
Northern Ireland Assembly

Tuesday 18 May 2010

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

Members observed two minutes' silence.

Private Members' Business

Car Insurance Premiums

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

Mr Butler: I beg to move

That this Assembly expresses concern about the higher premiums that drivers have to pay for car insurance in comparison to drivers in other jurisdictions; and calls on the Minister of Enterprise, Trade and Investment to hold discussions with representatives of the insurance industry with a view to having insurance premiums brought into line with those in other jurisdictions.

Go raibh maith agat, a Cheann Comhairle — thank you very much, Mr Speaker. Committees have debated this issue a number of times, and Members have highlighted it in the media. Historically, the high cost of insurance premiums here was blamed on the conflict, or the Troubles, as some people call it. That is why we were hard done by in this part of the world. Other issues have been raised, such as people's postcodes, particularly in the Belfast area, where insurance companies charged people higher premiums than in other parts of the North. Crime in certain areas was also always brought up as a factor.

The Committee for Finance and Personnel has called for an inquiry. I sit on the Committee for Enterprise, Trade and Investment, and representatives from the insurance industry and the Law Society appeared before us to talk about the issue a number of months ago. The inquiry will try to unravel all the claims and counter-claims — to pardon the pun — between the insurance industry and the legal profession

about what is to blame for higher car insurance premiums in this part of the world at present.

In 2009, I wrote to the Association of British Insurers, and I was fairly shocked by its reply. I have the correspondence, which, obviously, I can make available to the inquiry. As far as the association is concerned, the legal system here is to blame. It did not mince its words. It said that lawyers and barristers milk the system and make huge profits, which means that insurance providers must raise car insurance premiums. To be fair to the Law Society, it rejects that accusation. It says that many claims are settled before they even get to court. However, there seems to be a huge, fundamental difference of opinion between the legal system and the insurance industry as to why claimants here get a raw deal.

Mr Beggs: Does the Member accept that there is objective, concrete information that shows that fees that are set for various injury claims in Northern Ireland are much higher than those in other parts of the United Kingdom and that, guess what, claimants have to pay for it? During a recent Public Accounts Committee hearing, it emerged that it is largely members of the legal system who set those fees.

Mr Butler: I am not here to defend the legal system. I take on board what the Member has said. As I said, I received correspondence from the Association of British Insurers, and I think that the legal profession has a case to answer. If it is contributing to a situation in which people get a raw deal, that needs to be addressed.

However, the situation is a wee bit more complicated. As I said, I am not here to defend the legal system. However, there is also, for example, the issue that the Law Society brought to the attention of the Committee for Enterprise, Trade and Investment concerning third-party capture, whereby insurance companies try to get their

clients to settle before they go to their solicitors, have medical reports carried out, and so on.

Claim management companies must also be factored into the discussion. They are a problem throughout the UK, and not just with regard to car insurance. Those companies are unregulated and make huge profits. On Monday 25 January 2010, Maggie Craig, a leading member of the Association of British Insurers, revealed in a letter to the 'Guardian':

"For every pound paid in compensation an extra 40 pence is paid in legal costs."

Furthermore, she stated:

"Legal costs are completely disproportionate and are paid for by everyone in society, whether it be British businesses and motorists having to pay higher insurance premiums".

Obviously, Ms Craig was speaking in the context of Britain. However, those claim management companies also operate here. The Committee for Enterprise, Trade and Investment received evidence that such companies make huge profits and are unregulated.

Therefore, all those issues must be taken into account as well as the historical background to the car insurance industry here and the perception that higher claims were due to conflict and car crime, which is euphemistically called joyriding.

Endsleigh Insurance produced a report showing that Belfast is one of the safest cities in these islands. I believe that that has been the case for eight years running. However, there is also evidence showing that people pay much higher insurance premiums in some parts of Belfast, particularly in the west of the city, such as in postcode area BT17.

It does not add up: on the one hand, research shows that car crime has been reduced and that Belfast is one of the safest cities in these islands; on the other hand, people are still being hard done by because of car insurance premiums. Some of the stuff in the Consumer Council's report, which considered people from rural and urban backgrounds and from low-income and high-income backgrounds, shows evidence, on every measurement, that people here are being hard done by.

There has been some welcome news in recent times. As we all know, many insurance

companies, when operating on comparison websites or advertising on the TV, state that offers that apply in the UK do not apply to Northern Ireland. Quite rightly, people were getting annoyed about that. I think that there has been some change in that in recent times, and those insurance companies are now offering their deals here.

A comparison was made with Britain, where people have a choice of about 60 insurance companies, so they can shop around; whereas here, there are only 15 companies. That increases car insurance premiums.

Hopefully, all parties will support the motion and try to do their best. We should see what the Assembly can do, through the Minister and the Executive, with the car insurance industry and with the Law Society, which, as Roy Beggs pointed out, has a part to play. If legal costs, compensation and the legal system here are contributing to higher premiums, we must look into them. Claim management companies should also be considered. If they are unregulated, concerns are immediately raised about what profits they are making and whether they are contributing to the high cost of insurance.

Sin a bhfuil le rá agam. Tá súil agam go mbeidh gach duine sa Tionól ag tabhairt tacaíochta don rún seo inniu.

Mr Craig: You will be glad to hear, Mr Speaker, that I support the motion.

The Consumer Council report on insurance premiums that was published just a few weeks ago found that Northern Ireland was badly disadvantaged with regard to competition and pricing in the insurance industry. In fact, the report indicated that, on average, we were paying £282 more for car insurance than people in the rest of the UK. One has to ask why the gap is so large.

I note that the motion calls on the Minister of Enterprise, Trade and Investment to hold discussions with insurance companies about greater competition. I welcome that, because one of the anomalies in Northern Ireland is that although a number of named companies hand out insurance in Northern Ireland, in reality there are only four main backers of those companies. There is a restriction that anybody who watches the insurance advertisements on television will be fully aware of: the exclusion stating that an offer does not apply in Northern

Ireland comes in far too often. There is an unfair disadvantage in Northern Ireland when it comes to competitiveness in that market.

However, the issue does not rest solely with the Minister of Enterprise, Trade and Investment; it is also an issue for the Minister of Justice. The report highlighted the fact that the cost of the legal process here is much higher than anywhere else in the United Kingdom. For example, the method of calculating payment for legal representation in Northern Ireland is different from that in England, Wales and Scotland.

Legal representatives here are likely to get more money for their work than those in England and Wales. Personal injury claims and claims for damages as a result of road traffic accidents are excluded from the small claims court in Northern Ireland.

10.45 am

Mr Spratt: Does the Member agree that there is a culture in Northern Ireland of making what might be classified as fraudulent claims, where accidents are set up in certain areas and personal injury claims are made as a result? Does he also agree that that increases the pressure on insurance companies in the Province? Furthermore, does he agree that the Police Service and the Department of Justice should attempt to get on top of that?

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

Mr Craig: Thank you, Mr Speaker.

I concur with those comments. Clear evidence exists that fraudulent claims are being made in certain areas of Northern Ireland. One has only to look at the figures for all types of claims by geographical area to recognise that a pattern is developing in some areas. Those claims must be investigated and dealt with.

We must question why road traffic accidents are not dealt with in the small claims court. That is an obvious issue that the Minister of Justice should look at.

The amount of compensation that is awarded in Northern Ireland is much higher than elsewhere in the UK. Someone who suffers a severe neck injury in Northern Ireland is likely to get between £30,000 and £265,000 in a claim. In comparison, someone who suffers the same type of injury in England or Wales is likely to

get between £14,500 and a maximum of £86-odd thousand. Therefore, that is a massive difference for insurance companies to have to pay out, and it leads me to ask why there is such a huge difference between the amounts awarded for claims in Northern Ireland and those elsewhere in the UK. Therefore, there is plenty of work for the Minister of Justice and the Committee for Justice to look at.

The report also found that people in Northern Ireland are more likely to make a claim than those in the rest of GB. No matter how often I went to America years ago, I always had to remind myself of how everything that happened there was quickly followed in Northern Ireland. The claims culture has, unfortunately, followed us here from America. We need to take cognisance of that, because the more claims, the higher the insurance.

I accept that insurance companies have a role to play in offering more choice in Northern Ireland. Given that some of those wonderful television adverts for car insurance often exclude Northern Ireland, I advise people to look at some websites, because I can attest to their competitiveness. One such website is advertised by a little furry Russian animal; I am not going to advertise for it, but we all know which one it is. I deliberately used such a site last year for my car insurance, and I was amazed to find that I was able to get the same insurance cover for 40% less than the previous year's price. I am one of those people who normally shops and phones around for insurance, and the good news for people is that there are tools that they can use to drive down their insurance costs. However, the Minister of Justice and the Minister of Enterprise, Trade and Investment have a role to play in addressing that issue.

Mr Speaker: The Member's time is up.

Mr Cree: I, too, thank the Members who tabled the motion for raising this important issue. Households in Northern Ireland have been paying excessive amounts for vehicle insurance for far too long, while the cost of such insurance in GB has remained consistently lower. Last year, a Consumer Council report detailed that Northern Ireland customers are paying an average of 84%, or £282, more than those in Great Britain. Although it is understandable that the cost of some services, such as legal services, may differ between regions, I feel that the Minister of Enterprise, Trade and Investment

and the Department of Finance and Personnel must seriously scrutinise whether more costly services justify the massive scale of differential in premiums between Northern Ireland and GB.

The real reason for the price of our insurance premiums is more complex than higher legal costs. A key factor may be lack of competition in the market. Some Members have already referred to the fact that our TV screens are flooded with insurance companies offering affordable insurance, only to be followed by that all too common tagline, "Not available in Northern Ireland". When the Consumer Council looked into the issue further, it found that there are only 15 insurers offering quotes to people in Northern Ireland, while in GB the figure is 51. The highly restricted lack of competition in the Northern Ireland insurance market means that the industry is rarely compelled to lower its prices. Occasionally, our insurance market is given a boost, such as last month, when the Ulster Bank announced that it was entering the field. Unfortunately, on the downside, the situation with Quinn Insurance means that the industry has contracted even further.

Young people in particular suffer because of the limited insurance market. It is regrettable that many young people, especially young males, are forced out of the market by premiums that are often well over £1,000 for one year. Sometimes, the premium is even higher than the value of the vehicle. Unfortunately, unrealistic choices such as that make it only too tempting for some young people to drive without insurance, which should certainly not be permitted.

As was touched upon by the Member who spoke previously, insurance fraud is one aspect of vehicle insurance that should be given significant attention. Insurance fraud is not a victimless crime. On average, honest motorists have to pay an extra £44 for their annual premiums. I am glad that, in recent years, insurers have ramped up their efforts to weed out cheats. However, the more sophisticated the methods that insurers use to track them down, the more sophisticated the schemes that are developed by the fraudsters.

It is not only higher premiums that insurance fraudsters inflict upon the people of Northern Ireland. Another, more sinister, threat that drivers face is being physically caught up in a scam through no fault of their own. Some fraudsters have absolutely no regard for the

safety of other road users and will intentionally cause road traffic accidents, particularly at roundabouts, so that they can blame the innocent parties and submit large claims.

Despite more and more people shopping around our, albeit limited, market online and, ultimately, buying their premiums online, Northern Ireland still faces rising motor insurance. Unfortunately, there is little that the House or the Minister can do quickly to rebalance the prices that people in Northern Ireland pay for insurance. However, it would undoubtedly be worthwhile for the Minister to hold discussions with representatives of the insurance industry, with a view to bringing our insurance premiums into line with those in the rest of the United Kingdom.

In conclusion, I support the basis of the motion. However, I stress the need for the Minister to look at all relevant avenues to ensure a competitive insurance market in Northern Ireland.

Mr Dallat: I support the motion in the expectation that it will bring about a radical rethink of how insurance companies treat people in the North. It has been clear for many years that the market in Northern Ireland is not competitive and people are discriminated against. The insurance market is not a level playing field and the existence of exclusion clauses, as was referred to, run contrary to the concept of insurance, which is the spreading of risk.

The insurance trade does not have a glorious history. The idea of pooling risks began in Edward Lloyd's coffee house in London in 1688. Among the coffee drinkers was a growing band of ship owners who, although they were making their fortunes running slave ships, were frequently losing their vessels on the high seas. Those vessels of death needed insurance, and so the principles of insurance were developed by the great and the good who went to Edward Lloyd's coffee house.

Thankfully, the slave trade is no more. However, it seems that insurance companies that operate in the North are still not squeaky clean and are not prepared to spread or to share the risks. Interestingly, those insurance companies are involved in cherry-picking. There should be concern in the Department of Enterprise, Trade and Investment that everything is not rosy in the garden. With Quinn Insurance no longer trading in the North, the situation has become even more serious.

There is a real opportunity for the Assembly to seriously challenge the insurance industry to take a look at how premiums are calculated. It should look not only at how regional variations are calculated but at how individual groups are paying over the odds. For example, young people, who have already been referred to, are perceived to be a bad risk and have their premiums loaded from day one in the expectation that there will be claims. There is no incentive for young people to drive carefully and to avoid claims. The premiums that young people have to pay make no contribution to road safety and smack of the stick rather than the carrot.

People who live in working class districts are discriminated against because of their postcodes. In some cases, it is possible to find people who live one or two miles apart but pay substantially different premiums. That is wrong.

The principles of insurance that I mentioned earlier are fine. The concept of the pooling of risks is clear, and insurance companies are entitled to a profit in return for sharing those risks. However, the companies are not entitled to rip off policy holders because they live in Northern Ireland, they happen to live in a particular postcode or they happen to be young.

The motion calls for discussion with representatives of the insurance companies, with a view to bringing insurance premiums into line with those in other jurisdictions. I hope that the Minister will go a lot further and legislate to outlaw the kind of discrimination that is taking place and encourage the insurance industry to be more progressive and less regressive in how it handles its business.

As has been mentioned, there are issues involving compensation for personal injury, legal fees and false claims. In addition, a very high number of vehicles are not insured at all. All those factors influence premiums, but they are no reason for accepting the present system, which is clearly discriminatory.

A number of Members talked about getting their insurance quotes online. I have had the same broker for the past 40 years, and he provides me with an excellent service. I strongly recommend that people to go to their local broker for the best advice on insurance. I have never found my broker wanting. The brokers are not the problem. The problem is the insurance companies and how they operate.

Mr Lunn: I am really glad that Mr Dallat finally mentioned insurance brokers. I am a former insurance broker, and I am going to swim against the tide a wee bit on behalf of my professional colleagues from three years ago.

The Consumer Council report has been much referred to. I was at the launch of that report, along with a number of brokers and insurance professionals. I do not want to be unkind to the Consumer Council, but the general description of the report was that it was rubbish.

The report's strapline was that all consumers here pay much more for car insurance. That is not right. The report said that consumers here were quoted £282 more than average comparative consumers in Great Britain. I would love to know what an average comparable consumer in Great Britain is, because Great Britain is covered by postcodes as well. Neither Member who mentioned that figure went on to say that the same report stated that consumers could save £267 by shopping around. Therefore, although quotes were £282 too high, one could save £267 of that by shopping around. The report should have referred to best prices rather than median prices or the highest prices.

Mr Neeson: Does the Member agree that the level of competition among insurance companies in Northern Ireland is not as great as it is in other parts of the United Kingdom?

11.00 am

Mr Speaker: The Member has an extra minute added to his time.

Mr Lunn: Thank you. The figure of there being only 15 insurance suppliers for Northern Ireland was mentioned. That figure is taken from the Consumer Council report and is also rubbish. The Consumer Council took its statistics and figures from only one Internet site, Moneysupermarket.com, which does very little business over here and does not quote any Lloyd's insurers, broker schemes, Direct Line or any direct insurers. The report is, therefore, completely erroneous in its conclusions.

The best premiums in this country are, as Mr Dallat confirmed, available through brokers. The Consumer Council report acknowledged the fact that 49% of all motor insurance in this country is done through brokers, but it did not ask any brokers for a quote. That is absolutely crazy. The figures were 49% through brokers, 49% direct,

14% through banks and 10% on the Internet, and the Consumer Council relied on Internet prices. Does it really think that the Northern Ireland public are so gullible that they cannot shop around to that extent and come up with the conclusion that brokers are providing the best service?

I ran a few quotes just yesterday for my own interest. I tried to compare the Northern Ireland price with a comparable area across the water. It is not an exact science, but I will give Members a flavour. I compared Coleraine with Oxford. They are both commuter towns; one is a bit bigger than the other. The Northern Ireland price for an average risk for a Ford Focus or similar through Moneysupermarket was £335. The best price available through just one broker was £268. The Oxford price was £334.

A lot has been made of young drivers and their problems. I acknowledge that young drivers have to pay a lot of money in this country. There is a reason for that: they have lots of claims. However, let us take a quote for a 23-year-old with two years' no claims bonus in Coleraine and compare that with an address in Leatherhead in Surrey, which, like Coleraine, is a pleasant, semi-rural small town. The Coleraine price was £524, and the price in Surrey was £529. I could go on and cite a lot of examples. I am not saying that we are cheaper than the UK, but the notion that we are wildly more expensive is absolutely misplaced.

When he proposed the motion, Paul Butler mentioned the Troubles. During the worst of the Troubles, there was reluctance by some insurance companies to come over here. I know of at least one that withdrew because of fraudulent claims, which one Member mentioned. It is very difficult to come up with a rate if people are going to crash cars full of people into brick walls deliberately, and that is what was happening. The main company operating the third party capture system, about which Jonathan Craig spoke, was Quinn Insurance, and it is not doing that now.

With regard to postcodes, there are postcodes in inner Manchester, Glasgow and Birmingham that are treated more harshly than inner Belfast. I just wanted to set the record straight. As for that business about there being only 15 insurance suppliers in Northern Ireland, the quotes I did yesterday were through just one broker, and there are lots more.

Mr Speaker: Will the Member bring his remarks to a conclusion?

Mr Lunn: One came up with 36 quotations. They all had over 30 quotations. There are far more suppliers than the Consumer Council quotes. I could go on, Mr Speaker, but you are not going to let me.

Lord Morrow: In general, we support the motion, although it has a degree of vagueness. It states:

"That this Assembly expresses concern about the higher premiums that drivers have to pay for car insurance in comparison to drivers in other jurisdictions".

I am not sure what that means. I do not know whether it is talking about other regions of the United Kingdom, other regions of Europe or the Irish Republic or what is being compared.

I was interested to hear what Mr Lunn had to say about the Consumer Council. He told us that he did not want to be unkind to that organisation but its report was pure rubbish. If that is not being unkind — it smacks of unkindness — then I wonder what is his definition of unkindness. I do not want to take away from Mr Lunn's sincerity, because I have no doubt that he put a lot of time and thought into studying the matter. He is a former insurance broker and comes to the debate with considerable knowledge that the rest of us may lack. However, I am sure that when he read the Consumer Council's report he was on the phone quickly or that he could trace correspondence to that organisation in which he said that the report was unadulterated rubbish and that it was time that it was withdrawn.

Some of us have been leaning on that report to get some facts and figures, but now we are told that we are dealing with a bundle of rubbish. The Committee for Enterprise, Trade and Investment should, perhaps, write to the Consumer Council and challenge it on its rubbish report. Mr Lunn is nodding; he is ready to lead the charge, which we welcome.

