

Official Report (Hansard)

Monday 11 October 2010
Volume 56, No 3

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Suggested amendments or corrections will be considered by the Editor.

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to arrive not later than two weeks after publication of this report.

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Northern Ireland Assembly

Monday 11 October 2010

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

Members observed two minutes' silence.

Ministerial Statement

Northern Ireland Housing Executive

Mr Speaker: I have received notice from the Minister for Social Development that he wishes to make a statement to the Assembly.

The Minister for Social Development

(Mr Attwood): Mr Speaker, I thank your office for the accommodation that you have shown to me and my Department in making available this opportunity to make a statement to the House. I also acknowledge that my statement was sent a little late, due to a combination of the inability of staff to decipher my handwriting, which is as poor as that of many doctors, and problems with sending the email to all the relevant offices in the Building.

Forty years ago, the social housing sector in Northern Ireland was beset with difficulties. Not only was housing stock substantially deficient physically, housing had become a central issue in the deeply divided politics of the time. There were justifiable concerns about the condition of much of the stock and the substandard, slum conditions that many tenants had to endure. There were also grave concerns about the fairness of housing allocation and decision-making as to where new housing would be located. Housing was administered by a multiplicity of localised authorities, which were sometimes subject to localised political influence.

Housing reform became a central feature of the civil rights debate that raged in the late 1960s and early 1970s, and, in 1971, the British Government introduced a major change. A new comprehensive housing authority, the Northern Ireland Housing Executive, was established to take over the duties of 65 housing authorities. The new executive would assume responsibility not only for the social housing sector but for

raising standards in the private and owner-occupied sectors.

The facts speak loud. About 250,000 slum dwellings had been demolished in Britain in the 20 years to 1939. The figure in Northern Ireland was zero. Housing conditions in Northern Ireland, which, in 1900, were broadly similar to those in Britain, had slipped significantly behind by 1939. Improvements took place after the Second World War, and about 180,000 new houses were completed by 1970. However, standards remained lower than in Britain.

The newly formed Housing Executive faced up to that legacy and its 1974 house condition survey painted a stark picture. Almost 90,000 dwellings — 20% — were legally unfit for human habitation, a rate some three times that recorded in England. More than one third of the stock was in need of significant repair, and the problem was especially intense in the private rented sector. Around 26% of dwellings lacked at least one of the five basic amenities, and 22% lacked four or more such amenities. As Members know full well, some 600,000 people in total — 40% of the population — lived in dwellings that were unfit, in disrepair, or lacked certain basic amenities.

Belfast had a disproportionate share of that legacy. In the inner west sector of the city, for example, more than half the stock was unfit, one third had no wash-hand basin, and a similar proportion had no internal toilet. That set a major challenge for the Housing Executive, but history has shown that it was fit for the challenge.

Housing conditions in Northern Ireland have been transformed in the comparatively short space of four decades. The latest housing condition survey shows levels of unfitness of around 2.5% — by far the best in Britain and Northern Ireland — with a tiny margin of

unfitness in the public sector. Over the past 40 years, the Housing Executive has evolved into an organisation with two roles; one as a social housing landlord, and another with housing-related functions, such as the administration of housing benefit and the Supporting People programme.

Forty years into its life, the Housing Executive has functions that are arguably beyond social housing. It faces an uncertain budget situation. There are 19,000 people in housing stress, and waiting lists were down 6% last year. There is a need to build on Margaret Ritchie's achievement of 1,840 new starts last year and my target of 2,000 new starts this year. The time is now right for a fundamental review of the Housing Executive to ensure that it is fit to discharge its housing responsibilities for the next two decades and further into the twenty-first century. Therefore, I have decided to commission such a fundamental review.

The review will examine the housing and other functions of the Housing Executive in detail to provide a comprehensive assessment of its contribution to housing policy objectives, take account of the other structures in the housing policy sector and make recommendations about remit, role and responsibility to achieve best results. The review will also examine the efficiency and effectiveness of the Housing Executive's operations, including the appropriateness of existing structures. It will make recommendations for improving the performance and delivery of housing policy and objectives.

Internal expertise has been sourced to work on the assignment. I will also engage external, independent people with specialist knowledge of organisational reforms of such large public sector organisations to offer sound advice on best practices and optimum value-for-money solutions and to facilitate the completion of key deliverables.

There will be three phases. The first phase will undertake a broad examination of current business and gather evidence to confirm the current base position, including an examination of the strategic and landlord functions. The second phase will identify high-level options for a future service delivery model. The evidence emanating from this phase will be used to develop and underpin a future service delivery model. That phase will be primarily undertaken by the external consultants, supported by internal staff,

and will include stakeholder consultation. Phase three will develop a robust implementation plan for an agreed preferred option.

