? Given

that PPS 21 deals with issues relating to rural dwellers, has the delay in the process been of any help to rural dwellers?

The Minister of the Environment: As I said, I submitted PPS 21 in December 2009. It is unhelpful that it is still in process, but I hope that it will be cleared quite soon. The delay is unhelpful, particularly to people who live in rural communities. Many people are waiting for planning decisions, such as young people who have the opportunity to build on their own farms and premises, but are being denied that opportunity because of the hold-up in moving from draft PPS 21 to the final PPS 21 that is being put to my Executive colleagues, which is a considerably better document. We must move forward on that as quickly as possible.

Mr McGlone: I have raised this issue with the Minister previously. Any of us who represent rural areas are deeply dedicated to an effective policy for single houses in the countryside. The Minister has outlined some of the difficulties around getting the new draft PPSs through the Executive. What measures have been put in place by the Planning Service to ensure that decisions will be made speedily and effectively as soon as the new policies are put into effect, so that those many hundreds of people who are waiting for a planning determination can commence the work that they require to be done?

The Minister of the Environment: That amounts to about 400 cases in each planning office; it is more than that in some instances. We could respond quickly and believe that we could clear the backlog of planning decisions within six months. The Planning Service is ready for the task once the draft strategies have been given the go-ahead by the Executive. Rural dwellers will benefit greatly from those strategies. I am keen that they move ahead as quickly as possible and am hopeful that that will be the case in the not too distant future.

3.30 pm

Question for Urgent Oral Answer

Quinn Insurance

Mr Deputy Speaker: The Speaker has received notice of a question for urgent oral answer, in accordance with Standing Order 20A, for the Minister of Enterprise, Trade and Investment.

Mr Gallagher asked the Minister of Enterprise, Trade and Investment what steps, on behalf of the Executive, have been taken to facilitate the re-entry of Quinn Insurance into the UK market in order to protect the 650 company jobs based in Enniskillen.

The Minister of Enterprise, Trade and Investment (Mrs Foster): As Minister of Enterprise, Trade and Investment, I have been closely involved with the developing situation in Quinn Insurance Limited. I confirm that all possible steps are being taken to assist the company and the joint provisional administrators to find a resolution to the difficult issues facing the company. I have personally made contact with ministerial colleagues in the Republic of Ireland as well as the appointed joint administrators, Quinn management and employee groups. The First Minister and the deputy First Minister have written to the Taoiseach to register the Executive's concern and willingness to work together to help to secure jobs in Northern Ireland and in the border counties.

I have been informed that the Irish Regulator has the discretion to grant permission to operate in the UK. I have written to the UK Financial Services Authority (FSA) outlining the importance of the Quinn group to the Northern Ireland economy and seeking support for the Irish Regulator to allow the company to start to write business in the UK and prevent the ongoing decline and potential job losses.

Mr Gallagher: I thank the Minister for her answer and her work on behalf of the Executive. She, like other Members, represents probably the most economically disadvantaged constituency, and the loss of 650 jobs would completely devastate the area. The Minister

accepts that addressing the situation is a priority. Subject to procedures elsewhere that she referred to, it is a priority that the UK market be re-opened to Quinn Insurance and that it continue to operate in Enniskillen.

Will the Minister further accept that, should there be any change due to the procedures that I mentioned, the Executive will do everything possible to work with any future management and persuade whoever needs to be persuaded to have those jobs remain at the Enniskillen site?

The Minister of Enterprise, Trade and Investment: Yes, I can easily assure the Member about that, because that is what we have been doing and what we will continue to do. Invest NI officials met the Quinn Insurance management team in Cavan on Friday 9 April 2010, and the Member and I were at another meeting about Quinn Insurance on Friday. It was confirmed that there is no immediate threat of job losses; however, if a negative definitive decision was taken on the UK market, that situation would be revisited.

There are two main issues to be resolved: first is the solvency issue in relation to the Regulator in the Republic of Ireland; second is the issue that we are all pressing on: the opening up of the UK market for Quinn Insurance so that it can write new business in the UK.

Members will be interested to hear that the court case that was scheduled to happen today has been adjourned for one week. The company has welcomed the fact that a permanent administrator has not been appointed. The case being adjourned for another week is good news for the Quinn group as it gives it some time. That deals with the solvency issue, but we need to press ahead in relation to UK business, and I know that all colleagues locally and in the House will want to press for that.

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness): I thank the Minister for her reply.

In a text that I read in relation to the court hearing, the senior counsel for the regulator stated that officials received a lengthy affidavit from the company this morning. He said:

“While it does not appear to go in substance into several of the very serious concerns of the regulator in this matter, it nevertheless merits careful consideration by the regulator and a response”.