The fact remains that insurance premiums in Northern Ireland seem to be much higher than those in other regions of the United Kingdom. That is an issue that the Assembly is right to speak out against, and it must be addressed. Other Members made the valid point that, although colourful advertisements often appear on television here, the small print shows that the offers do not apply to Northern Ireland. That

is outrageous and should not be so. However, that is the position in which we find ourselves.

We all know about the Quinn Insurance situation, which is a regrettable one. Quinn Insurance played a valuable role; it made a valuable contribution to the insurance industry and to consumers in Northern Ireland. Again, I detect that Mr Lunn is not overimpressed by that either. I do not know whether he is just having a bad day or is going to knock all and sundry. I hope and pray that Quinn Insurance gets over its problems because it is a valuable contributor in Northern Ireland.

Mr Lunn: I will provide clarification for the Member. When I was a broker, I did business with Quinn Insurance. During the Adjournment debate on that company's situation on 20 April 2010, I expressed the same thoughts as the Member. I said that I hoped that Quinn Insurance would recover, whether under present management or new management, and continue to do business. However, it was distorting the market, especially in relation to car insurance.

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

Lord Morrow: I thank Mr Lunn for making the point that he is not as cross about Quinn Insurance as he appears. He just looks cross, and that is fair enough. I know that he wishes that company well.

There is something fundamentally wrong with the cost of insurance premiums here. That must be addressed, irrespective of how sceptical some of us may be. Some of us are tagged as sceptics from time to time. However, it is a fact that — I say this with a health warning for Mr Lunn — the then chief executive of the Consumer Council said that we were paying 84% more for car insurance here than our counterparts in GB. When I read such reports, even if they are not totally accurate, I find it difficult to accept that the figures contained could be out completely. Even if the 84% figure is not correct, it is proper to assume that there is considerable disparity between the cost of premiums in Northern Ireland and those in the rest of the United Kingdom. We need to know the reasons for that disparity. I also accept that, perhaps, the high claim culture that exists has played a part. However, if that is the case, we need to know about it.

One other aspect that concerns me greatly is that it appears that rural dwellers are paying a higher premium than urban dwellers. People who happen to live in Fermanagh and South Tyrone, which I do, will in all probability pay higher premiums than those who live elsewhere in Northern Ireland. That is totally unacceptable. People who live in rural areas are being penalised.

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

Lord Morrow: I will, Mr Speaker. People are already being penalised because of the lack of a good bus or train service, and startling figures now indicate that our premiums are more expensive. Something is fundamentally wrong. We support the motion.

Ms Anderson: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak in the debate. The issue of higher premiums has been raised with me in my Derry constituency, where there continues to be a lack of affordable insurance across the city. I thank my fellow signatories to the motion and congratulate the members of the Committee for Finance and Personnel on their recent decision to investigate the high cost of insurance here. This is exactly the kind of bread and butter issue that many people across the North want to see the Assembly debate.

The Consumer Council is a valuable organisation, despite what Trevor Lunn says. Many of us have referred to its research in the past and will probably do so in future. However, whatever Trevor's view is, the Consumer Council's research report clearly indicates that there is a serious —

Mr Lunn: I did not say that the Consumer Council is a rubbish organisation. I used that word to describe its report. The Consumer Council does good work, and I hope that the Member accepts that.

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

Ms Anderson: Go raibh maith agat, a Cheann Comhairle. The Consumer Council does excellent work, and most Members value its reports. A Member who regards a report produced by a particular organisation as rubbish could be implying that that organisation is not up to standard. It is up to Mr Lunn to deal with the Consumer Council on that point.

I read the Consumer Council's research report, which highlights the fact that there is serious inequality in how insurance customers in the North of Ireland are treated. The report states that people here pay almost 84% more on average for car insurance than people in England, Scotland and Wales do. That is almost £300 a year. As Maurice Morrow said, the hardest hit are drivers in rural areas, as well as those in low-income areas. We are concerned about that.

Research that Endsleigh Insurance Services carried out indicates that Belfast is one of the safest areas in the North. However, the Consumer Council research states that a middle-aged driver in an affluent area of Belfast will pay somewhere in the region of £533 a year compared with £329 for someone in Glasgow, while an employed middle-aged motorist who lives in a low-income area of Derry will pay £605 compared with £431 for someone in the north-east of England. That is if the driver is lucky enough to get insurance in the first place, as many companies refuse even to consider customers from the North.

There is also internal discrimination. We witnessed that last year when a leading insurance provider here effectively blacklisted parts of Derry and of north and west Belfast. I will not name the company, but I think that it should reconsider its decision.

Many others simply cannot afford the premiums and, as a result, are forced off the road. Members have probably met people in their constituency who cannot afford the premiums and have been forced off the road simply because of where they live. The insurance industry will argue that premiums are higher here because compensation payouts tend to be higher in the North. There may be some truth in that, and it may be something that needs to be debated in the context of the new policing and justice arrangements. However, it is also clear that costs are disproportionately high, and it is hard to escape the conclusion that the insurance industry is using compensation payouts as an excuse to ramp up premiums.

11.15 am

Furthermore, the Consumer Council's valuable research debunks the myth that there is a claim culture in the North or that people who live in west Belfast or in the west bank in Derry, for example, are more likely to be victims of car crime. Jimmy Spratt is not in the Chamber, but

he should revisit some of what has been said on the issue. The people who have looked into the matter point out that the levels of theft and accident here are not significantly different to those elsewhere. Consequently, it is unlikely that there is a higher incidence of claims. A number of issues must be dealt with, and the insurance industry has questions to answer.

It is unacceptable that customers in the North are overcharged and discriminated against. The operation of the system must be reformed, and today's debate will perhaps lead to some consideration of such reform. There must be a level playing field for all in our society. The Committee for Finance and Personnel's inquiry and the talks for which the motion calls will be useful steps towards achieving that. I welcome the support of Members who said that they will support the motion. As I am not sure whether the Alliance Party will support the motion, perhaps that party would clarify its position.

Mr Shannon: I support the motion. It is a timely motion, as demonstrated by the fact that literally hundreds of constituents have contacted me about the issue. I have written to people about it and spoken to those responsible. Car insurance is much more expensive in Northern Ireland than on the mainland, and that anomaly must be addressed.

I am aware of students from my area who live and study on the mainland and use their mainland addresses to get insurance premiums at the cheaper rates available cross the water. That is just one example of what is happening, and I suspect that Members around the Chamber will be aware of students from other areas who are in a similar situation. I was annoyed but not surprised to read in the Consumer Council's report that car insurance costs Northern Ireland motorists collectively some £136 million a year more than if they lived elsewhere in the UK.

The same watchdog report claims that companies here can charge £300 extra for annual cover. What is the difference between the costs faced by insurance companies in Northern Ireland and those across the water? Most families have two cars and, therefore, pay an extra £600. That is equivalent to a full year's rates bill for a semi-detached property, which puts the potential savings into perspective. I have put on record my opposition to a postcode lottery for DARD funding. I am no less opposed

to insurance companies discriminating on the basis of a BT postcode.

The Kinsoomer Council has highlighted that drivers in rural and low-income areas are paying the pay over the odds. Again the postcode lottery wroughtin against yins in my baile-wick whau er already payin enough wi'oot this. Ae ken o yin yung havn in my baile-wick whau was aykt tae pay alminist £2,000 fer a five-yeer-oul Corsa a cans he leaved doon the peninsula. Tha car was only worth £1,500, an he havd bin drivin it fer fivour years. Shairly this disnae mark sense tae oanyin. Little wunner that alminist a third o local fook canny afford the insur their cars.

The Consumer Council highlighted the fact that drivers in rural and low-income areas have to pay over the odds. Therefore, once again, the postcode lottery works against those in my constituency and other constituencies who are already penalised enough. I know of one young man in my constituency who was asked to pay insurance of almost £2,000 on a five-year-old Corsa because he lives on the Ards Peninsula. The car was only worth £1,500, and he had been driving it for four years. Surely that does not make sense to anyone. It is little wonder that almost one third of local people cannot afford to insure their cars.

Members have highlighted four reasons for the higher than average price of car insurance in Northern Ireland: car thefts in Belfast; the high number of car accidents that lead to claims against Northern Ireland car insurers; large payouts for personal injury claims; and lack of competition in the local insurance market. The relevant Departments are dealing with those matters one at a time. The PSNI is clamping down on car theft, and the courts no longer award such large claims for whiplash and so forth. Most of the problems arise because the insurance companies profiteer from the lack of competition locally, and DETI is involved in dealing with that.

I read that, on average, consumers can save as much as £167 a year by shopping around. In my constituency, a school of motoring offers the Pass Plus scheme, and it teamed up with Hughes Insurance, which is based in Strangford but serves the whole Province. For only £65, the scheme gives new drivers experience, additional skills and the ability to respond to accidents or potential accidents. It gives experience of motorway driving, responding to

skids and driving on busy roads. All-round skills are honed and improved. The basic benefit is that, when someone passes the driving test, he or she qualifies straight away for an insurance reduction that makes it all worthwhile. If we had more initiatives such as this one, it would help to cut costs and, more importantly, possibly reduce the number of accidents. I encourage other Members to ascertain whether similar schemes exist in their constituency, and perhaps they could pursue the issue. I encourage young drivers to be confident and to expand on the skills that they acquired from the regular driving test.

I am sure that I am not the only parent to have worried about night-time driving and so forth after a child first passes the driving test. We need to take some of the financial strain off parents as well as some of their problems and concerns. The Minister is not here today, but I know that she and her Department take seriously their role in making the lives of people in the Province a little easier. She has played her part and will continue to do so, and she will liaise with private companies on behalf of the people of the Province. She can help in this area. I support the motion and urge Members to do likewise.

Mr Beggs: I also welcome the debate. It is good to air our concerns on the matter, because we all complain about expensive insurance claims. As individuals, what are we doing about the issue? What are we doing collectively as an Assembly? We all have a role.

The Consumer Council rightly points out that, as individuals, we can shop around, and competition could force down prices. There is the issue of postcodes. No business will invest in loss-making sectors or provide insurance for an area in which there is a high expectation of crime or fraudulent claims. Therefore, as a society, we must report people who abuse the legal and insurance systems and pass relevant information not only to the insurance industry but to the police because it is fraud. As individuals, we have a responsibility to do that. If we want to avoid carrying extra costs, we must try to drive down the number of fraudulent claims.

Mr Butler: Will the Member give way?

Mr Beggs: I will give way later.

I now turn to the role of the Assembly. A recent Public Accounts Committee report investigated

the management of personal injury claims by DRD's central claims unit. It indicated that some 80% of costs, approximately £4 million, are due to tripping injuries. The claimants' legal costs totalled some £1 million, approximately 20% of the costs. Interestingly, the legal costs increased by 50% over the past 10 years — four times the rate of inflation — despite the fact that the costs had originally been higher than comparative costs elsewhere in the United Kingdom. I agree with Mr Craig that, where possible, decisions should be taken out of the County Court and be more appropriately dealt with in small claims courts. That would avoid high legal costs

Who agreed to increase the legal costs?

Paragraph 23 of the Public Accounts Committee report, which was published less than a month ago, states that the costs are based on the County Court fees scale:

"This is set by the County Court Rule Committee, which consists of solicitors, barristers and judges, in consultation with the Law Society and the Bar Council. Fee scales have statutory authority under legislation made by the Lord Chancellor, whose functions in Northern Ireland are carried out by the Northern Ireland Court Service."

Given that policing and justice powers have been devolved, the Assembly has the power to adjust those fees. If we want to reduce insurance costs, we should take action on legal fees.

Compensation incurs additional costs in Northern Ireland. That matter is now also within our remit, and we can act on it. I refer Members to the Northern Ireland Audit Office report 'The Management of Personal Injury Claims' of July 2009. Figure 4 on page 41 of that report states clearly that, regardless of whether injuries are very severe or moderate, compensation levels here are about 100% higher than in other parts of the United Kingdom. Guess what? If more compensation and higher legal fees are being paid, insurance costs go up, and we all pay for that.

I took the trouble to investigate how those fees were determined. As a footnote, the Public Accounts Committee report states that the Judicial Studies Board for Northern Ireland monitors compensation awards and keeps judges up to date on legal developments. The membership of the board is drawn from the Northern Ireland judiciary, and appointments to it are made by the Lord Chief Justice. A look at the board's website reveals that appointees include

the director of the legal system, the current chairman, the Right Honourable Lord Justice Higgins, other members of the judiciary and members of the legal profession. Therefore, we allow compensation levels and fees to be largely determined by those who regularly work with, associate with or may have trained with those who will directly benefit with respect to their fees or their fees as related to the compensation that their clients win. If we want to reduce our insurance claims, there is a clear role for us to take action ourselves. Let us not just moan and complain about it, let us take action.

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

Mr Beggs: If we are serious, if we want to drive down the cost of insurance in Northern Ireland, we must take responsibility and act on our own behalf.

Mr O'Loan: I apologise for not being here for the start of the debate. I was chairing a meeting of the Standards and Privileges Committee, so I hope that I do not simply duplicate remarks that have been made by other Members. I strongly support the motion, and I think that it is good that we are looking at this issue and that other sections of the Assembly are strongly minded to take it further.

Evidence from the Consumer Council that consumers here were quoted premiums that were on average £282 or 84% more than those quoted for comparable consumers in other UK regions shows that the issue deserves to be treated as a very serious problem.

Mr Lunn: I am sorry to harp on about this, and I thank the Member for giving way. The Consumer Council report states that, on average, people were quoted £282 more but could save £267 by shopping around. Surely, the best premium quoted should be used for comparison.

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

Mr O'Loan: Thank you. I had intended to address that point anyway, irrespective of Mr Lunn's intervention. I will come to that.

The Consumer Council also tells us that the difference is even greater for consumers in rural and in low-income areas. If we look at the Consumer Council's analysis of why this is happening, we see that it makes Mr Lunn's point: consumers could often save a

considerable amount by shopping around. The council quotes a figure of £267 on average, so one might say, as Mr Lunn has, that those two amounts balance out. However, that does not make complete sense to me. It would do so only if one were to assume that Northern Ireland consumers do not shop around in the way that others do. I am inclined to the view that car owners in other parts of the United Kingdom that are being compared with Northern Ireland in the study shop around in a pretty similar way. On looking further, the Consumer Council states that there is no clear evidence on that point. and it clearly requires further inquiry.

The Consumer Council asks, properly, whether there are barriers to competition. There is clear evidence that there are fewer insurance providers in Northern Ireland. Whether that means that the environment is not sufficiently competitive is not fully clear. The council addresses the important question of whether there are anticompetitive practices. We have no absolute evidence around that, but we need to answer that question.

To the question of whether claims costs are higher in Northern Ireland, the answer is an absolute yes. When one reads that Northern Ireland is responsible for 5.4% of the total payment value on claims but that only 2.6% of cars are registered here, it must be said that there is something very different about Northern Ireland.

11.30 am

On the question of whether the cost of the legal process is higher in Northern Ireland, the Consumer Council tells us that different advice is given by the Law Society and the Association of British Insurers, but I will come back to the Association of British Insurers in a moment. That conflict needs to be resolved. The Consumer Council asks whether compensation levels are higher in Northern Ireland, and the answer is a clear yes — they are higher in Northern Ireland than in England and the Republic of Ireland.

The Association of British Insurers says that there is no fundamental bias against the Northern Ireland property and motor insurance markets. My reaction is, they would say that, wouldn't they? Therefore, I certainly do not take that at face value. The assertion is that premiums in Northern Ireland are affected by the high costs of its legal system. The association offers five ways in which the system

here is different. Property damage claims have to be dealt with in the County Court system, and there is a low small claims limit of £2,000. Indeed, I tabled a question today to the Minister of Justice about that. The system of scale costs here is such that the same costs are payable, whether a claim is £100 or £1,000. The level of damages that are awarded for personal injury claims is higher in Northern Ireland, and over 60% of claims are settled out of court in Northern Ireland, compared with 96.5% in England and Wales. All those points need to be taken seriously, but I do not accept at face value that there is not a question to be answered by the insurance industry here. It has a very serious question to answer.

I am very surprised that this matter has not been addressed after all these years. I congratulate the Consumer Council on bringing it to the surface again, because it has been many years since we heard very convincing evidence on the point that insurance premiums here are unreasonably high. In the interests of their constituents, every Member of this Assembly ought to seek an answer to that issue.

I welcome the work that the Committee for Finance and Personnel has done. I was not able to attend the session during which it took evidence from the Consumer Council, but I welcome the assertiveness on the part of the Committee, particularly Mitchel McLaughlin, in demanding an inquiry and in saying that the Committee is prepared to take the lead. A number of different Committees and the Minister of Justice, because of the legal issues, may be involved, but let us resolve the issue of who will take the lead and exactly how we will conduct the inquiry that is needed.

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

Mr O'Loan: Our constituents deserve the assistance of the Assembly in resolving the issue.

Mr Bell: This issue is a concern for many of us across the House. Given its significance, I welcome that Members have brought the debate to the House today. The evidence base very clearly points out that those who are at the most disadvantage are those who are on low incomes. A Consumer Council report from 2007-08 gives the staggering statistic that 58% of households that have car insurance live on less than £11,500 a year, which that means that 42

out of every 100 of those households do not have car insurance.

The issue for many of us is that we have to change the culture that has allowed people to think that they can take a chance and drive a car without being insured. They also think that they can get away with it because they are on a rural road on which there is not much activity. However, my constituency of Strangford has a number of villages, and access is an issue. Someone who lives in Portaferry, for example, can use the ferry, but for many young people who live in places such as Kircubbin, Cloughy or Ballyhalbert, it is imperative that they have personal transport. Public transport is not bad, but it could be improved. However, if many of those young people are to have real employment opportunities and are to give themselves a fair chance and an even playing field, they have to have some form of personal transport.

We hear of young people who are starting out on what is basically the minimum wage and of how they are told that if they want to pick up a car and tax and insure it properly, it will cost them between £1,000 and £2,000 to begin with. Many such young people come to see me, and they are looking at all sorts of initiatives to see whether they can be added to their mother's or father's policy. The fine print may state that they are allowed to drive only so many miles, but they wonder whether they should take a chance and use that vehicle as their main car.

All those issues create barriers and difficulties for young people. In Northern Ireland, we are caught in a vicious circle, because we pay, I think, up to 39% — up to four times — more for car insurance, but we have three times less choice. The longer that goes on, the worse that cycle becomes.

We need to look at Internet access. Although the situation is improving, the base of people in Northern Ireland with access to the Internet is lower than in many other places. In my constituency of Strangford, for a host of reasons — some cannot afford it or have not got around to installing it — many people must come to the library in Newtownards to use the Internet. Some of them drive 15 or 20 miles. For them and for older people, shopping around for insurance quotes on the Internet is not as easy as it is for many. Bear in mind that more than 60% of the population in England, Scotland and

Wales have access to the Internet, whereas in Northern Ireland, that figure is just 52%.

Another critical point is that insurance premiums must be brought down because of reduced car crime. I pay tribute to many of the social workers whom I worked with before coming here. They worked with young people to successfully reduce car crime through therapy, restorative justice programmes and the Youth Justice Agency. In addition, the police specialist car crime units have done good work on the ground. We have to be careful not to pull successful units away from reducing car crime, because we do not want to go back to the bad old days.