As Minister, I want to make a number of matters very clear. First, I am strongly convinced that the state should provide social and affordable housing and that it should substantially provide the funds for social and affordable housing. That principle must not, in my view, be compromised. Secondly, I have heard occasionally that there is a magic wand of new, untapped, extravagant sources of moneys for social and affordable housing. To date, those quick fixes have come to nothing.

On the odd occasion, a proposal is made, only for it to be cost prohibitive, resulting in a stock of public housing ending up in private hands or not being operationally or legally feasible or desirable. I hope that that context is understood and acknowledged inside and outside the Chamber.

Whatever the shape of the Housing Executive going forward, housing funding must not be a victim in any Budget outcome. Housing newbuild has not had such a profile for years, and rates for newbuild starts have not been as high at any time in the past dozen years. I shall repeat myself. There were 1,840 new starts last year under Margaret Ritchie, and 2,000 new starts are anticipated this year. There is more housing newbuild on government land. Housing associations with lower grants are borrowing more at low rates from the European Investment Bank and elsewhere, and housing waiting lists are down 6% on last year's figure. That is Margaret Ritchie's legacy. We must build on it, not squander it, and it must be an essential feature of Budget 2011-15.

I believe that Northern Ireland requires much further reform. We do reform well here, and we have done so in areas such as housing, the workplace, policing and politics. Housing has, in many ways, been the trailblazer. Not only has housing fitness been addressed substantially but the politics surrounding housing has been defused substantially. That would have been unimaginable 40 years ago, but we have travelled the road, and we are the better for it. Reforms happen too slowly. Resistance to reforms has been deep, and interests have gathered to frustrate and sideline the impetus to reform. However, I repeat: when reforms happen, we are the better for them. They should

happen more across the range of government and public policy.

Members will be aware of media coverage of a number of matters relating to Housing Executive business that are, or have been, the subject of internal ombudsman or police investigations. Clearly, the various investigations must be allowed to be completed, and due process must not be compromised. Given that context, I believe that it is essential that there is confidence in how the Housing Executive conducts its business, that concerns are addressed fully and robustly and that there are no further grounds for concern. If I am to discharge my responsibilities as Minister and to fulfil my responsibilities to Government and the Assembly and if the permanent secretary is to discharge his accounting responsibilities fully, we all need to be satisfied that the Housing Executive board and governance systems are working effectively and that its operational systems are applied consistently. That is why I ordered a team to be directed to examine and report on a number of Housing Executive matters. That team shall report on whether structures are in place and information is available to the board to ensure that it effectively identifies and manages risk, that it prevents and detects fraud and error, that it holds to account senior managers and that it ensures that the organisation operates at the highest standards of corporate governance. The team will also examine whether adequate controls are used to manage risk, the prevention and detection of fraud and error, as well as performance, procurement and asset disposal, including, where land and property are concerned, the procurement of repairs, maintenance, miscellaneous works and adaptations.

Furthermore, the team will report on whether the organisation has, or can have, access to appropriately skilled and trained staff to allow it to operate in its current form while preparing for and implementing organisational and wider change. It will also report on whether the seven principles of public life are being implemented effectively throughout the organisation. The team will also assess whether there are any other or further grounds for concern. If there are, it will assess how they should be addressed. The aim will be to work through those issues with the board to ensure that they are being addressed. We have asked for the group to report by the end of November.

Members will know that, at the Housing Executive board meeting on 29 September 2010, Paddy McIntyre, the chief executive of the Northern Ireland Housing Executive, announced his intention to retire. Paddy began as a trainee with the Northern Ireland Housing Trust in 1969 and moved through the Northern Ireland Housing Executive to become chief executive in 1999. On the day of Paddy's announcement, I said:

"The Housing Executive is one of the great success stories of Northern Ireland over the last four decades. There are thousands and thousands of people for whom housing conditions have been transformed. The Housing Executive has served Northern Ireland well. Paddy McIntyre has been a central figure in the success of the Housing Executive and in changing the housing conditions of so many. I would like to acknowledge his years of service and thank him for his big contribution."

12.15 pm

I know that many in the Chamber have worked with Paddy over the years in addressing the needs of their constituents and constituencies. I suspect that we did not always see eye to eye with him. However, all of those who value what the Housing Executive has achieved should see the value in what I am doing, which is a fundamental review of the position of the Northern Ireland Housing Executive in the longer term, and, in the short term, an audit to ensure that, across its functions and governance, the Northern Ireland Housing Executive continues to go forward.