That is not a hopeful comment.

What worries me is that if further pressure is put on Quinn Insurance, there will be a consequential impact on other companies in the Quinn Group. That could cause further employment difficulties down the line for the people who are employed by those other companies. Could the Minister meet the Taoiseach or Mr Lenihan to see whether anything can be done on a cross-border basis to ensure the retention of those jobs?

The Minister of Enterprise, Trade and Investment: I have not had a chance to read the text in relation to the affidavit, but I spoke to Quinn management this afternoon. They, like me, clearly believe that there are two issues: the solvency issue, which they referred to, and the regulatory issue. Sean Quinn has said that he is an entrepreneur and admitted that he is not a man for regulation. He has admitted that mistakes have been made, and he wants to put them right. There is no point in shying away from that.

Whether the UK market should be opened again is a decision for the regulator alone. We have tried to assist by pointing out the profitable areas of business that can be opened again. Surely it is the profitable areas of any business in administration that one would wish to have in operation again as quickly as possible. The point needs to be made that we wholly respect the remit and independence of the regulator in the Irish Republic and with respect to the FSA. However, we want to ensure that all the available information is given to the regulator so that they can make the proper decision for the company in the longer term.

The Member's point about the wider Quinn Group is well taken and well made. The wider Quinn Group employs more than 2,000 people in County Fermanagh, and it is the strategic group to County Fermanagh. I am well aware that any job losses in that group would have a huge and disproportionate impact on County Fermanagh.

(Mr Speaker in the Chair)

Assembly Business

Statutory Committees: Chairpersons and Deputy Chairpersons

Business resumed.

Mr Speaker: Before we proceed, I advise the House that we must go back to nomination 15 as, at that stage, it was still possible for the party concerned to select a Committee in which it did not have a party interest. I ask the nominating officer, the Rt Hon Peter Robinson, to reselect.

Mr P Robinson: Mr Speaker, we accept your ruling that we cannot have the chairmanship that we have held for the last 35 months. I nominate Michelle McIlveen for the position of Deputy Chairperson of the Committee for Regional Development.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Miss McIlveen: I accept the nomination.

Sir Reg Empey: On a point of order, Mr Speaker. For clarification, are you saying that all the positions after nomination 15 are now invalid?

Mr Speaker: Yes; we are starting back at nomination 15 and will go right through the other nominations again.

Ms McIlveen appointed Deputy Chairperson of the Committee for Regional Development.

Mr Speaker: This is nomination 16. I call on Sir Reg Empey to select and nominate.

Sir Reg Empey: I select the position of Deputy Chairperson of the Committee for Finance and Personnel and nominate Mr David McNarry for it.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr McNarry: I am willing to accept, Mr Speaker.

Mr McNarry appointed Deputy Chairperson of the Committee for Finance and Personnel.

Mr Speaker: I call on Mr John O'Dowd to select and nominate.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle.

Molaim Michelle O'Neill mar LeasChathaoirleach an Choiste Sláinte.

I nominate Michelle O'Neill as the Deputy Chairperson of the Committee for Health, Social Services and Public Safety.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Mrs O'Neill: I am.

Mrs O'Neill appointed Deputy Chairperson of the Committee for Health, Social Services and Public Safety.

Mr Speaker: I call on Ms Margaret Ritchie to select and nominate.

Ms Ritchie: I nominate Dominic Bradley as Deputy Chairperson of the Committee for the Environment.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr D Bradley: Glacaim leis an ainmniúchán.

I accept the nomination.

Mr D Bradley appointed Deputy Chairperson of the Committee for the Environment.

Mr Speaker: Once again, I call the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Deputy Chairperson of the Committee for Employment and Learning and nominate Peter Weir to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Weir: For the second time today, I am willing to accept the nomination.

Mr Weir appointed Deputy Chairperson of the Committee for Employment and Learning.

Mr Speaker: Again, I call Mr John O'Dowd to select and nominate.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle.

Molaim Carál Ní Chuilín mar LeasChathaoirleach an Social Development Committee.

I nominate Carál Ní Chuilín as Deputy Chairperson of the Social Development Committee.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which she has been nominated?

Ms Ní Chuilín: I am.

Ms Ní Chuilín appointed Deputy Chairperson of the Committee for Social Development.

Mr Speaker: Again, I call the Rt Hon Peter Robinson to select and nominate.

Mr P Robinson: I select the position of Deputy Chairperson of the Committee for Education and nominate David Hilditch to hold that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Hilditch: I accept nomination as Deputy Chairperson of the Committee for Education.

Mr Hilditch appointed Deputy Chairperson of the Committee for Education.

Mr Speaker: I call Sir Reg Empey to select and nominate.