As Mr O'Loan said, to prevent unfair monopolies and to encourage competition, we must be constantly vigilant and continue to monitor the situation. If there is substantial evidence that we are being disadvantaged through some sort of cabal, we must address that problem head on. We want fairness.

I would like to conclude by saying that my colleague from Strangford may be going to London, but Strangford will always be in his heart.

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

Mr Bell: I have just two more sentences, Mr Speaker. I appeal to young people to take the advanced driving test. They will get an immediate reward for doing that.

Mr McHugh: Go raibh maith agat, a Cheann Comhairle. I agree with the Member's final point that taking the advanced driving test helps young people greatly. I welcome the opportunity to speak in support of the motion, and I thank members of the Finance Committee for tabling it.

The cost of insurance is an age-old problem, which, over the years, has not improved. I hope that this will not end up like many of the motions that we debate, whereby, 12 months or three years later, whatever conclusion we reach seems to make no difference, and there has not been the slightest change.

For most people, insurance premiums are about one thing only: cost. The percentage differential between insurance premiums here and what others call the rest of the UK, or anywhere else, is profound. Members said that we should do something about that. Let us see whether we, or others, are right. If a change needs to be made, it must happen on the basis of fairness.

As with many things that we have to pay for here, this area is often abused. When it comes to car theft, we are in the same category as places such as London. That harks back to the 30 years of war, when cars were stolen for all sorts of reasons. Now that we are in new circumstances, attitudes have not changed one iota, and we are still being hammered. Certain areas are still being marked down, and that needs to change.

On the subject of theft and gang crime, every week, particularly on Sundays, professional gangs go around the countryside, casing areas for farm machinery, cars or household items that they might steal. Society and policing must think about how they want to police their areas. Those areas cannot be policed by officers on the beat. That is out of the question, because they just cannot cover the area. However, there are things that people in local areas can do to look after themselves. People should not allow people to drive around in white vans at their ease, because that is what is happening, and it is driving up the price of insurance for everyone, along with all the hassle that people have to suffer because they have been allowed to operate in the first place.

I must mention Quinn Insurance because the situation around it proves a number of things. If Quinn Insurance was able to set its premiums so low, and it was still a profitable enterprise, it goes to show the kind of exorbitant prices that were being asked for and being paid. The payouts and claims at the other end of the scale are also exorbitant. Those who have been in the business for a long time and who are set in their ways of claiming, including solicitors, are claiming higher payouts. The start premium for young people is proof that something is wrong. The fact that Quinn Insurance has been removed from the UK and NI market will raise prices for everyone. The premiums reset have ranged from £1,700 to £6,000 for commercial vehicles, and they have more than doubled for cars. That gives us an idea of what people will have to pay.

It has been pointed out that the car is an absolute must for some young people, especially for those in rural areas who have jobs elsewhere. People can say that public transport is good. However, it is not good in rural areas. It is non-existent for most of us. Therefore, young people must have cars. Perhaps we should ask whether those young people are insured. The

recent incident in which someone fell ill abroad proves that unless people read the small print and dig deep into the wording of their insurance policy, they may find that they are not insured when they hit the wall properly — pardon the pun.

Young people are driving cars that are insured under their parent's name. They are driving to Belfast, and they are not insured for that journey. The young person should be the main driver, and they have not taken that into account. They are getting by for now, but there could be serious difficulty if they had to contest a claim in the courts. That is where the problem lies.

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

Mr McHugh: Yes, thank you. I hope that something will come of this debate, rather than debating the matter just for the sake of it.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to talk about the high cost of insurance premiums. When Paul Butler proposed the motion, he highlighted the issues that come up on everyone's websites and the issues that people complain about, especially young people, who find it hard to get insurance cover. They often find that they cannot get cover and, at times, they put themselves in danger.

The postcode lottery, where people are labelled against the car crime in their area, is important. Car crime may have been a big issue in a number of areas, but insurance premiums do not take account of the fact that measures have been put in place to reduce car crime and to ensure that we have a safer system. We need to raise that issue with insurance companies and the legal profession and let them know that we are in a different mode and that people should have the opportunity to take advantage of that situation. Paul also pointed out that the Association of British Insurers had an attitude that made it difficult to take that into account, as it had a blank response to the issue. The Association of British Insurers blamed the legal profession for the high cost of the claims, but that has been rejected by the legal profession. Nevertheless, there is still a question mark about that.

We need to look at the claim culture and payments that are made for injuries in comparison to other areas. However, we must also take account of the fact that people who have genuine injuries

need to have the right of representation, and we should not tar everyone with the same brush.

However, as has been pointed out, Belfast and Derry are two areas that have been targeted, and the insurance companies' postcode lottery has labelled people.

11.45 am

Mr Lunn: The postcode lottery issue has been mentioned a great deal during the debate. Does the Member accept that those insurance companies that operate a postcode rating system in Northern Ireland operate exactly the same system in all other areas of the UK?

Mr Molloy: I accept that those companies probably use a postcode lottery, but the problem is that the information that they use here may not be as accurate as it is in other areas. Postcodes will be used in various ways. We see from watching our television screens each night that road accidents, joyriding and other incidents occur across the country, not only in west Belfast or Derry. The insurance companies do not seem to take full account of that across the different jurisdictions.

I want to touch on some of the questions that Members raised. Jonathan Craig supported the motion and questioned the difference in charges for car insurance. He also pointed out that only four insurance companies offer full insurance cover here, and he suggested that as a reason for the difference in charges.

Those who claim that we all come under the same jurisdiction should question that point more strongly than I have, because they expect that we should all be treated equally. Some have said that we are as British as Finchley, yet we pay different prices for car insurance from people in Finchley.

Mr McElduff: Is the Member talking about people such as Maurice Morrow?

Mr Molloy: I was not referring to anyone in particular. I must also point out that I will not be given an extra minute for each intervention. *[Laughter.]*

Jimmy Spratt made an important intervention on the PSNI's role in following up on accidents and investigating those who abuse the system. We want to root out people who abuse the system, because their actions mean that everyone else

must pay more. The support of the PSNI in that area is extremely important.

Leslie Cree agreed that the cost of car insurance is higher here than in other jurisdictions, or, as he put it, the other parts of the UK, and questioned why that should be the case. People should question why that differential exists and why people here pay more for their car insurance.

John Dallat touched on some of the issues that come into play. He pointed out that there are questions to be asked about the structures of insurance companies and how they come up with charges.

There may also be questions about the role that insurance companies played in the past, particularly given the pressure that they put on Quinn Insurance over the years. Indeed, the Association of British Insurers tried to block Quinn Insurance from entering the market at an early stage, and later it created further opposition and blockages. The insurance companies act as a cartel. Quinn Insurance was outside that cartel and was blacklisted by a number of them. Eventually, the insurance companies got their man and tried to put Quinn Insurance out of business.

Although Trevor Lunn declared an interest, he gave a fierce defence of insurance brokers and rubbished almost everything else that other Members said.

Mr B McCrea: I listened intently to what the Member said. Will he clarify whether the Irish regulator put Quinn Insurance out of business?

Mr Molloy: I was talking about two separate occasions. Had the Member been in the Chamber during the earlier part of the debate, he would have heard about the difference between them. The first blockage was put in place by the Association of British Insurers — *[Interruption.]*

Mr Speaker: Order.

Mr Molloy: After that blockage, the Irish regulator put Quinn Insurance out of business. The Member missed the earlier discussion.

Lord Morrow questioned the jurisdictions, and it is always difficult to establish the extent of a jurisdiction. However, he pointed out that — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Molloy: Yes, we do not want any disruptions in the Chamber today. *[Laughter.]*

Maurice Morrow pointed out that Quinn Insurance provided a lifeline to many young people from various interest groups by offering them a good service and cheaper insurance. In particular, he pointed to those people who live in rural areas and people from different sections of society who have been victimised.

Martina Anderson praised the work of the Committee for Finance and Personnel's inquiry. She also praised the Consumer Council for its regular work and, particularly, for the work that it put forward in its report, which raised the issue. Although there are some question marks over the report, it is all part of the ongoing process, and the Consumer Council has been good at raising many of those issues.

Jim Shannon supported the motion, and although I cannot quote his accent, he said that the yung fok on the Peninsula were paying more to insure a wee Corsa. It was important that we heard that in the debate.

Roy Beggs said that people should shop around, and that message should be sent out across the board. Declan O'Loan supported the motion strongly, and he welcomed the inquiry by the Committee for Finance and Personnel, particularly the work of Mitchel McLaughlin. Jonathan Bell said that low income households are paying expensive prices for insurance, and he talked about the issues that that affects. Gerry McHugh said that people feel abused by insurance companies, and that has been highlighted across the board.

We need to remember that we should not put ourselves down. That is a danger in the debate when highlighting the issues around the insurance industry, including abuse. We do not need to put ourselves down but we do need to create opportunities. Television programmes show the damage that is done across the different jurisdictions. In every jurisdiction, there are issues and abusers and people who take advantage of situations and accidents. We need to root that out so that everyone else does not have to pay dearly for insurance cover.

We need to highlight the need to challenge the insurance companies and the insurance

industry to reduce rates and to revise the situation to deal with the new mode here. Quinn supported ordinary people and gave them a lifeline and support. Unfortunately, he has been knocked out by the cartel in different ways. We need to find ways of ensuring that Quinn Insurance not only deals with things properly but that the company is given the proper support that it needs for the future so that it can provide competition. Young people pay much more than they should because they are labelled, and they are given no encouragement to be good drivers and to come into the system.

Mr Speaker: Bring your remarks to a close.

Mr Molloy: Rural dwellers, in particular, are suffering. Some companies that offer special rates are, in fact, charging more. The debate is important, and, hopefully, Members from across the Chamber will support the motion.

Question put and agreed to.

Resolved:

That this Assembly expresses concern about the higher premiums that drivers have to pay for car insurance in comparison to drivers in other jurisdictions; and calls on the Minister of Enterprise, Trade and Investment to hold discussions with representatives of the insurance industry with a view to having insurance premiums brought into line with those in other jurisdictions.

Convergence Delivery Plan

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

Mr B McCrea: I beg to move

That this Assembly notes with concern the uncertainty surrounding the Minister of Education's convergence delivery plan and the impact this is having on staff morale across the education sector; and calls on the Minister to update the Assembly on progress made to date.

Education is not a sectarian issue. The issue does not belong solely to one community, to one party or, dare I say, to one Minister. It affects our entire community. When we debate this important issue today, we should all be mindful of the questions that a group of young people, who might be sitting in the Gallery, might ask of us. Young people might ask: what can you do for me? What good can you do in the debate? How can you move things forward? Those are the questions that all of us, in conducting this debate, should bear in mind.

The Minister of Education has attempted to do one of the most challenging of tasks. She is attempting to bring a wide variety of organisations together into one whole organisation while fundamentally changing the functionality of that organisation. I do not know whether she realises how big a risk she is taking. Common sense dictates that it would be better to tackle them in sequence. It would be better to bring the organisations together and bed down organisational issues such as personnel matters and ways of doing things. When that has been established, she could start to change the functionality and see how things might be improved.

The purpose of the motion is to urge the Minister of Education to change direction. Rather than try to do everything in one pell-mell assault on the education system, could she find a way to do it in steps? It need not take long. Would it not be better to ensure that the

organisations are brought together, and then decide what to do with them?

In my opinion, the Minister of Education needs to concentrate on getting the essentials right. In a debate on the nature of education, it is important that the views of all stakeholders are taken in order to get them involved. In that regard, the Minister of Education has failed. Many people who are stakeholders in this part of our community feel excluded and that their views are not being heard by the Minister of Education. That is not the right way to go forward. If the Minister is going to make the types of changes that she wishes to make, it is essential that everybody is on board, has their say and has their concerns addressed. To be frank, Minister, that has not happened.

I have a suggestion as to how we could get some breathing space. The Minister needs to accept the existing statutory bodies that are enshrined in legislation, and she needs to work with those bodies and to let them do the work that they are supposed to do. She should respect their autonomy. Yesterday, she talked to me about another case and said that there is a reason why there is a difference between the Department of Education (DE) and the boards. She should respect that autonomy in all aspects, and she should stop attempting to micromanage every single aspect of the education system. One might ask how she is trying to micromanage. She is introducing artificial structures that do not have the command of legislation and that cloud the issue as to who is or is not responsible for various areas. We have a situation in which there are chief executive designates and chief executives to be appointed later. At the same time, there are chief executives in post, some of whom are on temporary extensions. It is a complete muddle and fuddle that is guaranteed to turn a very challenging attempt into some form of chaos.

The Chairperson of the Committee for Education

(Mr Storey): Does the Member accept that it is not only mismanagement on the part of the Minister, but it is a financial scandal that the implementation body for the education and skills authority (ESA) has cost in excess of £8 million but has not delivered one item of benefit to front line services in education?

Mr B McCrea: I thank the Chairman of the Education Committee for his intervention. I will

be dealing with the financial issues later, but his point is well made.

My next point on this important issue is that it is incumbent upon the Minister to attempt to build confidence. It may well be that she is misunderstood or that other people have different ideas, but she cannot escape the fact that morale in our schools is deteriorating and that confidence in the wider community about our ability to manage the education system is failing. She must tackle those issues.

Local school principals tell me that although they feel comfortable about dealing with their own school issues, advice or guidance is not forthcoming from the education and library boards or the Department, when they ask for it.

How can it be, when people do not know where we are going? If we are to manage change, that issue must be addressed.

12.00 noon

Mervyn Storey mentioned finance. The Minister, taking a somewhat reckless position, vouchsafed that there would be £13 million of savings without in any way examining how those savings could be delivered in reality. The impact of that decision will be that our schoolchildren and the schools themselves will pay dearly. We will lose front line services because of the Minister's inability to deliver the savings that she has already committed to.

I referred to the children and those looking on at the debate. If there is one issue that defines the Assembly's failure to deliver for the people of Northern Ireland, it is education. I do not know what the Minister plans to do next. I know that she does not work well with the Committee for Education. I know that, whenever we try to talk reasonably and sensibly to her, we get laughter and grimacing and are told that, "We will do it one way and only one way, and that is our way". Minister, that is not the right way forward.

We have had debates in the past. Colleagues will note that I have not mentioned the position that we, as a party, took when we discussed the ESA Bills, because it is not constructive to do so. We are being positive. We are where we are, but, Minister, we are in chaos. The ability of the education system to —

Mr Speaker: Order. I ask the Member to refer his remarks through the Chair.

Mr B McCrea: Absolutely, Mr Speaker. The whole House must contend with an extremely serious situation. There is a deep feeling of discontent in the education system, in the wider community and among the electorate of Northern Ireland because our education system is not working. The people who are charged with administrating that system have no idea where their jobs will be, whether they are required to stay on in their role or what functions they will have. All those issues bring us to the point at which the system cannot run effectively.

All of us must share a sense of responsibility in this matter. As a party, we are quite prepared to move forward with a works programme that finds some way of streamlining the education system and making savings where there is duplication in computer or payroll systems and so on. We are prepared to work with all parties in the Assembly to do what is right for our children. What we cannot do is carry on in this fashion. We cannot force one particular view through, because the people will not accept it.

Mr Speaker, I am grateful for your direction on this matter. However, it is with a genuine intent that, through you, I implore the Minister of Education to change direction, to listen to what people are saying, to do the right thing for the people of Northern Ireland and, above all, when she thinks of the children who might be looking down from the Public Gallery at what we are doing, to do the right thing for our children.

Miss McIlveen: I beg to move the following amendment: Leave out all after "uncertainty" and insert

"and lack of transparency surrounding the Minister of Education's convergence delivery plan and the impact this is having on staff morale across the education sector; further notes the unacceptable failure to properly reconstitute the education and library boards within a reasonable time frame, which is contributing to a democratic deficit; and calls on the Minister to update the Assembly on progress made to date."

I thank the Members who tabled the motion for bringing the matter before the House and for accepting our amendment.

All of us are under no illusions as to why we are discussing this issue today. Once again, it stems from the Minister's failure to seek consensus and to address the real concerns about parity of esteem and equality. A clear pattern is emerging. In some attempt to

bypass real political engagement, Members are presented with plans at an unreasonably late stage, presumably to stifle debate and so that those plans can be presented as a fait accompli. It should seem apparent that such an approach does not wash with Members, as Basil McCrea noted.

I take this opportunity, as it is relevant to where we are today, to outline some of my party's concerns about the Education Bill, but I wish to make it clear that this is not an exhaustive list. Although we have concerns, we are supportive of making efficiency savings, which is why we supported the principles of the Bill when they were voted on by the Assembly.

Far from being a body that could oversee administration and play an even hand in rationalisation, what was proposed in the Education Bill was riddled with flaws and inconsistencies, leaving the proposed ESA in danger of a severe conflict of interest. It is evident that, in its current form, the Education Bill would have effectively created a lopsided education system that would have adversely affected the controlled sector. There is no reason why the sector should have become the poor partner in what would have been the biggest shake-up in the administration of education for 40 years.

The most startling inequality that stood out in the Bill was the issue of ownership. It is true that the Protestant Churches transferred ownership of their schools many years ago and the Roman Catholic Church continued with ownership of its schools. However, it was proposed that one of the ESA's roles was to rationalise the school estate under area-based planning, yet, to all intents and purposes, the ESA would be the ownership body for the controlled sector only. That posed a tremendous conflict of interest.

The Department of Education proposed a holding body under the second Bill, but that was next to useless. The holding body would have had no powers and a minor consultation role, and it would not have received any of the funds from the sale of any part of the controlled sector for the benefit of the controlled sector. If we compare that with other sectors, such as the maintained school sector, we can see that, under the Bill, the ownership body — the trustees — would have had the power to be consulted on almost every aspect of the running

of their schools, including the appointment of governors and the submission of management and employment schemes. In the controlled sector, individual boards of governors would have been responsible for the submission of management and employment schemes. In effect, there would have been a strong, unified maintained sector with a robust advocacy voice, compared with a disparate and leaderless controlled sector.

The treatment of the transferors was also apparent. They are the representatives of the Protestant Churches who gifted their schools to the state. However, they did not give that estate away unconditionally. They retained certain rights, including the right to sit on boards of governors, education and library boards and teacher appointment committees. Under the Education Bill, the transferors could not be guaranteed the right to sit on any holding body created by local statute or the ESA board because of section 6 of the Northern Ireland Act 1998. Therefore, we would have had a diminution of rights enjoyed by the Protestant Church representatives over controlled sector schools where the majority of Protestant children are taught.

We have always made it clear that the ESA board should reflect the community in Northern Ireland. That also means that councillors who are appointed to the board reflect the electoral will of the people of Northern Ireland. If that were the case for any ESA board, it should also be the case for the boards under any convergence plan. The DUP does not seek to give one sector an advantage over any other but wishes to see equality across the sectors. The overriding principle needs to be parity of esteem.

The Minister has been aware of those concerns and others for some time, yet we have been faced with continued prevarication on addressing those concerns and on what should occur in the interim. The Minister has compounded the current problems by failing to start to consult early enough on formulating a plan B and by still failing to work with the Education Committee. Furthermore, until recently, the marginalisation of existing education and library board chief executives was short-sighted and counterproductive, given the critical importance of the accounting officers from the boards and other organisations buying into the convergence agenda. Perhaps that was a product of the premature recruitment of the directors-designate, who were in place and had

to be given something to do. Some 18 months ago, I warned about putting the cart before the legislative horse, but the Minister chose to press ahead regardless.