The Chairperson of the Committee for Social Development (Mr Hamilton):

I thank the Minister for his statement. I will begin almost where he ended. The Committee for Social Development has noted with great concern the recent media reports that the Minister spoke about and recent developments at the Housing Executive, and expresses concern at what is happening in what has hitherto been an organisation that has inspired great confidence. Will the Minister assure the House that, to restore much-needed public confidence in the Housing Executive, his governance audit will involve independent scrutiny? On the issue of the fundamental review, and despite his perhaps sceptical as opposed to my optimistic views on the issue, will the Minister assure me that alternative funding models for social housing in Northern Ireland will, nonetheless, be part of that review?

The Minister for Social Development: In relation to the first point, independence will be built into the audit in two ways. First, the team that has been sent into, and others that will be sent into, the Housing Executive — about which I will comment shortly — will report to a group of people chaired by the permanent secretary of the Department. Not only will that group include people with high-level responsibility and skills within government on the issues that may be addressed in the audit, I insisted, and directed the permanent secretary, that it must include external people, independent of government, the Department and the Housing Executive. A person has been identified who can fulfil that function. That person has particular skills in the accounting, audit and broader sectors and has agreed, in principle, to be part of the permanent secretary's group. The permanent secretary will report to me. If I require access to any of the individuals working with the permanent secretary, including the independent, external experts, I will have that access.

At the same time, the team that is being sent into the Housing Executive comes from the Department and shall come from wider sectors of government, including procurement and audit. I have directed the permanent secretary that there should also be an independent, external element in respect of that work within the Housing Executive as well. Therefore, both within the Housing Executive, there will be independent, external expertise and, within the oversight arrangements, there will be independent, external expertise.

The second point is in respect of the future funding of the Housing Executive. I have spoken to the Committee Chairperson about that matter on a number of occasions, and we differ on where all this might go. Margaret Ritchie will confirm that when she was Minister, and I confirm that in the short time that I have been Minister, various meetings have been held with people who believe that they have the magic wand to fund social and affordable housing in the future. However, we discover that proposals are never worked up in sufficient detail to be credible or viable. Those that come forward are an attempt to take the public stock of 90,000 Housing Executive homes at a low cost and put them in private hands; beyond what we are legally able to do; not desirable in principle; or would recreate the Housing Executive and social housing in the image of the private market. I am not in favour of any or all of that. I will

look exhaustively at any and all forthcoming proposals, but the evidence base to date has not been great enough to convince me, Margaret Ritchie or the Department that there is a magic wand or a quick fix. If there is one, let us hear about it. However, to date, the evidence has not been encouraging.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I speak not as the Deputy Chairperson of the Committee for Social Development but as my party's spokesperson on social development. We all know about the ongoing PSNI investigation into the Nelson Street site. Will the Minister confirm whether the PSNI has been contacted about recent investigations into the Housing Executive? In addition, how does the Minister intend to address the issue of public confidence in the role of the Housing Executive and, indeed, the Department in dealing with the pressing internal issues?

The Minister for Social Development: I note the Member's question. Last week, during a private briefing to the Committee for Social Development, information was given about cases that are under investigation. In addition, an answer was given to a question that had been tabled for priority written answer by the Member's colleague Mr McCann. I confirm that there are three ongoing police investigations, one recently completed Ombudsman investigation and a number of internal investigations that have yet to be completed, and, therefore, it would be entirely inappropriate for me to anticipate whether they will be referred to a third-party organisation. I will not comment beyond that on any of those matters. They are all under investigation, developing and subject to due process. The matters for which the Housing Executive is responsible for investigating will reach maturity in the near future, when I may be in a position, subject to the conclusion of those investigations, to comment further. However, until then, it would be highly inappropriate for me to comment on them.

I note what the Member said about public confidence in the Housing Executive and the Department. I also note that, last week, her colleague Mr Paul Maskey said that the Department was "in crisis" and that the Housing Executive was "out of control."

As far as I am aware, at no time, whether in private or public session, did any member of the

Committee for Social Development say that the Department was in crisis and that the Housing Executive was out of control. Yet, last week, a member of a party that is represented in the Chamber made that public statement. At no time did any party in the House seek a meeting with me to suggest that the Department was in crisis and that the Housing Executive was out of control. At no time did any party in the House table for debate on the Floor a motion that suggested that the Department was in crisis and that the Housing Executive was out of control. At no time were any Assembly questions tabled that made those claims.

All bodies that deliver public services in Northern Ireland are responsible to a Minister, the Executive and the Assembly. Therefore, if any Member in the Chamber believed that a Department was in crisis and that a body was out of control, there would be an imperative on that Member and his or her party to bring the matter to the attention of the relevant Minister and Committee and the Assembly. *[Interruption.]*

Mr Speaker: Order. Allow the Minister to continue.

The Minister for Social Development: Either the Member behaved irresponsibly last week when he made those claims, having never made them before, or he behaved irresponsibly beforehand, because he did not bring the matter to the Assembly's attention. Either way, in my view, it was irresponsible conduct.