Sir Reg Empey: I select the position of Deputy Chairperson of the Committee for Agriculture and Rural Development, and I nominate Mr Tom Elliott for that position.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Elliott: For the second time, yes.

Mr Elliott appointed Deputy Chairperson of the Committee for Agriculture and Rural Development.

Mr Speaker: I call on Ms Ritchie to select and nominate.

Ms Ritchie: May I take time out for a few minutes, please?

Mr Speaker: Yes.

Ms Ritchie: I nominate Declan O'Loan as Deputy Chairperson of the Committee for Culture, Arts and Leisure.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr O'Loan: I am happy to accept the nomination.

Mr O'Loan appointed Deputy Chairperson of the Committee for Culture, Arts and Leisure.

3.45 pm

Mr Speaker: Again, I call on Mr John O'Dowd to select and nominate.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. Molaim Paul Butler mar LeasChathaoirleach an ETI Committee.

I nominate Paul Butler for the post of Deputy Chairperson of the Committee for Enterprise, Trade and Investment.

Mr Speaker: Is the Member who has been nominated willing to take up the office for which he has been nominated?

Mr Butler: Tá mé sásta glacadh leis an phost. I am willing to accept.

Mr Butler appointed Deputy Chairperson of the Committee for Enterprise, Trade and Investment.

Mr Speaker: That concludes the appointment of Chairpersons and Deputy Chairpersons of Statutory Committees. I am required by Standing Orders to ensure that all Members who do not hold ministerial or junior ministerial office be offered at least one Statutory Committee place. The Business Committee will consider the allocation of Committee seats when it meets tomorrow, and Committee membership will be published as soon as possible. The business of seeking the Assembly's approval of the membership of the Statutory Committees is listed in tomorrow's Order Paper.

Adjourned at 3.46 pm.

Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.

Health, Social Services and Public Safety

Swine Flu Review: Independent Chair

Published on Thursday 25 March 2010

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I am pleased to announce that an independently chaired review of the UK response to the 2009 H1N1 (“swine flu”) pandemic has been established. This review has been jointly commissioned, and the Chair appointed, by all four of the UK Health Ministers. The review will be chaired by Dame Deirdre Hine. The review team are situated within the Cabinet Office, which will lead the review with the full cooperation of all the UK Health Departments.

As part of the normal procedure following a major emergency response, the review will consider the effectiveness of the UK response to the 2009 pandemic and make recommendations to inform planning for any future pandemic. We expect the review team to conduct a paper review of all the key elements of the response and to interview key individuals involved. However, it will be for Dame Deirdre to determine precisely how she wishes to proceed.

The Chair will start work as soon as possible. In order that the review can inform future pandemic planning and to ensure that its findings are placed in the public domain as soon as possible, Ministers have asked that the review complete its work in time to publish a report before summer recess in any of the four nations of the UK.

I would like to take this opportunity to express my thanks to all of those who have assisted and advised on the response to the swine flu pandemic.

Office of the First Minister and deputy First Minister

Memorandum of Understanding and Supplementary Agreements

Published at 9.30 am on Friday 26 March 2010

The First Minister and the deputy First Minister (Mr P Robinson and Mr M McGuinness):

We wish to draw attention of Members to the presentation to the Assembly today of a revised Memorandum of Understanding and supplementary agreements (MOU) between the United Kingdom Government, the Scottish Ministers, the Welsh Ministers, and the Northern Ireland Executive Committee

The revised MOU supersedes Command Paper, Cm 5240, published in December 2001 and is the principle agreement between the UK Government and the devolved administrations of Scotland, Wales and Northern Ireland and sets out the principles which underlie relations between them. The MOU was most recently discussed at a meeting of the Joint Ministerial Committee (Domestic) in London on 10 March 2010 and agreed by the Executive on 25 March 2010.

The MOU provides for a Joint Ministerial Committee (JMC), which is the subject of a separate agreement in the MOU. In addition to the JMC agreement, three separate overarching Concordats apply broadly uniform arrangements to the handling of the Co-ordination of EU Policy Issues, Financial Assistance to Industry and International Relations. The MOU includes new arrangements setting out how the administrations will seek to avoid disputes and, where this proves impossible, how they will be resolved. We are committed to further work to improve this process particularly in relation to the final stage of this process where

a dispute remained unresolved. This will include consideration of the role of an independent chairperson.

This Memorandum is a statement of political intent, and should not be interpreted as a binding agreement. It does not create legal obligations between the parties.

We have a responsibility for promoting the devolution settlement, for ensuring effective working relations and good communication between the devolved administrations, and for helping to resolve any disputes which may arise. In the context of the MOU we will take firm action to ensure its effective operation to further develop good relations between all four administrations and seek to deliver positive outcomes for our devolved administration.