My party wants to see good governance and accountability arrangements underpinning all this, but we remain to be convinced of the legality, practicality, transparency and sustainability of the current proposals. We have made it clear that we are prepared to work with the Minister and her officials in finding the best way forward. In the meantime, however, it is imperative that education staff are kept as informed as possible. I am concerned that that has not been the case. On 11 March, I issued a statement calling on the Minister and her Department to give greater priority to communicating with education staff. Our young people are well served by thousands of motivated, professional staff who have shown that they are prepared to embrace change in the name of progress, but they must be treated with respect and every effort made to ensure that their morale is not unnecessarily eroded.

Uncertainty is not ideal. It is compounded by a failure to recognise that people who work in the sector should be kept fully informed of proposals that would impact on them and the services that they provide. Over two months ago, that point was raised with the Minister's officials at the Committee for Education. I welcomed the assurances that we received that the matter would be given proper priority. However, I have been shocked to discover that, rather than the Minister making more effort in that area, there has been no direct communication whatsoever between the Department and education staff during the intervening period. That woeful failure to keep staff informed is unacceptable. There is little wonder that the motion mentions uncertainty and the effect that it is having on staff morale.

A major concern is the Minister's lack of respect for the wider democratic process in rejecting the will of councils in nominating members to serve on the reconstituted education boards. Of course, I refer only to four boards; the South Eastern Education and Library Board will have no members at all for the foreseeable future thanks to the Minister's stubborn insistence on retaining her hand-picked and costly commissioners. In respect of the other four boards, it is bad enough that the Minister should seek to second-guess councils'

democratic choice by demanding more nominations than there are places, thus giving her the dubious right to pick and choose. It is provocative and insulting that, in some cases, she should tell councils that none of their choices is acceptable and demand more names. Not every council can find a multitude of members who are willing and available to serve on the reconstituted boards, especially in the light of the greater burden on members that is envisioned under the convergence delivery plan, which features regionalised committees and so forth. Yet, ironically, the Minister accuses councils of failing to co-operate when she attempts — in Mr Basil McCrea's words — to micromanage the process. The undue delay in appointing political members has caused concern about a clear democratic deficit on boards.

Convergence is a suboptimal solution. It is clear that an alternative way forward is required and needs to be agreed as soon as possible. It seems logical that a possible way forward is a phased approach that focuses on the five-board structure. Essentially, that could be facilitated through two phases. Phase one could be to amend the Education and Libraries (Northern Ireland) Order 1986 and the Education Reform (Northern Ireland) Order 1989 to facilitate a one-board structure. That would mean that all existing rights would be protected, it would focus on the bodies that could achieve major savings and it would provide an effective governance and accountability framework for future change. The second phase would involve seeking agreement on further work that is required to protect sector rights in the new framework, which would create parity of esteem through those sectors.

The Minister tried to foist the ESA on us. When she realised that that was not going to work, she and her Department cobbled together a convergence plan that is clearly unworkable. The Minister needs to realise that she must sit down with the Committee for Education, other parties in the Assembly and key sectoral organisations to draw up acceptable and workable proposals. Plan A did not work. Plan B does not work. Perhaps, it will be third time lucky for the Education Minister. I hope that, finally, she has learnt her lesson.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I note that the proposer of the motion has left the Chamber, which shows how much interest he has in the information that it seeks.

The recent independent review of economic policy provides a timely reminder of the critical importance of ensuring that a workforce is built that has the skills that can attract and impress potential external investors, as well as those required to grow local entrepreneurs and successful, competitive local businesses. The fact is that economic prospects depend on the quality of the education system. Although there is evidence of modest improvement in attainment throughout schools, the Assembly must continue to drive the raising standards agenda. We know from outcomes that are delivered in some schools that many young people have the potential to achieve at a much higher level. We have a duty to plan and deliver the education system in such a way that it allows them to reach their full potential. The introduction of the ESA and its relevant legislation was the way to do that.

The merits of the ESA were well rehearsed in the House and in the Committee for Education. In fact, the ESA's merits were well acknowledged at Executive level, when all parties in the House signed up to the Programme for Government. The benefits of streamlining the way in which the education system works when it comes to transport, catering, personnel functions and so forth, must not be underestimated. The other parties in the House have failed to live up to the commitment in the Programme for Government or to provide any suitable alternative. Therefore, we are now working our way through a convergence plan that will facilitate the best use of public money and remove the duplication of services.

12.15 pm

We are aware that convergence will not deliver the full range of benefits and cost savings that could be possible under ESA, but it allows the momentum of improvement to continue. It will take time to make the changes work in the existing organisations, but the process will deliver the savings, amounting to £13 million in the 2010-11 financial year, that had originally been taken out of the education budget.

The focus is on ensuring that the £13 million of savings must be achieved from management and administration costs and that front line services for children and young people are protected. The Minister of Education has given that commitment time and time again, but Basil McCrea must have missed that. Perhaps he could drive home that same commitment to

his party colleague the Health Minister, who is unable to deliver the same for Health Service staff and services.

The motion refers to staff morale, and I fully accept that change is difficult for staff in any organisation. I acknowledge that the affected staff need clear and definitive guidance on the way forward. I look forward to the business plan being brought to the table to provide that clarity and enable us to move forward. Perhaps the Minister will shed some light on the position of that business plan.

We must be realistic about whether Members are committed to improving the outcomes for children. Some Members seem to be holding on tight to the education and library boards as they stand, and I remind them of the PAC report on literacy and numeracy that was published in 2006. Importantly, it pointed out that, although the Department had an effective strategy to improve standards in numeracy and literacy, the failure to deliver was the direct result of the fact that five education and library boards were not consistent in implementing it. That system of governance is failing children —

The Chairperson of the Committee for Education:

Will the Member accept that, if we are to move forward to new structures, it is vital that one group of educational providers must not be isolated and discriminated against? In the words of the Minister from the Member's party, we must ensure the equality of provision across the board.

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

Mrs O'Neill: Go raibh maith agat. There is absolutely no argument about that. The Minister has consistently stated that she wants equality of provision. The current system of governance is failing children, and we must drive home the need to change it. I am at a loss as to what other lessons Members must learn to enable them to take forward that change.

Although I support the motion because I accept that staff want clarity, I do not recognise the rest of the wording of the motion, because it is more about grandstanding than anything else.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. I support the motion because I am aware of great concern about the present state of education administration. That concern

permeates not only the education and library boards but the education providers. Indeed, it has seeped down into our schools.

We are here today to debate the Minister's convergence plan. However, to the best of my knowledge, there is no evidence that board members have yet received that plan. It seems that the education and library boards are not yet committed to or aware of any time frame for convergence. In the absence of a convergence plan, they are planning their budget programmes for 2010-11

Many questions about the convergence plan remain unanswered. What consultation processes will have to be conducted and by whom? Who will be consulted, and what will be the time frame? Will the convergence process be subject to an equality impact assessment, particularly in light of its proceeding in the absence of political representation on the current boards?

Many staff in the education and library boards have now given up on the ESA and are, at best, sceptical about convergence. The education and library boards are supposed to have council representation, but they have not had that since December 2009. Councillors have been going through a recruitment process for the past few months, and that is still not complete. We hear that the Department now proposes to bring in the new boards before that process is even finished. Clarification is required about whether that approach is even lawful.

It is clear that the legislation provides no role for the Minister in the selection of council representation, but the Minister seeks to give herself a role. The 1986 Order states that councils select and nominate members to sit on the education and library boards. Many board members believe that that is a ploy to keep councillors out of the process and that the current selection process is aimed more at appointing nodding heads who will agree with the Minister than reflecting the will of the councils. The delay in appointments will mean that councillors will have discussed neither the budget nor the convergence plan and will have no role in the agreement of those crucial issues.

The failure to secure the ESA Bill means that the current legislation is the only legal framework. That legal situation limits the ability of the education and library boards and other organisations to deliver convergence, because

their prime statutory responsibilities include the management of the budgets allocated to them by the Department to deliver services in their area. The boards are trying to meet their responsibilities with a much-reduced membership. That requires members to work long hours to do the work previously done by a number of committees.

Although, from a legal perspective, it is within the head of the service's purview to alter the number of members sitting on the education and library boards, those organisations are now operating with a much-reduced capacity of only six to eight members. The new boards will have only 12-plus members, including councillors. As I said, serious questions arise. Will the education and library boards still have responsibility and accountability for all the services that they currently deliver? Has a detailed risk assessment been carried out on the convergence plan, and, if so, who carried it out? Will the boards have the power to make decisions about issues for which they are responsible? Those are important questions.

The Chairperson of the Committee for Education:

I take the Member's point about legality. We discovered from a letter that the Department of Education sent to the Committee for Education last week that the Department did not consider it necessary to seek specific legal advice about the process being used. The Department did not think that it was necessary to determine whether the process in which it is engaged is within the law, because it has all the information that it needs and is above the law. Members on this side of the House question the legality of what has been done, in the interim, to the traditional board arrangements.

Mr Speaker: The Member has about six minutes in which to finish.

Mr D Bradley: Thank you, Mr Speaker. Do I have a further six minutes?

I thank the Member for his intervention. I agree with him. If the convergence plan that the Minister proposed is open to a legal challenge, what will be the outcome of that?

We have been told that convergence will save some £13 million through a reduction of the boards' workforce by between 200 and 300 posts. One official told us that the general —

Mr Speaker: I must insist: the Member's time is up.

Mr D Bradley: I will be brief. The general model is one of —

Mr Speaker: I must insist: the Member's time is up.

Mr D Bradley: OK. Go raibh míle maith agat.

Mr Speaker: I continually say to Members that they should look at the clock before they give way, particularly when they are coming close to the end of their allotted time and a Member's intervention has already eaten into that time. Members do not get an extra minute to speak if that time has already been taken up. I warn Members to think about that before they give way.

Mr Lunn: I support the motion and the amendment for the reasons that Dominic Bradley gave. There has been major concern among staff in schools and on the boards. There is absolutely no doubt that the continuing impasse on the way forward for our education system is having a detrimental effect on all teaching staff and, perhaps particularly, on administration personnel in the education boards, who must wonder what on earth is going on and whether they will still have a job in the future. They can hardly be blamed for being sceptical about even wanting a job in an education system that has been fought over in the way that it has by its political masters since the beginning of this Assembly.

The motion implies that that uncertainty is the fault of the convergence delivery plan, which is the Minister's latest attempt to bring a cost-saving structure to the system and to realise economies of scale, as envisaged by the ESA. I was interested to hear Michelle McIlveen give her party's support for the principles of the ESA. However, I cannot help but observe that it was principally her party that caused the ESA to stall and brought about the need for a convergence delivery plan. I almost expected Mr Storey to jump up there, but I will carry on.

There are concerns, which I do not share, that the convergence delivery plan is just the ESA without legislation and that it is some sort of back-door route to the ESA goal. Although that is probably correct, is it really a matter for concern? The plan has very worthy aims. It wants to ensure a standard policy approach across existing organisations, as well as

consistency of procedures and processes across the region in areas such as special educational needs statementing. It wants to create standard access and application arrangements, such as statementing and free school meals, and to ensure that consistent thresholds and pricing structures are adopted across the region. It wants common staffing arrangements, including the preparations for a single organisation. What is wrong with that? What is wrong with a plan that will produce one human resources unit, which will include one payroll unit, instead of the current 27?

Mr B McCrea: I do not know whether the Member was in the Chamber at the start of the debate. However, the argument put forward in the opening statements was that this is an ambitious, high-risk plan, the difficulty with which is that it is trying to do two things at once. It wants to bring organisations together and change their functions, and that is where the risk comes in. The argument was made that it would be better to do that in sequence: first, get the organisational structure right and, secondly, make changes. That is what we are trying to do. It is not that the aims of the plan are necessarily wrong; it is the methodology.

Mr Speaker: The Member has an extra minute.

Mr Lunn: I was in the Chamber during Mr McCrea's speech, and I heard him bring up the issue of a step-by-step approach. However, that is not in the motion, so it is interesting that he brought that argument forward.

If people have a massive concern about the ESA and its fundamental objective of streamlining the system and producing a cost-efficient, fit-for-purpose administration to maximise the educational opportunities for our school population, it is OK to be concerned. However, I cannot and have never been able to understand why the ESA has not been fully discussed officially in the Chamber, given that the Executive dealt with it over two years ago. The Education Committee spent the best part of a year discussing the detail of the Bill. That was, apparently, time wasted because now, according to our DUP friends, the ESA is dead in the water. Therefore, we have the convergence delivery plan instead. Is the alternative to do nothing?

The Chairperson of the Committee for Education: In case there is any confusion, I will clarify for the Member the reasons why the ESA is not coming back. They are the same reasons that

were set out during the period in which the Committee did its work. The controlled sector was going to be left totally and absolutely isolated with none of the legislative requirements and protections that were conferred on it in 1947. I know that there is always an issue in Northern Ireland with our history. However, I will not sacrifice the controlled sector, which educates 95% of Protestant children, for some bureaucratic legislation that satisfies the control freakery of the Department.

12.30 pm

Mr Lunn: I thank the Member for that intervention. Surely, the point is that the Executive should have discussed all that and brought it forward. The only opportunity that we have to mention potential problems, some of which I have sympathy with, as the Member knows, is during debates on private Members' motions. Those are usually on some other subject, but this issue gets brought into them.

The convergence plan now seems to be the only way forward. Here, I begin to join the proposers of the motion and the amendment in expressing concern about the way in which it is being brought forward. The delay in reforming the boards is, frankly, inexplicable. The suspicion was that the Minister was exceeding her legal authority, but I think that that has been resolved and that the Minister has the legal authority to do what is being done. However, if it was legally allowable to reform and to reconstruct the boards, why did the Minister not allow the existing membership to continue? What is the difference? We could have saved months of a continuing impasse. The convergence plan is supposed to be only a stopgap measure pending the introduction of the ESA.

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

Mr Lunn: The new arrangements are taking so long that they are adding to the problem that they were meant to resolve.

Mr Speaker: The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next Member to speak will be Mervyn Storey.

The sitting was suspended at 12.31 pm.

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

2.00 pm

The Chairperson of the Committee for Education (Mr Storey): There is, as always, a mad rush after lunch for Members to get back into the House. I wish to inform the House of the Committee's scrutiny to date of the convergence delivery plan.

Following the Minister of Education's statement to the House on 1 December 2009, setting out the transitional governance and management arrangements, the Committee called on the Minister to release a copy of the plan, and continued to call for that throughout January and February 2010, when the Committee scrutinised the education budget plans for 2010-11. The Committee eventually received the plan on 26 February, and we questioned senior departmental officials about it on three occasions, that is on 3 and 10 March and, more recently, on 12 May.

The question that still remains for the Committee, and, for that matter, the House, is whether the plan will deliver the substantial savings projected, and when any of those savings will be realised. The Committee was told by the Department of Education, time and time again, that the £13 million already removed from the education budget in 2010-11 under ESA efficiencies must be achieved through management and administration costs to protect services to children and young people. However, the Committee has scrutinised the 30 pages of the convergence delivery plan, and there are four points that I want to highlight and bring to the attention of the House.

First, phase one of the convergence concentrates on cost reductions in the five education and library boards only, and not on the other non-departmental public education bodies through the seven regionally managed services covering all education and library board areas. Secondly, the ESA plan was that some 460 posts would be removed, of which 310 were to go by the end of the 2010-11 financial year. The latest convergence paper from the Department, dated 11 May 2010, does not quantify the target for the number of posts to be saved in the budget period of 2010-11. It says:

"the numbers will inevitably be lower than if ESA were in operation",

and that it will “take time”. Therefore, there are questions still unresolved, and detail missing. If time permits, I will come back to that issue as a Member.

Thirdly, the paper refers to a draft convergence business plan for 2010-11, which is expected to be finalised by the end of May 2010. That will be followed by seven individual regional service delivery plans, with the first phase of savings through voluntary severance programmes. Fourthly, full statutory responsibility remains with the five education and library boards. Each board must formally approve each of the service delivery plans. Indeed, the Department of Education's 11 May paper emphasised the need for:

“joint-working, goodwill and co-operation between organisations”.

The trade unions and others:

“will be consulted on any proposals.”

I trust that that paints a realistic picture of the uncertainty surrounding the delivery of that plan and when the savings can actually be achieved. That is important, because the Minister of Education, in her 2010-11 budget statement on 21 April, announced a cut of 1.6% in the resources of the five education and library boards and a below inflation increase of 1.9% in the budgets for schools.

It is clear that efficiency savings must be made in 2010 to protect education front line services in the classroom. To date, however, the convergence plan falls well short of gaining our confidence.

We also have great difficulty with the fact that the five education and library boards have not been properly reconstituted and remain as transitional or interim boards. The boards, as set out in the Education and Libraries (Northern Ireland) Order 1986, require the correct representation from district councils. The 1986 Order details boards' statutory responsibilities —

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

The Chairperson of the Committee for Education: As I said, boards must formally sign off the key service delivery elements of the convergence plan.

I trust that I have given an accurate reflection of the concerns that were expressed in the Committee for Education.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. The reason why we have a convergence delivery plan is because we do not have ESA. I speak against the motion and the amendment because neither offers an alternative to ESA. Basil McCrea said — I am paraphrasing him — that when the Minister took the £13 million out of her budget, she should have had a plan B in place. However, the Minister did not take £13 million out of her budget. No Minister will say that he or she has £13 million spare, which they can do without.

As part of the efficiency savings that the entire Executive had to achieve, and through the efficiencies envisaged in the review of public administration across health, education, councils — we all know the story behind that — and other areas, each Department had to achieve savings. The Department of Education had to achieve savings of £13 million in the next financial year. In the absence of ESA, there was a duty on the Department of Education to bring forward an alternative, and it brought forward the convergence plan.

As the Chairperson said, the convergence plan was debated on three different occasions in the Committee for Education. The motion tabled by Basil McCrea and John McCallister:

“notes with concern the uncertainty surrounding the Minister of Education's convergence delivery plan”.

I am not surprised that at least one of those gentlemen is uncertain, because they have not attended an Education Committee meeting for as long as I can remember. If they want information about the convergence plan, they should attend Education Committee meetings. They would be surprised by how much information they can obtain by doing so. Sometimes, I complain about the length of time that it takes the Chairperson to quiz departmental officials, but, on those three different occasions, senior officials from the Department of Education were quizzed at length on the convergence plan.

The Chairperson of the Committee for Education: I do not wish to defend other Members' attendance at Committee meetings. That is an issue for them. However, the Western Education and Library Board, in its response to the Department's convergence delivery plan, acknowledged that it was doing so:

“without sight of a detailed CDP”.

The Western Board had not been given all the information. Neither Members nor practitioners have had sight of that information.

Mr Deputy Speaker: The Member will have an extra minute in which to speak.

Mr O’Dowd: The ongoing discussions with the education and library boards will outline the details of each convergence plan. A massive piece of work has been undertaken. The fact of the matter is that discussions are continuing with the boards about how the convergence plan is delivered. The boards realise that to achieve their goals for education delivery, there must be better working among them on education issues if their budgets are going to work.

I come back to the point about why we do not have ESA. ESA is an agreed programme of work of the Executive. It has been debated by the Committee for Education for nine months, during which we went through it verbatim. That is what a scrutiny Committee is there for. Its duty is to scrutinise the Bills that come before it. We had lengthy sessions with departmental officials and the various stakeholders, and we considered the ESA Bill from every angle. A number of amendments have been tabled, a significant number of which my party is prepared to accept. However, the Bill continues to be blocked, not by the Department of Education or Sinn Féin, but by the DUP and the Ulster Unionist Party.

Again, we have a scenario that is similar to the motion and the amendment that are before us. No workable alternative to bringing ESA forward has yet been tabled.

No one can deny the role and history of the transferors in education. No one wants to move education forward at the cost of denying the transferors a future role. They have an ingrained knowledge of education that any society would benefit from. We cannot reverse what has happened. We cannot overturn a decision that was made more than 50 years ago. Miss McIlveen said that the transferors had:

“gifted their schools to the state.”

At that stage, Protestant Churches handed their schools and grounds to the state. Unless the proposal is that the Executive should hand back tens of millions of pounds worth of property to the Churches, no one has yet come up with a workable alternative.

The Department of Education issued proposals to protect the role of the transferors in education through the board of governors and the holding body. Importantly, there is a controlled sector support body, funded and resourced by the state but allowed to develop under its own head of steam. That has never happened before. That body is there to ensure that the wide array of people who are involved in the controlled sector set a plan for that sector. Anyone who is seeking to retain the education and library boards has failed to recognise that, under the leadership of those boards, the controlled sector has lagged behind the most.

Mr Deputy Speaker: Bring your remarks to a close.

Mr O’Dowd: Unless we bring the controlled sector under the remit of ESA, and I believe that there is an opportunity to do that, we will fail everyone.

Mr Hilditch: I support the amendment. I welcome the opportunity to highlight some of the issues and concerns in the education sector and look forward to the Minister’s update on progress to date. I hope that her update will reflect real progress that can help us to regain confidence in our once-renowned education sector. I hope that, in her response, the Minister does not use the cloak of financial pressures as an excuse, as the whole public sector is facing that problem. I hope that we can take a realistic and innovative approach to ensure adequate delivery of services.

The education sector, which involves some 50,000 people, is experiencing a lack of confidence, mistrust and uncertainty. Its Minister and Department seem to suffer from a constant changing of minds. That was reflected last week when the unacceptable situation endured by Whitehouse Primary School was, I hope, finally resolved, but not before a public outcry and comment from those within the education sector.

Members will be aware that I am fairly new to the Education Committee, having been appointed to it only a few weeks ago. However, I did not have to be a member of the Committee to be fully aware of the difficulties facing the sector. Like other Members, I receive many communications from parents, teachers, head teachers, administrators, unions and those holding management roles in the sector, and they consistently highlight the same areas of

concern that unite them in the fight to retain staff morale and public confidence.

The amendment refers to the unacceptable failure to properly reconstitute the education and library boards in a reasonable time frame — a situation that is contributing to democratic deficit. Here, again, we see uncertainty. There has been a severe reduction in representation from those who are elected to public office. Those people are publically accountable and give the boards the transparency that the public seek. That deficit gives credibility to the claims of a lack of public confidence, particularly when the convergence of services is going ahead, and the possibility of a convergence of responsibility remains unclear. We are aware of the thoughts of one senior figure in the education sector who seeks clarification on who will carry the can if something goes wrong.

We need local knowledge and input. If that does not come through local public representatives, the boards may become unrepresentative of the communities that they seek to serve. Although I support the amendment, I urge the Minister and her Department to ensure that the existing organisations continue to deliver key policies and that any convergence process is legal and transparent. That process relies on the recognition that it is better to pull together, rather than pull apart, in order to get the best outcome for the children whom we serve.

If devolution means anything — in this case, education — the political parties that occupy the House must talk matters through, Departments must consult, and Ministers must deliver. I support the amendment.

In case I stand accused for leaving the Chamber, I put on record that I should have been at a meeting of the Committee for Social Development that began at 2.00 pm. I may have to leave the Chamber to make a quorum.

2.15 pm

Mr Beggs: I also support the motion and the amendment. I am deeply concerned about how we have reached the situation in which we find ourselves. The Minister of Education has failed to progress democratically the first of two Education Bills that would have created an education and skills authority in Northern Ireland. However, millions of pounds have been squandered in the attempted establishment

of that authority by employing staff, and so on, before it actually exists.

In the absence of democratically agreed legislation, the Minister is attempting to introduce her proposals through the back door and in a democratic vacuum. That is simply not acceptable, but we need not have got ourselves into this situation. I remind Members that the Ulster Unionist Party pointed out many of those issues at Second Stage of the Education Bill. All other parties supported that Bill. Indeed, Edwin Poots stated in the Second Stage debate:

"I do not have a great deal of affection for the multiplicity and tiers in the current system, in which five boards and numerous other bodies oversee education. Different boards have different standards and priorities, which means that there is not the consistency that there should be across Northern Ireland. We broadly welcome the Bill and the opportunity to examine the legislation". — [Official Report, Bound Volume 36, p19, col 1].

The DUP now opposes the education and skills authority, but it missed the opportunity to stop the entire flawed process in its tracks in those early days. That was a mistake that allowed the deeply flawed Bill to reach Committee Stage and encouraged the Minister to start her deeply flawed process of transformation in the education system. The education system now finds itself in the no-man's-land of a convergence delivery plan.

Mr Ross: Will the Member give way?

Mr Beggs: No, I want to get through my speech. Thank you.

As other Members indicated, staff morale has been affected. Some £8 million has been wasted on ESA, and it is one of the main failings in education. I recognise the fact that educational reform is particularly sensitive because it affects our schools, children and local communities. However, it is not the only area in the review of public administration that is failing badly. It is a similar situation with local government, where some £9 million has been squandered. As in education, there is a lack of direction and low staff morale in local government. It has also incurred additional costs, and efforts have been wasted. Therefore, we are not making the best use of our limited resources.

As my colleague stated, there is now no legal basis underpinning the Minister's convergence delivery plan. It will work only with considerable

levels of goodwill and collaborative working across all existing organisations. Collaborative working is not a strength that the Minister has shown in the past. That is an obvious concern if that is how we hope to get through the difficulties, but I hope that that will be possible. For the sake of our children, it is important that we move forward. I hope that the Minister will listen to what others are saying.

Is the Minister content that the Education and Libraries (Northern Ireland) Order 1986 will provide adequate legal protection for boards if the arrangements are made permanent? That is a key question that needs to be answered. What role does the Minister envisage ESA-designated personnel playing? The money spent on the costs involved could have been spent usefully on many other valuable services.

There is concern that the Minister is attempting to reconstitute the boards in her own image by refusing to appoint councillors and restricting councillors who may have probed and questioned in the past. Many councillors have proven records of service in education and library boards. I declare that my dad was a member for 30-odd years, but my comments are not made with reference to him.

What response has the Minister to accusations of a democratic deficit in the process? Can she give us a time frame for the reconstitution of the boards? When will the present educational void be filled? Until the Minister answers those questions, uncertainty will prevail over the entire process.

Mrs M Bradley: My colleague Dominic Bradley has already covered many of my concerns, and it is probably futile to reiterate the same points. Therefore I will keep my remarks short, but perhaps not so sweet.

Education has become a game of political tennis. Even though the Minister was proficient in the sport of tennis, it is unfortunate that we cannot say the same for her management of the education system.

I am sure that since the education debacle began, many Members have parents and teachers bringing issues to their constituency offices; yet we find that we cannot give definitive answers to settle their concerns. I am beginning to think that we will never see a conclusion to the Minister's overhaul of the education system.

The SDLP has concerns about the convergence delivery plan. Under the plan, no individual director is responsible to the Department, and that raises issues about who is accountable for mistakes that could occur under the interim arrangements. Only transferors, trustees and teachers are members of the boards. Elected representatives are absent. That raises further concerns about accountability for staff under the new plans

The convergence delivery plan suggests that savings of up to £13 million can be achieved through a streamlining of services, which largely means reducing the headcount. That has a significant impact for a number of reasons. First, if expertise is lost through severance, where will we get the necessary expertise for the new boards? Secondly, it is estimated that if ESA had gone according to the timetable, approximately 300 posts could have gone next year. Under the convergence plan, it is suggested that a couple of hundred posts might go. Since that decision has a serious impact on staff morale and confidence, questions must be asked. Given the loss of expertise that will result from the removal of up to 200 posts, how will the service that schools require be maintained? Procedures must be put in place to ensure that the departure of senior staff does not weaken the convergence process.

I would like clarification on the following: can the boards' teacher appointment committees operate without the presence of elected representatives? Their presence is part of the boards' constitution. That reflects the uncertainty about the convergence plan, and it needs to be addressed by the Department.

I urge the Minister to inform the House about the process of the plan and, furthermore, to tell Members what is being done to allay the genuine fears of staff. Staff should not have to do a day's work while worrying about their jobs. I ask that the Minister give them some confidence.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle.

Go raibh maith agat as iarraidh orm labhairt sa díospoireacht seo, nó tá na saincheistean a ndéanfar trácht orthu inniu an-tábhachtach.

The issues that have been touched on in the debate are significant. We have heard a great deal about efficiencies, standards and pupil

outcomes. We have heard earnest concerns about the potential loss of locally sensitive services and the vulnerability of staff who work across the education sector. In the amendment, we read about transparency, failures and the democratic deficit.

Ba mhaith liom déileáil leis na saincheistanna seo agus a leagan amach go soiléir an dóigh a bhfuil mise, agus mo chuid feidhmeannach sa Roinn — atá ag obair go dlúth le comhghleacaithe sna heagraíochtaí oideachais ar fad — ag dul i ngleic leis na dúshláin atá romhainn.

I want to deal with those issues and to set out in unambiguous terms the clear way in which my officials and I are working closely with colleagues in all the education bodies and how we are tackling the challenges that lie ahead of us.

However, this debate is not about concern. It is about banging a drum and grandstanding, so I will not be dragged into the tedium of the narrow self-interest of those who tabled the motion. Instead, I will address the concerns of parents and pupils. I will explain why convergence is needed. I will repeat the importance of my main theme and how the policy of convergence contributes to that. My Department is focused on raising standards and securing equality for all.

I have spoken frequently about the need for change: change to put our children at the heart of education, and change to tackle the scandal that even though some elements of our system are world class, almost 4,500 children leave primary school without the basic literacy and numeracy skills that they need and 11,000 young people left school without achieving five good GCSEs, including literacy and maths. The gap in achievement between our most disadvantaged and our most affluent pupils is far too wide. I have said it before and I will say it again: nobody on the Benches opposite, nobody from the parties that are blocking reform and the establishment of ESA would want their children to leave school without GCSEs in English and Maths or in Irish and Maths, depending on the language in which they study — nobody. So, Members should reflect on and think about that.

Alas, we are not making sufficient progress on raising the performance of pupils leaving school. My colleague John O'Dowd referred to the lagging behind that there is in the controlled sector, despite the best efforts of teachers. The current arrangements still provide us with

an outcome that leaves more than 40% of our school leavers without the basic qualifications that are required for employment. In non-selective schools, that figure is nearly 70%, and in those schools in Belfast, it is closer to 80%. That is shocking, and a shocking indictment.

Young people cannot progress beyond school into meaningful work or full-time training to enable them to develop their careers. That is unsustainable. We need change and we need it urgently. We cannot wait. We cannot wait while parties dither. We cannot wait while, year upon year, young people are failed in our education system. That should be of fundamental concern to us all in the House.

The Executive committed themselves to the creation of an education and skills authority in its Programme for Government. They agreed that it should have been established on 1 January 2010. For the past two years, my officials and I have been pressing hard for the implementation of that Executive policy, and I thank my officials for their work. ESA is ready to go. It has been ready for a long time.

The Chairperson of the Committee for Education: It is going nowhere.

The Minister of Education: It has been blocked by Members sitting opposite —

The Chairperson of the Committee for Education: Yes.

The Minister of Education: — who claim to care about underachievement and standards. They must ask themselves major questions.

In this House, Members ask whether we have a legal basis for ESA: of course we have. The Executive agreed that we need ESA in order to reduce bureaucracy, streamline administration and promote a single, common, optimal solution to tackling the twin evils of underachievement and inefficiency. The Executive need to deliver on their commitments, and we need to see the legislation back on the Floor of the Chamber. We need to implement that legislation and we need to create the statutory vehicle to deliver progress. Without that legislative change, we will not deliver on the progress that we must make on raising standards.

Members sitting opposite can go to working-class communities —

The Chairperson of the Committee for Education:

We did. It is called an election.

The Minister of Education: — on the Shankill, in Coleraine, Derry and different parts of the North — to explain why they have failed to deal with underachievement.

Mr Deputy Speaker: Order. Members know that they should not speak from a sedentary position, so I remind them not to do so. The Minister has the —

The Chairperson of the Committee for Education:
[Interruption.]

Mr Deputy Speaker: Order. The Member will refrain from attacking the Chair. The Minister has the Floor. If the Member wants the debate to continue, he should listen to the Minister's response.

2.30 pm

The Minister of Education: Go raibh maith agat, a LeasCheann Comhairle. If those who proposed the amendment impress their views on their colleagues in the Executive, I would be happy to remove any uncertainty with the establishment of a strong statutory authority that incorporates locally elected representatives and steers a clear path to better educational outcomes. My first priority is and will continue to be to improve the life chances of young people. I will not sit idly by; I will continue to bring about the necessary arrangements to ensure that every young person gets a first-class education system.

The Chairperson of the Committee for Education: Will the Minister give way?

The Minister of Education: No, I will not.

Secondly, I have to address the financial realities of the Budget settlement. In simple terms, £13 million was removed from the education budget in anticipation of the ESA. We need to address such reductions. Mention was made of Roy Beggs Snr, and I put on record my appreciation of the role that he played. He attended every meeting of the chairpersons of the working group. He played a very important role in working on the establishment of the ESA, and he was clearly supportive of the need for its establishment. I applaud his leadership. I wish that some Members on the Benches opposite showed similar leadership.

The policy on convergence that we are following allows boards to maintain and, indeed, improve service delivery in a range of areas while reducing their costs. I am pleased that board members and staff have already expressed their willingness to work within a convergence framework to deliver the necessary changes. In school transport, catering and finance and personnel functions, there are opportunities to streamline the way in which we work and to reduce costs. That will mean fewer people working on those tasks, but I have to ensure that we live within budget. I am absolutely determined to do that while protecting front line services. I am working to ensure that we will enhance the resources available to classroom teachers. We cannot improve pupil performance by reducing the support that they need where they need it most.

I have further responsibilities to ensure the optimum use of public moneys. I have to ensure that the limited resources available to me are used to maximum effect. Convergence cannot deliver the full range of benefits and cost savings that should be possible under the RPA. Convergence, inevitably, can proceed only at a slower pace. Not least, that alternative needs the agreement, commitment and goodwill of all the existing organisations to progress. Inevitably, such dialogue means that it will take longer to deliver those changes than would otherwise have been the case. That dialogue is important if we are to establish the commitment and ownership that will be necessary to deliver the plan.

That new approach will mean the biggest changes in a generation to the administration of education. Under convergence, the development of a common approach heralds an opportunity to put into practice ideas that many board members have been discussing and promoting for many years. Increased coherence and improved efficiency of services will follow.

We anticipate that there will be substantial financial savings from those reforms, and we must start implementing those savings immediately. I will insist that they be channelled back into front line services. I want less spent on bureaucracy and more spent on teaching and learning. To achieve that, an initial draft business plan on how convergence will be delivered will issue soon. That plan will describe how service management can be reconfigured while protecting service delivery and reducing

the cost of managing it. Services can be delivered successfully throughout the North of Ireland.

Posts, many of which are currently vacant, can be suppressed. It is important that the revised structure is able to offer the assurances necessary for proper accountability and good governance. Some of the current deficiencies necessitate those changes to allow the boards to deliver on their obligations while securing cost reductions.

I appreciate the uncertainty and difficulties that the Executive's failure to bring forward ESA has created for staff, all of whom deserve praise for their efforts in continuing to deliver education services in those circumstances. In the absence of legislation to establish ESA, the statutory responsibilities ascribed to existing bodies remain their accountability for public resources and for the delivery of education services. I have moved to reconstitute the boards, and the proper structures are in place. That is precisely why we must make progress in fulfilling the Executive's commitment to creating a new authority that will better provide for pupils, staff and the whole community.

The delay in establishing ESA necessitated those interim arrangements, and what we do now is designed to bridge the gaps between where we are now and where we need to arrive. ESA's chief executive-designate, Gavin Boyd, has been asked to produce a convergence business plan for 2010-11 and to discuss it with the education partners. It is expected that the plan will begin immediately to define the prioritisation of services to be converged and the specific model to be used for each service area. It is envisaged that the design work will be led by the ESA directors-designate, but that implementation will be largely a matter for the boards. When implementation begins, the chief executive-designate, in conjunction with the boards, will produce the business cases to support voluntary severance and the creation of a smaller number of new management jobs throughout the North as the services converge.

Ní tráth é seo a bheith ag imirt chluiche na polaitíochta; is é an phrómh-thosaíocht é caighdeán a ardú agus torthaí daltaí a fheabhsú.

It is not a situation for political point scoring. The priority remains to raise standards and improve pupil outcomes. The optimum solution to administrative reform remains the delivery of

the RPA legislation. That legislation is needed to remove uncertainty, and, until it progresses, convergence is required to raise standards and reduce costs.

The motion asks for an update, but that is the up-to-date position. In common with those who tabled it, the motion is already out of date. Therefore, I call on those who tabled the motion to support the efforts of staff across the education sector to deliver improved outcomes and more efficient administration. I call on them and particularly on those who tabled the amendment to desist from alarmist conjecture.

I commend the work of those across the sector who seek to support young people and deliver an enhanced education service. Our children — the pupils in our schools — deserve no less.

Mr Ross: I thank the Ulster Unionist Members for tabling the motion and for accepting the amendment in my name and in the names of my colleagues, Miss McIlveen and Mr Hilditch.

True to form, Mr Beggs made an ill informed and not particularly helpful contribution. It would have been better had he said nothing, particularly given that the Minister was able to inform Members about the role that his father played in support of ESA. Second Stage legislation is about principles, and the DUP highlighted a number of its concerns about the ESA Bill.

In the past number of years, several debates about education matters have followed a similar theme. Members from all political parties and from across the country have raised concerns about the direction in which the Department was going, the Minister's ideas and being kept in the dark on many matters. Today's debate is no different, and, in fact, we have heard the same old stuff from Sinn Féin Members. They tell us that there is no need for panic or concern and that there is no public confusion or anger. They try to assure us that everything is OK.

Sinn Féin repeatedly uses another tactic. In this case, Michelle O'Neill, who is no longer in the Chamber, said that other political parties were grandstanding. Well, it is a grand coalition of grandstanders because, once again, the DUP, the Ulster Unionist Party, the Alliance Party and the SDLP — all the other parties — recognise that there is concern, confusion and anger in the community. That is not alarmist politics. It is not only Members and other politicians who

are saying that there is confusion and anger. If it were, perhaps Sinn Féin would have a point.

The Chairperson of the Committee for Education:

Is that not confirmed by the attempt by the deputy First Minister, Martin McGuinness, prior to the election to hide the issue and blame everybody except the Minister? That was a failed political stunt, because it did not help her in South Down. The organisations that the deputy First Minister attacked said that his was not a fair reflection of the position and that the Minister was responsible for causing the confusion.

Mr Deputy Speaker: The Member has an extra minute.

Mr Ross: It is not new for Sinn Féin to blame everyone else and say that the problem lies with them. The problem lies with Sinn Féin. It is not just politicians in the Chamber who are pointing out the difficulties. We heard earlier in the debate that the Western Education and Library Board expressed concerns about what is happening. At its last meeting, the Education Committee was given an article from a local newspaper in which the North Eastern Education and Library Board's chief executive referred to the concerns that his board had on where things were going.

In his opening remarks, the Ulster Unionist Member for Lagan Valley Mr McCrea said that the Minister of Education does not work well with the Committee. I think that he would admit that that is an understatement. On each and every controversial issue, it seems as though the Minister deliberately puts herself at loggerheads not just with the Committee and other Members but with the public, whether with regard to Whitehouse Primary School, from which she had to back away after public pressure, or the prep school issue, which she had to back away from because of public pressure. I argue that the Minister needs to change her PR adviser.

There is also a lack of understanding from Sinn Féin of how the political processes in the Assembly work. Its attempts to get its way on everything continually fail. Sinn Féin thought that it would get its way on academic selection, but it did not. It thought that it would get its way on prep schools, but, after legal challenges, it did not. Sinn Féin needs to learn that the way to get legislation through the House is through seeking consensus and working with other parties.

The ESA has been raised on numerous occasions. Let us look at the situation. During the normal legislative process, a Bill is introduced, amendments are proposed and parts of the Bill are accepted and others rejected. The Minister's view is that we do it her way, or she will blame everyone else. That is not how laws are passed in any legislature. The Minister must work with the parties that she blames for blocking the ESA Bill. The Minister said that the DUP is blocking the Bill. The reality is that there is a reason why it is being blocked and, unless the Minister works with those who have difficulties and concerns, it is going absolutely nowhere.

Sinn Féin has not learned the lessons of the experience of the ESA when it comes to the convergence plan. We are talking about the convergence plan because of the lack of progress on the ESA. I have listened to other Members. Dominic Bradley said that there are concerns about the legality of what the Minister is doing, and we heard that she did not even seek legal opinion on the issue. That shows the arrogance of the Minister in thinking that she can get her own way on everything.

In proposing the amendment, Miss McIlveen said that Members had been given the plans at a late stage in an attempt to bypass the debate. That is an all-too-common approach by the Minister. Indeed, the Chairperson of the Committee commented on how it had been calling for the plan for many weeks before it got sight of it. I do not think that that is a good way to go about things. That leads to questions of legality and practicality, which, in turn, lead to confusion and lack of certainty. Those who will be affected by the proposed changes have not been told what is going on and do not know what is going on, as has been highlighted by Members across the Chamber.

We do not know the time frame, and the Minister did not clarify very much. We have not heard much more about political representation on the boards. We still have the commissioners in the South Eastern Education and Library Board, where there is no political input. Mr Lunn rightly asked why we should not just keep the councillors who were appointed to the board. Of course, the reason why they are not being kept is that the Minister would rather hand pick members so that she can interfere. That is the sort of control freakery that we are used to from her. I hope that the House will unite behind the motion and the amendment.

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

Mr Ross: We must look at a phased approach to a real way forward whereby we can see change on a step-by-step basis. I support the amendment and the motion.

2.45 pm

Mr McCallister: I am grateful for the support of colleagues across the divide, and I am happy to support the DUP amendment. I will respond to Mr Ross: we could have made more about the debate at the Second Stage of the Education Bill, but we stayed away from that. We have warned consistently of the dangers of the Bill, against which our Ministers voted in the Executive and on which we have taken a consistent approach.

The Minister's contribution contained all the usual, warm flannel that we have come to expect from her. She asked how anyone could not support the desire to raise standards in schools to help underprivileged children. I do not doubt for one instant the commitment of every Member, irrespective of their party, to addressing those issues. What did we get from the Minister other than that? Did we hear anything about convergence, the number of posts that are to be reduced or the budgets? All of that is still up in the air. Did we hear anything from the Minister on whether the ESA is dead in the water, as the Chairperson of the Committee for Education suggested? Is the convergence delivery plan permanent?

The only question to which she seems to think she knows the answer is whether, under the 1986 Order, it is legal to implement her convergence delivery plan, and she thinks that it is.

The Chairperson of the Committee for Education:

The Minister did not say that that was legal, and she could not say that it was. In correspondence to the Education Committee dated 11 May, an official writing on her behalf made it clear that the Department did not seek legal opinion. It is only a matter of time before someone takes the issue to court and tests the legality of what the Minister has done.

Mr McCallister: I am grateful for that clarification. The Minister seems to think that her plan is based on joint working, goodwill and co-operation between organisations. If ever there was a Minister in any Government who

cannot claim to be taking part in joint working, goodwill and co-operation, it is this Minister. This Minister has no record of working with people and, as Mr Ross pointed out, she fails to recognise how the legislative Assembly works or how any type of legislature works.

Mr Kennedy: On a point of order, Mr Deputy Speaker. I draw your attention to the fact that, although the Minister is present in the Chamber, she is nowhere near the debate. She is not even listening to it.

Mr Deputy Speaker: That is not a point of order. The Minister can decide to pay attention to what is happening, she can ignore what is happening or she can take account of what is being said. That is the Minister's prerogative.

Mr McCallister: I am grateful to my colleague Mr Kennedy for that. That has been the problem with the education debate since the Minister came into office. Mr Kennedy is right: the Minister has been ignoring everyone except herself and a few people around her. She has ignored the debates on the transfer test and on special needs education, and, until she had to pay attention, she ignored the debates on Whitehouse Primary School and on preparatory schools. She has ignored the debates every time that someone has raised an issue, and she thinks that she knows better than everyone else.

The Minister misses the point of this legislature, and she misses the point about what scrutiny by a Committee is meant to provide. She thinks, somehow, that, if people do not agree with her 100%, they cannot possibly be right and that those people do not care about children or about education. That is all that we get from the Minister. She comes out with the same stuff in every over-rehearsed speech about how it is all about the children; it is practically the one speech each time. She does not answer any of the questions that Members ask during debates. She did not answer the quotation that David Hilditch suggested that Gordon Topping made:

"This is a recipe for some form of disaster. If something goes wrong, who is going to carry the can for it?"

We have no idea where that is. It is left in the ether in the hope that something will happen. The Minister will blame unionists, the SDLP, the Alliance Party or others because they do not agree with her. Everything is the fault of everyone except the Minister.

The Minister's role is to lead on education, bring people with her, build consensus on the way forward and tackle the issues that she talks about. She talks about underachievement, but what is she doing to address it? Where is the nought-to-six strategy? We have been promised it, but we have not seen it. Why is it that some of my constituents cannot get their children nursery places? We need to save money, but the Minister has no clue how we are going to do that. She has this convergence plan, but she does not know how many posts it will remove or how much money it will save. The ESA was supposed to save £13 million. She cannot continue with this without there being an effect on front line services. That brings us back to the question of why people cannot get nursery school places for their children. Why did we have a debate about getting £80,000 for the I CAN centre in Ballynahinch? The Minister does not have the money, because she cannot deliver on any of the policy agenda.

The Minister has failed every test that has been put in front of her since she became Minister. She has become an absolute disgrace and an example of how, perhaps, the Assembly and the Executive are not functional or fit for purpose. She is the symbol of that dysfunctionality and of the blockage that we need to get rid of to enable us to move things along in the Assembly. If we are not seen to make the Assembly work and if we cannot get a way forward on such issues as the ESA, transfer arrangements or other education needs, what hope do we have of raising standards in education? The Minister, who is not remotely interested in the debate, merely comes along and gives her own little speech and continues to ignore some Members.

Mr Kennedy: She is having a private conversation.

Mr McCallister: She continues her private conversation. That is her commitment to parents, children and teachers in our education system. That is how interested she is in the ESA.

Today, we had nothing on how long the officers-designate in the ESA will stay in post or on how long they will continue to be paid for from the public purse. Do we keep the organisation hanging in shadow form in the hope that, eventually, unionists, the SDLP, the Alliance Party or the majority of the House will suddenly accept her ESA Bill? Will we wait in anticipation for some turnaround in the mood?

It is rare for me to pay tribute to a Sinn Féin Minister, but the Education Minister should look at her colleague Minister Gildernew, who introduced the Forestry Bill. Certain sections were very controversial, and there were 40 to 50 amendments.

Mr A Maskey: *[Interruption.]*

Mr McCallister: If the Member wants to make an intervention, he can do so. I prefer him to do that than to comment from a sedentary position.

Mr A Maskey: I appreciate that the Member acknowledges the fine work and reputation of Minister Michelle Gildernew. However, it follows that his party should not have been conspiring with every other brand of political unionism, from English Tories to the TUV, to unseat Michelle Gildernew. Is that the same Minister you are talking about?

Mr McCallister: That is as relevant to a debate about the ESA as was Caitríona Ruane's speech. The point that I was making about Minister Gildernew was that she worked with her Committee and tried to find a way through. The Education Minister has ignored the Education Committee, the wishes of the Assembly, the public, the stakeholders and everyone else. The only people whom she may have listened to were the voters in South Down, but they told her that they did not want her as their MP. She has ignored people at every turn, and she does so at her peril. Our standards and budgetary contribution are falling behind —

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

Mr McCallister: The Minister is a disgrace. I support the motion.

Mr Deputy Speaker: Order. As Question Time commences at 3.00 pm, I suggest that the House takes it ease until that time. The debate will continue after Question Time, when the Question on the amendment will be put.

The debate stood suspended.

3.00 pm

Oral Answers to Questions

Regional Development

Translink: Auditory Information

1. **Mr Savage** asked the Minister for Regional Development for an update on the Translink pilot scheme on the provision of auditory information for blind and partially sighted users. (AQO 1255/10)

The Minister for Regional Development

(Mr Murphy): Last year, Translink submitted proposals to the Department to introduce an audio-visual pilot scheme. Following investigation, it was established that the proposals did not meet all the requirements expected of such a system. As a result, my Department is investigating other options, including the potential of extending the existing global positioning data systems on Translink Metro services to deliver audio-visual information to passengers. Discussions are progressing, and I hope that we will be able to introduce proposals for a pilot in the autumn.

My Department remains committed to the introduction of audio-visual equipment on buses and will continue to work with Translink and other partners, such as the Inclusive Mobility Transport Advisory Council (IMTAC), to develop proposals that will best meet the needs of the travelling public. However, the introduction of any system will depend on the Department's securing the necessary resources.

Mr Savage: Translink representatives recently expressed concern that issues still remain unresolved over securing sufficient funding to carry out the pilot scheme. Will the Minister ensure that adequate funding for the scheme is available?

The Minister for Regional Development: As all Members will know, funding is an issue for every Department. Nonetheless, we are committed to developing the pilot scheme. The initial scheme, which Translink proposed, did not meet all the requirements, but we are working on a scheme that may have a better chance of doing so, and the intention is to launch the pilot scheme in the autumn.

Mr P Ramsey: I thank the Minister for his reply. The Minister has been very good at meeting a range of disability groups, but will he give us an update on the Department's disability action plan, how it is progressing, and a date for its publication?

The Minister for Regional Development: I do not have the date for publication to hand, but I will ensure that we correspond with the Member and give him that information. Suffice it to say that we have been working diligently with groups such as IMTAC and others, which give us advice on public transport accessibility. Improvements have occurred over the years, and the number of people suffering from a range of mobility issues who have been able to make use of public transport has been increasing year on year. As I said, I will endeavour to find out the date for publication, and I will correspond with the Member.

Cross-border Public Transport

2. **Mr McElduff** asked the Minister for Regional Development what steps his Department has taken to encourage people to use public transport on a cross-border basis, including any ticket price incentives and reductions in fares. (AQO 1256/10)

The Minister for Regional Development: I liaise regularly with my counterparts in the South on cross-border public transport issues. The discussions cover the full policy spectrum, including cross-border rail, concessionary fares, rural community transport and sustainability issues. Since the reopening of the viaduct in Malahide in November 2009, NIR (Northern Ireland Railways), in co-operation with Iarnród Éireann, has offered a series of discounted fares for cross-border rail travellers. The range of discounts has operated successfully for some months now and has helped to restore passenger numbers. There are no plans to increase Enterprise fares generally in the near future, and Translink promotes the discounted fares on its website, at stations and through outdoor advertising.

Translink is also promoting cross-border rail fares through joint promotions with third-party partners in Dublin. In addition, cross-border bus and rail travellers can avail themselves of the various concessionary fares schemes that my Department funds. The all-Ireland free travel scheme allows free travel for pass holders aged 66 and older from the South to travel

free of charge on all bus and rail services in the North using the SmartPass card. Similarly, Senior SmartPass holders in the North aged 65 and over are entitled to travel for free on participating public transport services throughout Ireland, North and South, using their Senior SmartPass.

Cross-border ticketing arrangements are under discussion with the relevant agencies in the North and the South, with a view to establishing an integrated ticketing function. In the meantime, a full range of cross-border tickets can be bought at the counter and on buses for a wide range of destinations, including an interlink service, such as the number 270 Belfast to Galway service. Moreover, an Irish Rovers ticket is available for travel on all bus services in Ireland. Those tickets are not available online owing to the different ticketing systems that Translink and Bus Éireann operate.

I can also confirm that my Department and the Department of Transport in the South have been working together on a pilot project to identify the need and demand for rural cross-border services at community level. The pilot project has been operating in south-west Fermanagh and north-west Cavan, and I hope to bring a full report to the North/South Ministerial Council later this year.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as an fhreagra sin. I thank the Minister for his comprehensive answer. Does he have any knowledge of the Golden Trekker free rail travel pass that pertains to the South? Might a similar concession for visitors to the North be considered?

The Minister for Regional Development: Obviously, the Golden Trekker scheme is specifically linked to the promotion of tourism. The Department of Enterprise, Trade and Investment (DETI) has made my officials aware of the scheme, which was introduced in the South in March 2010. There are plans for a similar scheme that is aimed at individuals who are over 66 years of age and are resident in England, Scotland and Wales. The relative exchange rate provides the North with a material competitive advantage. Fare promotions already operate on Enterprise services. I have asked Translink to discuss such a scheme with Tourism Ireland and DETI to establish the operational issues.

Any arrangements would have to ensure that Translink was properly reimbursed. I have also taken the opportunity to have discussions with Tourism Ireland. The scheme is certainly worth consideration. Obviously, the intention is to attract more visitors from our offshore island, Britain. As a result, some promotional fare schemes have been put forward. The scheme in the South has proven quite successful. We will be interested to look at how we can operate such a scheme in the North.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister expand on the role that he envisages community transport associations playing in cross-border transport arrangements?

The Minister for Regional Development: Cross-border transport arrangements feature strongly in North/South Ministerial Council meetings. The transport sector is one of the Council's formal operations. In those sectoral meetings, we discuss regularly the wide range of cross-border transportation systems with the relevant companies: Iarnród Éireann, NIR, Translink and bus companies in the South. As I said in my answer to the original question, that discussion includes community transport arrangements. A pilot scheme exists in Fermanagh and Cavan.

Therefore, there has been ongoing excellent co-operation between transport companies, North and South. There is ministerial direction to improve that co-operation where possible, such as looking at integrated ticketing to ensure that people who want to avail themselves of public transport throughout the island can do so, and to improve those systems where possible, if there are sufficient resources. The intention is to integrate the transport system as much as possible and thereby encourage more people to use it throughout the island.

Mr Kennedy: Can the Minister report to the House whether the welcome improvements and complete refurbishment of Newry railway station, which were completed recently, have resulted in increased numbers of passengers who use the station?

The Minister for Regional Development: I agree with the Member that the £14 million refurbishment of Newry railway station is a welcome addition to the Belfast to Dublin line. It has certainly attracted much positive commentary and, indeed, has been put forward for architectural awards.

Passenger numbers for before and after the station's refurbishment have not yet been recorded, but I will ask Translink to provide an assessment, which I will make available to the Member.

Roads: North Down

3. **Dr Farry** asked the Minister for Regional Development for an update on plans to improve the roads infrastructure in North Down. (AQO 1257/10)

The Minister for Regional Development:

Roads Service has advised that it plans to resurface a section of the A2 Belfast to Bangor Road between the Ballyrobert Road and the Ballysallagh Road during summer 2010, at an estimated cost of £472,000. Roads Service also continues to progress plans for other proposed schemes in the North Down Borough Council area. Roads Service has identified a preferred layout for a scheme to improve safety and traffic flow in the Craigantlet hills area. Its consultants are finalising a route management study for the A2 Belfast to Bangor Road.

In addition, local transportation and safety measures are planned for the North Down Borough Council area. Details can be found in Roads Service's autumn 2009 council report for North Down, which is available on the Department's website. Although other schemes, such as the completion of the Westlink and M2 works were not undertaken in the North Down Borough Council area, they have increased accessibility to North Down from Belfast.

As Members will be aware, in February 2010, I announced the preferred option for improvements to the A2 Sydenham bypass and confirmed the widening of the existing road to provide three lanes in each direction between the M3 and Tillysburn. Other schemes that are identified in the investment delivery plan that should also improve accessibility to the North Down area are the A55 Knock Road and York Street junction projects.

Dr Farry: I am grateful to the Minister for his answer and particularly for his commitment to the schemes that he mentioned. I appreciate that there are funding limitations.

Does the Minister accept, even in principle, that there is a problem with capacity on the roads in outer Bangor, where ever more housing developments are being authorised by the

Planning Service? Roads that are, essentially, C class — in particular, the Rathgael Road — now operate far beyond any capacity for which they were ever used previously. When roadworks were carried out recently, those problems were exposed. Does the Minister have any plans to address the problems of the under-capacity of roads in Bangor town?

The Minister for Regional Development: At my last Question Time, I answered a question about the management of the roadworks that caused particular problems in Bangor. There was an acknowledgement that they were not handled as well as they could have been, and lessons were learned from that. The experience that the Member refers to is one that is repeated in urban areas across the North. There is a steady increase in the volume of traffic, due to the increase in the number of private cars and commercial vehicles on the roads, and, as a consequence, roads that were not built for such a volume of traffic are struggling with capacity. Bangor is no different from anywhere else.

Consultants are finalising a route management study for the A2 Belfast to Bangor road. That study was delayed due to the introduction of the average-speed camera system in 2008 and the availability of subsequent collision information. However, proposals for that route will depend on funding, as I said at the outset, and the successful completion of the statutory processes. In relation to the congestion issue that the Member mentioned, it is an experience that has been shared elsewhere, but Roads Service is trying to find the best possible solution to it. In relation to the Belfast to Bangor road, it is bringing forward a study to find a solution to the issue.

Mr Cree: As usual, the Minister is helpful in his replies. Can he tell me whether the proposed Belfast to Bangor motorway, which was on the statute books but never actually got built, might possibly be resurrected as a solution? Can he give some idea of when the Craigantlet junction might be sorted out if there is no motorway over the hills?

The Minister for Regional Development: To be honest, the resurrection of the Belfast to Bangor motorway is highly unlikely. That scheme has never been raised with me. It is not identified in the forward plans of Roads Service, and it is likely that the aim is to improve the A2 Belfast to Bangor road instead.

Roads Service has identified a preferred layout for a scheme to improve safety and traffic flow in the Craigtanlet hills. Engineers are carrying out detailed designs to enable the statutory processes to commence. However, progression of the scheme, as with others, is subject to the availability of finance. It is unlikely to be considered for programming before 2013.

Transport: Security Alerts

4. **Mr B McCrea** asked the Minister for Regional Development what discussions he has had or what steps his Department is taking to keep open railways and roads, in light of the increased number of security alerts. (AQO 1258/10)

The Minister for Regional Development:

The forced closure of both our rail and roads networks due to security alerts is, of course, very serious for the safety of the travelling public and for its negative impact on the all-Ireland economy. I am kept informed by officials as necessary, particularly in relation to what are considered the most major incidents. However, by and large, those are operational matters for Translink and Roads Service, with the PSNI having primacy in such matters.

There are already standard procedures between NIR and the PSNI, which become operational as soon as a security alert is reported. NIR liaises closely with the PSNI in its response to reported security issues on the rail network. The PSNI is wholly responsible for all security assessments and for advising NIR when it is considered necessary to close a railway line. If a part of the network is closed, NIR focuses on maintaining transport links and business continuity, invariably by establishing alternative transport provision through bus substitution and by ensuring that customers and staff receive timely updates on the likely impact of revised travel arrangements.

It is a matter for the PSNI to assess the safety risks and to determine whether a line should be closed and when it is safe to open. I am satisfied that there is good co-ordination between NIR and the PSNI on the security of the rail network. Those protocols have been in place for some time.

The role of Roads Service is to deal with the effects and consequences for road users of any such closure. For the purpose of minimising

traffic disruptions arising from the closure of any roads on the strategic roads network in Roads Service's eastern division due to security alerts or for other reasons, a joint protocol was developed with the PSNI. The protocol was originally drawn up specifically for major critical incidents declared by the PSNI, and it deals with issues such as communication between Roads Service and PSNI command and control, liaison with support services and a joint information strategy.

The joint protocol has been in existence for two years and has been updated in light of lessons learned during that period. Work is also under way between Roads Service and the PSNI to produce an equivalent joint protocol for the whole of the strategic roads network. That should be completed by autumn of this year.

Mr B McCrea: I thank the Minister for his very comprehensive reply. I recently visited Londonderry with the Minister's colleague Martina Anderson —

Ms Anderson: *[Interruption.]*

Mr B McCrea: In the interests of goodwill, I will refer to it as Derry/Londonderry if that will make it easier.

I heard at first hand about the disruption that is caused in the city when the bridges are closed. Does the Minister think that it would be worthwhile engaging with the Chief Constable to see whether there is anything that staff in Roads Service or Translink can do to minimise such situations, which — I think that we all agree — are not very helpful given that we are trying to develop the Northern Ireland economy.

3.15 pm

The Minister for Regional Development: I have no issues about engaging with the Chief Constable. Even though the protocols are operational, established and working, there are only two crossings over the Foyle river in that area, so if one or both of the bridges is closed, there will inevitably be disruption. I am not sure what a meeting with the Chief Constable could do to change that.

As I say, joint protocols were specifically developed for the eastern division, where there has been some disruption. Those protocols are being rolled out across the roads network. The north-west and Derry will obviously be included in that. The protocols will build on the good practice that has been learnt from those

developed in this part of the North over the past two years. If people feel, for some reason, that a meeting between me and the Chief Constable is necessary to improve the situation, I am more than happy to take part. However, it has been Roads Service's experience that the protocols have worked quite well.

Mrs D Kelly: The Minister may or may not be aware of the work that elected and community representatives have done with police and Translink to try to minimise disruption in that area. In his response to the question, the Minister spoke about the need for timely information. It is important to get information out about other routes. Will the Minister tell the House whether there is any way in which that might be improved? What is the Minister's view on placing CCTV cameras along strategic areas that are at risk of security alerts, particularly in Lurgan, to help to identify and to bring to justice those responsible for causing them?

The Minister for Regional Development: NIR believes that the focus of the operational arrangements between it and the PSNI is to ensure that information is available to people and that alternative transport arrangements are in place. That inevitably means putting on a bus substitution service between the points that have been disconnected on the railway network.

The use of CCTV and the pursuit of those responsible for causing the closure of railway lines are matters for the PSNI. If the PSNI requires Translink's co-operation to locate CCTV, I am sure that it will seek it. Detection and prosecution of those responsible for security alerts are primarily matters for the PSNI.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister tell the House what impact the increased number of security alerts has had on Translink finances?

The Minister for Regional Development: There was a security alert last night and another one today. It is, therefore, difficult to be definitive about what impact they have. The number of passengers using local rail has held up fairly well, but security alerts clearly impact on passenger confidence. NIR has invested in a significant fare discount and marketing strategy for the Enterprise to restore passenger numbers following the incident at Malahide, which was not security related. Security alerts together with the economic downturn mean that we must be realistic about future passenger numbers

and the financial impact of that. We are in discussions with Translink about the issue.

Airspace Closure

5. **Mr McCallister** asked the Minister for Regional Development what discussions he has had with his counterparts in Great Britain in relation to the closure of Northern Ireland's airspace in recent weeks. (AQO 1259/10)

The Minister for Regional Development: I have not been involved in discussions about the closure of airspace. The control of airspace over the North is a reserved matter. Decisions about closures are taken by the Civil Aviation Authority (CAA) in consultation with the National Air Traffic Services (NATS), the Met Office and the Department for Transport. However, I have been receiving regular updates about flight restrictions from the Department for Transport in London, CAA and NATS. I have also been in direct contact with Noel Dempsey, my counterpart in the South, and my Department is receiving updates on the position with Irish airspace.

CAA has announced that from 12.00 noon on 18 May 2010, new measures will be brought into effect to reduce airspace closures that are caused by volcanic ash. Those measures have been agreed with the Irish Aviation Authority. The new area of operations that is being introduced creates a time-limited zone between the black no-fly zone and the red enhanced-procedures zone. Aircraft and engine manufacturers have agreed, based on new research and analysis, that it is safe to allow operations in the new zone for a limited time at higher ash densities than is currently permitted. The new zone area will be established using Met Office forecasts and will be approved by CAA before operations are allowed within it. Effectively, those measures mean that areas of British and Irish airspace that would have been closed previously can now open safely, thereby further minimising flight disruption.

As a result of that change, there are no predicted restrictions on either British or Irish airspace in the immediate future. I will be meeting our three airport operators shortly to discuss these measures and what my Department and the Executive can do to assist in the event of further disruption over the summer months.

The Office of the First Minister and deputy First Minister (OFMDFM) has collated general information from all affected organisations and Governments on the impact of flight restrictions and the response to them. That information has been shared and discussed with the relevant Departments and agencies throughout the civil contingencies group mechanism.

Mr McCallister: I am grateful to the Minister for his reply. Has he had discussions with his Executive colleagues, especially the Minister of Enterprise, Trade and Investment, about what he could do in the event of further disruption to provide alternative transport to make sure that the impact on the business and tourism sectors is limited?

The Minister for Regional Development: Not yet, but it is my intention to do so. As I said, I will be meeting the three airport operators in the North. As I understand it, the Minister of Enterprise, Trade and Investment is also meeting them to talk about future provision. Obviously, most of us had hoped that the volcanic ash cloud was a one-off incident that, when the initial disruption was over, would not reoccur. However, it looks as though there is at least the possibility that it will be an ongoing occurrence. Therefore, we need to make contingency plans to deal with that, particularly over the summer months when we are very dependent on tourism traffic.

I intend to meet the airport operators and to raise this issue at the next Executive meeting so that I can discuss it with all my Executive colleagues. Even though we do not have authority over who can fly and when, whatever the Executive can do, collectively or through individual Departments, we must do to our utmost to ensure that there is minimum disruption. We must encourage more and more people to travel here so that we do not suffer a downturn in the tourist trade or the economic effects that that would have over the summer months.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. What plans are in place to get stranded passengers home should another disruption occur?

The Minister for Regional Development: In association with Translink, the ports and airports, we are doing everything that we can to help passengers. Translink is prepared to operate additional bus and rail services to help cope with the increase in foot passengers on

cross-channel ferry services should further airport closures occur. Additional cross-channel coach services can also be operated in conjunction with Scottish Citylink, National Express and Eurolines. Translink continues to monitor the situation, and, if required, it will increase its capacity further to help passengers get to their destinations.

Up to 9,000 passengers can be carried by Stena Line between Belfast and Stranraer. Norfolk Line is providing 1,000 passenger places each day between Belfast and Liverpool, and P&O Ferries is providing up to 10,000 passenger places each day between Larne and Cairnryan and Larne and Troon. The facility remains for most ferries to allocate additional staff for booking services should another prolonged disruption occur. Belfast and Larne have the capacity to accommodate any additional sailings to and from their ports. We will work closely with transport providers to ensure that we can continue to accommodate the additional demand on alternative services.

Mr I McCrea: In a previous answer, the Minister referred to contingency plans. Will he advise the House of the contingency plans that he has in place to get to Westminster to serve the people who recently elected him?

The Minister for Regional Development: The same contingency plans —

Mr Deputy Speaker: I have to intervene, Minister. That is not a relevant supplementary question. We must move on.

Water Charges: Utility Regulator

7. **Mr Weir** asked the Minister for Regional Development for his assessment of the appropriate role of the Utility Regulator on the issue of water charging. (AQO 1261/10)

The Minister for Regional Development: Policy decisions on the future funding of water and sewerage services are the Executive's responsibility. In 2007, I appointed the Independent Water Review Panel to make recommendations. In light of the global economic downturn, the Executive decided to defer the introduction of additional household payments for water and sewerage services, and they have extended that deferral until 2010-11. The Executive agreed to consult on any proposals coming out of the independent panel's strand 2 report, including any

recommendations concerning the Utility Regulator. In the meantime, the Executive are providing three quarters of NIW's funding through subsidy. The Assembly recently agreed the extension of that arrangement until 2013.

Current roles in the water sector do not necessarily reflect the fact that the majority of water and sewerage services provision is through public expenditure. I have said that I will look at all options in addressing this matter. However, clearly, the Assembly and Executive's decisions need to be reflected.

Mr Weir: I thank the Minister for his response. What is his assessment of the need for the Utility Regulator to be genuinely independent and the benefits of that situation?

The Minister for Regional Development: The regulator should be independent. He has responsibility for other utilities in which his independence is very important.

With regard to water, the regulator's role was established in anticipation of a set of circumstances that have not been realised. Under direct rule, it was anticipated that NIW would become a self-funding organisation. The Executive have taken different decisions, and NIW remains largely funded by the public purse.

Therefore, the role that was envisaged for the regulator is not the one that has transpired over the past number of years. Although his advice and guidance to both me and NIW is very important, as is the independence of that, we are dealing with different circumstances from those that were envisaged when the regulator's role was set up in our ongoing treatment of NIW and its funding requirements.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. Given what he just said, will the Minister give us some pointers on how he sees the future role of the regulator?

The Minister for Regional Development: As I said in my previous answer, the regulator's role has not panned out as envisaged in the direct rule proposals. However, the regulator looks at many different aspects of NIW, including financial monitoring and performance. The future role of the regulator depends on the Executive's decisions about household payments for water and sewerage services. Once those decisions are made, we will be in a better position to decide the best structure for

the delivery of water and sewerage services. If household payments continue to be deferred, it is difficult to see how NIW's funding could be based solely on the regulator's price-control process, given that almost three quarters of that funding comes from subsidy.

Mr McDevitt: Will the Minister tell us what role he envisages playing if Northern Ireland Water needs more funding?

The Minister for Regional Development: I will play the role that I played when I secured the funding that I believed was required for NIW. That involves discussing the issue with my Executive colleagues, particularly the Minister of Finance and Personnel. Other people bring to the table what they consider to be the funding requirements of their Departments, and we argue as best we can for what we believe to be the funding requirements for different aspects of our areas of responsibility. I did that recently, and we managed to reach agreement on the budget that I considered was required for NIW for this year. Obviously, there are indicative figures for the two years beyond that.

Rev Dr Robert Coulter: How does the Minister intend to provide improved water services while ensuring better value for money?

The Minister for Regional Development: We see examples of that every day. NIW is investing about £1 million every working day to improve water and sewerage infrastructure. As the Member knows well, I have been to north Antrim to open quite a few of the projects that have resulted from that investment. The Member knows well the state that we were in a number of years back, when we were on the verge of incurring charges from Europe due to pollution. The investment that has taken place since then has seen off the threat of those charges. The quality of the provision of water and sewerage services is now much better.

There needs to be continued investment so that improvements to the service continue. We started from a very low base and a lack of investment for some 20 years, so essentially we have been playing a lot of catch-up. Tomorrow, I will open the Belfast Sewers Project, which is the result of over £100 million of investment in this city and was absolutely vital to protecting the service here. Therefore, a very substantial investment is continuing, which has been yielding good results. We will continue to argue for that investment in NIW.

Mr Deputy Speaker: The Member is not in his place to ask question 8. I should have announced that question 6 had been withdrawn. Questions 9 and 13 have also been withdrawn.

Belfast Marathon

10. **Mr Bresland** asked the Minister for Regional Development why his Department is supporting the proposal to change the date of the Belfast marathon from the May Day holiday to a Sunday. (AQO 1264/10)

The Minister for Regional Development: I understand that the Belfast City Marathon is arranged by an organising committee, involving Belfast City Council and other partners and sponsors. My Department is not represented on that committee. However, Roads Service plays an active part in a supporting technical committee, which has responsibility for developing details of how the event will operate and how its effect on road users can be minimised.

The marathon traditionally takes place on the first bank holiday Monday in May. I understand that the chairman of Belfast City Marathon Limited recently sought support from Belfast City Council to move the marathon event to a Sunday. I understand that although the council's development committee agreed to support the proposed change from May 2011 onwards at its meeting in April, the council has subsequently decided that the marathon will not be held on a Sunday next year.

I am aware that there has been erroneous press coverage of the issue, including a statement to the effect that Roads Service had written a letter of support for the proposed change to a Sunday for future events. In fact, Roads Service officials advised Belfast City Council that although they had no objections to the proposed change, they were unable to actively support it.

I understand that Translink wrote to the Belfast City Marathon event manager in January stating that, from an operational point of view, it would prefer the marathon to take place on the Sunday before the May Day bank holiday. It has been Translink's experience that the increased number of participants, together with route modifications, has resulted in a high level of disruption to bus services.

That disruption impacts negatively on passengers and leads to increased costs. Translink has further advised that it will continue to support

whatever decisions are reached by the event organisers for future marathons.

Mr Bresland: I thank the Minister for his answer. I was pleased to learn that Belfast City Council is to consult widely on the issue before any decision is made. To what extent were the equality requirements of section 75 of the Northern Ireland Act 1998 considered in supporting the change of the day of the marathon from a Monday to a Sunday?

The Minister for Regional Development: As I said, my Department is not directly involved with the committee that organises the event. Roads Service is indirectly involved with regard to road accessibility. Therefore, I cannot say what consultation was undertaken or what equality requirements the committee considered in reaching its proposed decision. If there is to be consultation in the future, that would be a matter to be taken up with the committee.

3.30 pm

Mr Elliott: On a point of order, Mr Deputy Speaker. You mentioned, at almost the end of Question Time, that question 15 had been withdrawn. That was my question, Mr Deputy Speaker, and I was just wondering —

Mr Deputy Speaker: Question 13 was withdrawn.

Mr Elliott: Thank you very much.

Private Members' Business

Convergence Delivery Plan

Debate resumed on amendment to motion:

That this Assembly notes with concern the uncertainty surrounding the Minister of Education's convergence delivery plan and the impact this is having on staff morale across the education sector; and calls on the Minister to update the Assembly on progress made to date. — [Mr B McCrea.]

Which amendment was:

Leave out all after "uncertainty" and insert

"and lack of transparency surrounding the Minister of Education's convergence delivery plan and the impact this is having on staff morale across the education sector; further notes the unacceptable failure to properly reconstitute the education and library boards within a reasonable time frame, which is contributing to a democratic deficit; and calls on the Minister to update the Assembly on progress made to date." — [Miss McIlveen.]

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes with concern the uncertainty and lack of transparency surrounding the Minister of Education's convergence delivery plan and the impact this is having on staff morale across the education sector; further notes the unacceptable failure to properly reconstitute the education and library boards within a reasonable time frame, which is contributing to a democratic deficit; and calls on the Minister to update the Assembly on progress made to date.

Motion made:

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

Adjournment

Castle Tower School, Ballymena

Mr Deputy Speaker: The proposer of the topic will have 15 minutes in which to propose. All other Members who wish to speak will have approximately 10 minutes.

Mr Storey: I want to begin by paying tribute to an individual and then a group. First, I want to give public acknowledgement to the excellent work that has been carried out by my Assembly colleague Reverend Robert Coulter, chairman of the board of governors of Castle Tower, and the entire board of governors. Many people are indebted to Reverend Coulter for his unstinting efforts on behalf of Castle Tower School, and it is only right that his commitment and perseverance on behalf of Castle Tower are recognised and applauded. I assure the Member that the fact that this topic was selected for debate is in no way an attempt to undermine the excellent work that he has done. I pay tribute to his work and assistance, even in bringing the debate to the Floor.

Secondly, I pay tribute to the Castle Tower staff and all associated with the school. The school was formed in September 2007, when the three special schools in Ballymena amalgamated, with each coming under the jurisdiction of one campus. Dunfane campus caters for children with moderate learning difficulties in Key Stages 1 to 4, for pupils older than 16 years of age, and it has a life skills unit; Beechgrove campus caters for children with physical difficulties from pre-school to year 7, after which pupils transfer to a mainstream school or to another special school for their post-primary education; and Loughan campus caters for children with severe learning difficulties in Key Stages 1 to 4.

Castle Tower School continues to provide outreach services to a number of local primary schools, aiming to support pupils with special needs and their teachers. It is a school to be proud of, and it delivers excellence that cannot be bettered anywhere else. However, all that excellence is delivered in spite of the many daily difficulties that the school faces.

The accommodation in the school is highly inappropriate to meet the diverse needs of the young people in its care. The school currently provides education and care for 258 pupils, ranging in age from three years to 19 and in ability from pupils who are capable of gaining GCSE qualifications in some subjects to young people with the most profound difficulties and complex needs.

Castle Tower School cares for children who have heartbreaking disabilities. Many of the pupils are wheelchair users or have restricted mobility alongside their learning difficulties, but some mobile classrooms do not even have appropriate disabled access. That fact alone ought to be all that the Minister needs to spark her into action. She and I frequently clash over her priorities and about how she allocates her budget, but surely she cannot disagree today that she ought to prioritise such a crying need at this time.

We are dealing with some of the most vulnerable young people in society, in one of the worst educational environments in Northern Ireland. Our young people simply deserve better. It is the Minister's Department; it is the Minister's responsibility; and it is the Minister's decision. The debate is not about the school's estate, departmental directives or party political disagreements. It is about disabled children attending a school in which too many classrooms have no disabled or otherwise appropriate access.

Apart from the ongoing health and safety issues that Castle Tower School deals with daily, the lack of appropriate facilities also has a direct impact on the pupils' learning and on the educational environment. In a February 2010 inspection report, 95% of the lessons observed were rated as "good" to "outstanding", but the report commented on how the school environment had a negative impact on the pupils' learning. The staff and all associated with the school should be commended for the way in which they continue to deliver the service, and I pay tribute to the leadership of the school's principal, who, I am delighted to say, is in the Public Gallery.

Castle Tower School has highly skilled and professional staff who were acknowledged by the inspection report. However, the pupils' progress is being seriously hampered by their environment. I listened with great intent to what the Minister said in the debate on the

convergence delivery plan about her concern and her care. She said that we were all concerned about underachievement. We will test that concern in the Minister's response to the House later on.

Let me cut through all the rhetoric: the debate is about some of society's most vulnerable children. They are in the care of some of the most outstanding professionals in Northern Ireland, but they are being hampered, hindered, held back and condemned to a lesser future because of a learning environment that has been created by indecision and the state of the school's facilities. The Minister must act. I urge her, as she did on behalf of Whitehouse Primary School, to act responsibly and immediately.

Let me outline some of the health and safety issues that were raised in the inspection report. The roof of the Dunfane campus building is in a poor state of repair. There are many leaks, which resulted in the temporary closure of the school's ICT suite during the inspection. The roof is leaking in the home economics room and in the technology and design suite. Machines and equipment have been damaged by water leaking through the roof. There are problems with the roof in other parts of the building, including the corridors. Buckets were used to collect drips from the leaking corridor roof during the inspection. Is that the environment that we want our children to be educated in?

Pupils who use wheelchairs cannot participate fully in lessons in the science, technology or home economics departments, as the benches, sinks and worktops are unsuitable. They have difficulty gaining access to some of the mobile classrooms because ramps are not always readily provided. The mobile classrooms and some of the main external doors on the Dunfane campus are in a poor state of repair. Vehicular access to the Dunfane and Beechgrove campuses is very restricted. The car parks are so inadequate for the number of cars that the children's playground is used as a car park for staff vehicles. The Beechgrove campus building is in a poor state of repair with single-glazed, metal-framed windows, some of which were broken at the time of the inspection. The heating in one of the classrooms on that campus is inadequate. The play area cannot be used.

I could go on and on. Approximately 50% of teaching at the Loughan campus takes place in mobile classrooms that are in a poor state

of repair. That has a detrimental effect on the quality of learning. The therapy treatment rooms are inadequately sized, and therapists often have to use classrooms to work with pupils.

In addition to those issues, Castle Tower School recently had to move a group of pupils out of their classroom after a smell of electrical burning was noticed. It is suspected to have been caused by water leaking through the roof into a fuse box.

The Minister recently released £3.2 million for the design stage of the Lisanelly education development, yet the economic appraisal for that has not been passed by the Department of Education. Castle Tower School's economic appraisal is at the final stage of approval, and I understand that it is currently with the Department of Finance and Personnel. I have with me the timeline for that economic appraisal, which goes from 24 July 2006 to 4 May 2010. To any independent assessor or observer looking at how efficient we are as an Executive, an Assembly or a devolved Administration, it would appear to be a list of failure: revision, more information, revision, more information, requirement for clarification, referral to the economic assessment unit and the business unit. What we have is a bureaucratic nightmare, and all that we have ever asked for is delivery for Castle Tower School. Firm decisions need to be taken, and the Minister should take those decisions without delay.

The Minister has spoken of her commitment to her duty under the law and her statutory obligations towards integrated education. She will be aware that Braidside Integrated Primary and Nursery School is waiting for the Castle Tower announcement. Once that announcement is made, the Dunfane campus can be vacated and Braidside can develop and refurbish the site. The situation not only affects Castle Tower School, which is of the utmost importance, but, because of the delay, it impacts on Braidside school. We wait to hear from the Minister why there has been this delay.

I urge the Minister to listen to the genuine pleas and concerns not only from me as the elected representative for the area but from my colleagues, who I have no doubt will give me unanimous support, and to concur with the desire of Ballymena Borough Council. She has received correspondence from that council

regarding its campaign. It has asked other councils in the area to support the Castle Tower project. Living in Ballymoney, I know that some of my North Antrim constituents travel to the facility in Ballymena and would be at a loss without it.

3.45 pm

We came to the House today with knowledge not only of what Members and councils have said but of what the Minister said in the House on Tuesday 3 November 2009. On that occasion, in response to my colleague Rev Robert Coulter, she said that she had had a wonderful morning on her visit to Castle Tower. She said that the North Eastern Education and Library Board was revising — not for the first time — an economic appraisal for the major capital works scheme.

The Minister went on to say:

"The board has advised us that that will be resubmitted shortly."

And it was. She continued:

"Following approval of the appraisal, I have agreed that the project should progress immediately to project design and implementation stage. The scheme will then be in a very strong position to compete for funding from a future capital funding announcement. I assure the House that my Department and I are treating the scheme as an urgent priority." — [Official Report, Vol 45, No 2, p98, col 1].

I want the Minister to clarify to the House where we are with that. Is Castle Tower, unfortunately, in the same position as, we were told, Whitehouse Primary School? The Whitehouse scheme was caught up in the review of capital works. However, the Minister then announced, all of a sudden, that she had seen the review and that work on the project could progress. I believe that that was done, rightly so, only because of public pressure and the issues that had been raised.

If the Minister has had sight of the review of capital projects, I trust that she will be in a position to tell the House this afternoon where Castle Tower sits in relation to that review. Does the Minister still support the project? Does she still have a desire to see the Castle Tower project move forward? Will the commitments that she gave in November 2009 be brought to full fruition so that we can move forward and address the uncertainty, concern, fear, worry and

huge practical problems that have arisen as a result of inaction?

This is a plea to the Minister from everyone who is involved with or supportive of Castle Tower. We want the Minister to set out clearly how the project will be delivered and the timescale in which it will be delivered, rather than give the standard, state-of-the-art departmental reply. The Minister could then revisit the school in the full assurance that she had not only gone to see the problem but had taken action to resolve it and delivered for the pupils and everyone else associated with Castle Tower. I ask the Minister to ensure, on this occasion, that children are really at the heart of all that she does as the Minister of Education.

Rev Dr Robert Coulter: I declare an interest as chairperson of the school's governing board. Needless to say, I support my colleague in what he said and the proposition that he put to the Minister and the House. It is difficult to know where to begin after the school's problems have been set out so comprehensively by my honourable colleague. However, as I think of the situation that we are in at Castle Tower, the first people that I must pay tribute to are its principal and staff.

I have been associated with the school for some years now, and I have witnessed the deterioration year on year. It is a disaster for any school for staff to be told that the play equipment that the children enjoy using is dangerous and must be chained up. The playground at Castle Tower had to be closed because it is unsafe, and there are problems with the condition of the building in which the staff work and the children learn. As my colleague said, the very essence of education is being denied to the most vulnerable section of our school people.

The difficulties involved in bringing together three schools were great, and I pay tribute to the principal and staff for the efforts they made to come together and make the whole project work. It has been tremendous. However, being saddled with all three campuses undervalues the provision of education for those vulnerable children and makes the whole situation so much worse. Added to that is the fact that the site for the school already exists. The ground has been acquired, and everything is in place — except that the Department is not moving forward. Again and again, as my colleague has said, this

matter has been tossed back and forth and has been handled as though it were in a game of ping-pong. Repeatedly, our hopes have risen only to be dashed because some minor element in the process has been thrown at it once again.

If I could take you, Deputy Speaker, and let you see the work of the parents and the community in supporting this school, you would see immediately that this is not something that is merely sectarian or of minor value. Our project in Ballymena touches every aspect of the community. When one sees those children, with all their disabilities and impediments, beginning their education and beginning to develop, take an interest in things, go forward, gain confidence in life and feel that, at the end of the journey, there is something for them that they can do to contribute to their own life, it is fantastic. It is very satisfying to the whole community, as well as to the staff who teach them and to the parents who are so pleased to see them develop. Our hearts go out to them. We feel that we are being denied something in the community by not having a proper school in which to teach those children.

I pay tribute to the borough council. We hosted the mayor, and the council took cognizance of what we said. The local newspapers are backing us. People cannot understand why the Education Department cannot find the finance to take forward a project that needs to be designed and then built, which will take a number of years. Why is it that, though we have the site and the determination to go forward, those things cannot happen? What is the impediment in the Department that is holding back the project? Is the Department unable to realise the significance of the project? What more do we have to do? We feel that we have done everything to push the project forward and enable our children, who are deprived of an education, to get assistance that will give them a life. This is not just about education; it is about the whole issue of giving children a life, not only during their years of education but during their lifetime. We do not condemn anyone. We are begging, pleading, asking. Why is this particular project being held back when others are going forward?

I ask the Minister to take another look at this; to see it again in a different light; to take it forward as speedily as she can; and to give to the people of Ballymena and the college's staff, principal and board an assurance that there

will be no more impediments to progress. Will she assure us that we can look forward to the implementation of the plan for the new school in the very near future? We can then rejoice with the children in what we can give them. I support Mr Storey.

Mr O’Loan: I congratulate my North Antrim colleague Mervyn Storey on securing an Adjournment debate on this important issue. I also thank him for the strong but measured way in which he presented the case.

I want to start a little bit further back than Mr Storey did, with a press release about the new Castle Tower School that was issued by the Department of Education on 24 July 2006. It is named Castle Tower School because uppermost in the minds of those planning the school was the fact that the site of the new school was adjacent to the site of the former Ballymena Castle. When the announcement was made, a new school was very much framed in their thinking. The Department’s press release almost four years ago said of the schools involved:

“They will amalgamate on the former site of Ballymena Boys’ and Girls’ Schools on completion of a new building ... While the new amalgamated school will have a single management structure it has been agreed that each special educational need will continue to be supported through separate specialist provision as operates under current arrangements.”

It is important to recognise that the three constituent schools perform quite different functions and contain differing categories of children. I will not go into that in detail because Mervyn Storey has already done it well. However, I note that already, in this press statement, the Department was telling us that Beechgrove Special School had:

“a number of accommodation issues requiring urgent attention”,

that Dunfane Special School had:

“one main building and three mobile classrooms and currently has a number of accommodation deficiencies”,

and that Loughan Special School also had “accommodation deficiencies”.

That was the situation in 2006. We know that there has been no major refurbishment in the meantime because of the plan to replace the three school buildings with a new building. We

have heard stories of leaking roofs and so on. One assumes that some attempt has been made to repair the leaks, but the three sites are obviously deteriorating, and no substantial refurbishment can happen in the meantime.

In September 2009, in reply to my question for written answer, the Minister told me that the proposal was at economic appraisal stage, that the North Eastern Education and Library Board were commenting on that and that, following the expected approval of the economic appraisal:

“it has been agreed that the scheme will proceed to project development and design stage. The project will then be in a strong position to compete for funding”.

In February 2010, in correspondence with Ballymena Borough Council, which has been energetic on the matter and of which I am a member, the Minister stated that a revised economic appraisal was currently being considered by the Department’s economic advisers. Therefore, we had moved on a stage at that point. The Minister told the council that it was not possible to provide a timescale for approval, but I am glad that she said:

“the project is being treated as a high priority by officials.”

She also stated that the project, following approval of the economic appraisal, would be in a position to compete with others for funding from any future capital announcement. However, at that point no decision had been taken on the timing of the next capital announcement.

4.00 pm

In passing, I will mention that the Minister’s party colleague on Ballymena Borough Council is very critical of what she has or has not done. With a lack of realism, her party colleague tells us that special needs pupils should not have to compete for funding with anyone. All of us in the Chamber today are keen that this project should go ahead, but I do not think that it fools anyone to come out with that kind of talk and say that special needs schools do not have to compete with anyone else for funding. The Minister does not have a bottomless pot labelled “special needs education” in order that any special needs project can be funded automatically. There has to be a prioritisation of projects, and I will comment particularly about that.

Our genuine complaint about the performance of the Minister and the Department relates first to false expectations that have been created over a period of four years. Even quite recently, I was hearing talk that it could be another five years before the project is completed. I hope that the Minister will be able to reassure us that that is not the case. It is very difficult for the school's management and its principal, Mr McFeeters, who is here to observe the debate today and whom I welcome. The principal and the board of governors, led by Reverend Coulter, do an excellent job, and there is clear testimony to that effect in the recent inspectorate report to which Mr Storey referred.

I want to bring a sense of realism to the debate. Although there have been delays at various stages of this project and many others, the Minister, as far as I know, is not returning money to the Department of Finance and Personnel and saying that she has not spent it. Of course, there are different ways of funding schools; not all funds come straight from the Department's pocket. Nonetheless, even if economic appraisals came through for many projects more rapidly than they do currently, which they should, the money, ultimately, has to be available to build the schools. There is not an infinite sum of money. However, we are entitled to ask the Minister how the prioritisation of projects takes place.

Recently, the Minister embarked on a review of all capital projects. I take it that that was on foot of a reduction in her budget for the next year as part of the cuts to all Departments. However, I find it surprising that she needed to undertake a review of all capital projects. It seems to me that, if a meaningful and appropriate system for prioritising projects already exists, the fact that her budget was reduced should not have required a complete new system or revision of all projects. I would appreciate an answer from the Minister on that point. I would also appreciate it if she could tell us something about what is emerging from that capital review.

With respect to the situation at Whitehouse Primary School, I, like all Members, welcome the fact that funding has been given to that very urgent and necessary scheme. Nonetheless, that scheme was singled out for decision and report to the public. I wonder about that, when there are many other schemes, including the one that we are discussing, which, for those affected, are

every bit as significant. There has to be a proper and fair process regarding all schools.

On the face of it, to those who are involved with the issue locally, this scheme ought to have a very high priority because of the clear great needs of the school and the very long delay. If the Minister has an explanation to give, it should be around how she establishes her priorities and why, a full four years after the decision to amalgamate was taken, there is still no declared timescale for the newbuild on a single site for the Castle Tower School.

I appreciate the Minister's presence, and, in her reply, I hope that she will go considerably further than she has hitherto in public and declare a timescale for completing the project. Furthermore, I hope that she will endorse the case that other Members and I have articulated and that she will make a statement about an early conclusion to this saga by telling us when the Castle Tower School newbuild will happen.

The Minister of Education (Ms Ruane):

Cuirim fáilte roimh an díospóireacht seo, mar aibhseoidh sí réimse ríthábhachtach dár n-earnáil oideachais — soláthar riachtanas oideachais speisialta.

I welcome the debate, which highlights a vital area in the education sector: special educational needs provision. The topic reminds us that almost one in five children in our schools has special educational needs and that, for a variety of reasons, including social and economic disadvantage, up to one in four children experiences greater learning difficulties than their peers. The debate also affords me an opportunity to highlight the significant challenges and tough decisions that my Department faces in light of its reduced capital budget allocation and the uncertainty surrounding future allocations.

First, I recognise fully the difficult conditions that the principal, staff and pupils of Castle Tower School have to endure. I am particularly conscious that the most vulnerable children are being educated in poor accommodation. I also appreciate that the difficulties of operating a school on a split-site campus will be alleviated fully only by a fit-for-purpose school building. I heard the concerns that were expressed about Castle Tower Special School, and I am acutely aware that building any new school makes a significant difference not only to children but to teachers and the wider community. I visited the

school, and I pay tribute to Rev Robert Coulter's work and to the work of those in the school.

Unfortunately, prior to my time many schools were given approval. The Department is ensuring that it prioritises its available resources to build up the schools estate. In July 2009, by amalgamating three schools on a common campus — the former site of Ballymena Boys' High School and Ballymena Girls' High School — the Department approved a statutory development proposal to form Castle Tower School. In 2008, the North Eastern Education and Library Board brought forward a revised economic appraisal for the project, which was reviewed and scrutinised as a matter of urgency by its technical and economic advisers.

Since then, the Executive have reduced my Department's budget, and I now face a challenging position on investing in the schools estate, including a £22 million cut to address increased public expenditure pressures facing the Executive. All parties represented in the Chamber supported that cut, which my Department has to implement. Since May 2007, the Department has completed 39 newbuild projects, representing an investment of more than £253 million in the schools estate. This year, the available works funding will be used to complete seven projects that are currently on site. In addition, a further seven newbuild projects are under construction, including Magherafelt High School, where £6.9 million will be invested in 2010-11, Lisbellaw Primary School and St Patrick's and St Brigid's Primary School in Ballycastle. When we have extra money, I will look to see which projects we will bring forward.

We must recognise that, in addition to major works, the depleted capital budget covers a range of areas, including youth projects, school transport, early years and minor works in an estate comprising more than 1,200 schools. However, in 2010-11, my reduced budget means that tough choices are inevitable. I assure the Assembly that, in this financial year, I will continue to press for additional capital funds and, during in-year monitoring rounds, I look forward to receiving support from all parties and Members. If we are serious about renewing the fabric of the schools estate and if we want to build a new Castle Tower School and other schools that badly need to be built throughout the North to allow our young people to access their education in modern, fit-for-purpose

accommodation, we must ensure that capital funding for the schools estate is a top priority, even in this challenging financial environment.

I emphasise that my review of all capital projects has been commissioned to ensure that the right size and type of school is built in the right location. The review is to ensure that all proposed capital projects are sustainable in the long term and adhere to our statutory duties. The rate at which the Department can build new schools is a separate issue and, as I said earlier, is totally dependent on the available resources. Finance is limited and, inevitably, it will continue to be limited unless there is a real commitment from the Executive and the Assembly to prioritise investment in the schools estate.

Cé gur maith áta a fhios agam na fadhbanna atá ag Castle Tower School, agus atá ag mórán scoileanna eile i ngach earnáil, ní fhéadaim tiomantas a thabhairt tús a chur le hobair ar an suíomh ná dearbhuithe a thabhairt faoi dhul chun cinn aon tionscadail ollloibreacha ar leith mar gheall ar na dúshláin sin.

Those challenges are why, despite being acutely aware of the problems at Castle Tower Special School and many other schools in every sector, I cannot give a commitment at this point to work beginning on site or assurances about the progress of any particular major works project. As Minister of Education, I aim to put the interests of children and young people at the centre of my considerations. I assure Members that I will work with my Executive colleagues to secure the best outcome possible.

I conclude by emphasising my Department's commitment to children with special educational needs. In 2008-09, some £202 million was spent on provision for children with special educational needs.

Faoi dheireadh thiar, geallaim don Tionól go bhfuil mé an-tiomanta do dhul i ngleic leis an éagsúlacht atá ag dul i méid inár scoileanna, do bhacainní ar fhoghlaim a shárú, agus do chaighdeáin a ardú le haghaidh gach páiste agus gach duine óg.

I assure the Assembly that I am deeply committed to addressing the growing diversity in our schools, removing barriers to learning and raising standards for all children and young people.

Adjourned at 4.12 pm.