Mr Armstrong: Will the Minister detail the cost of the review of the Northern Ireland Housing Executive, and will he specify how long the review is intended to take? I presume that he will not be waving a magic wand.

The Minister for Social Development: I did not gather all of that question, Mr Speaker, but I will answer it in the following terms. As I have indicated, the short-term audit will be conducted by an internal Department for Social Development (DSD) and interdepartmental team, which will examine a number of matters relating to the Housing Executive and will be aided in that role by an external person. Obviously, I will share the full details of that person's role and the cost of it with the Assembly in due course. Similarly, the oversight body, which is chaired by the Department's permanent secretary, will comprise internal and interdepartmental personnel as well as an external person, and I will share information

about the costs of that person's services with the Assembly.

As I have indicated, the longer-term fundamental review has three phases. The first phase is a desktop exercise, which will look at all the information, facts and evidence that are available. The second phase will be undertaken by external consultants. A business case has been prepared and submitted to the Department of Finance and Personnel (DFP) in order to have approval to bring in external consultants in that regard. I will confirm in writing to the Member what the anticipated costs of the external consultants will be. It is my hope and expectation that the first phase, and the wider phase, which will look at the Housing Executive going forward, will result in recommendations being brought to my desk by March next year.

Mrs M Bradley: Is the Minister content that the November date provides adequate time for a report back on the review?

The Minister for Social Development: That is what I have instructed officials; I want to have a report by November. I believe that, given the concerns that have been identified and the context that we are in, in order to scope out how the Housing Executive goes forward in the short term, and to reassure me, the Assembly and the wider public that everything is in order and that those issues that need further attention are being addressed, a short, sharp audit is necessary. That is why I have asked for a November date.

I am shocked when I hear people say that there is a lack of public confidence in the Housing Executive. It manages 90,000 houses, and, over the years, has been responsible for the sale of 120,000 council houses. I do not deny that there are issues, but to draw the conclusion that there is a lack of public confidence in the Housing Executive is exaggerated and extravagant and is not based on the evidence. I base my conclusions on the evidence. Where there are concerns and issues, let us get to the bottom of them, but let us acknowledge successes and strengths.

Ms Lo: It is rather disappointing that Committee members heard about the review when it was announced on the radio by the Minister during an interview on 'Good Morning Ulster'. Would it not have been better for the Minister to have discussed the review's terms of reference with the Committee for Social Development

beforehand, given that it had asked on several occasions about the ongoing investigations into the Housing Executive?

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

The Minister for Social Development: I acknowledge that the Member, and other members of the Committee, had some disappointment. However, I will explain why I believe that the way in which I handled the matter was reasonable and appropriate. First, I am sure that the Member and other Members will confirm that I made it very clear to the Committee that I will make myself available to it whenever the Committee so wishes. Moreover, as Minister, it is my wish that, at least once a term, I be called to the Committee, if it so wishes, to conduct what I would call a stocktaking session — an assessment across the range of DSD functions, in conversation with the Committee.

12.30 pm

Secondly, I would like to think that, by and large, the Committee believes that it is kept in the loop and is properly informed. Given the media interest in all of this, and given that there were further disclosures around investigations in recent days and weeks, my concern was to strike a balance between being decisive and strong in respect of what was required but, at the same time, to not create worst fears around the Housing Executive. I think that the strategy I adopted was appropriate because what I was concerned about is what actually transpired. Whilst I tried to be responsible, balanced and proportionate about difficult, delicate and sensitive matters, other people clearly thought otherwise. It was not me who tried to build upon people's fears and to create worse fears by describing the Housing Executive as "out of control".

I was mindful that people might go down that dead end, and my judgement was that, as Minister, it was my duty to be decisive, to intervene and to set in train the various requirements around the internal audit that I am now conducting but to do so in a way that did not build up anxieties, doubts and a lack of confidence. Given what a Member of this House subsequently did, I think that my approach was the proportionate and balanced one. I regret that I was not in a position to share more upfront with the Committee but, in those terms, that was a proper approach. In any case,

I made sure that, on the morning when I did some media on the matter, at the request of the Committee, my deputy permanent secretary made himself available for a private briefing to the Committee on the ongoing investigations and the nature and character of the work that I had authorised.

Mr Easton: I thank the Minister for his statement and welcome the announcement of a review. Is the Minister able to tell us the timescale for when the review will start and how long it is likely to take? Will the review take into consideration the possible release of Housing Executive assets to go towards new housing and maintenance schemes, in particular for pensioners' bungalows in Bloomfield estate in Bangor, which will now be left for another winter in substandard conditions? Does the Minister not agree that the release of assets now would help with the cuts that will come from the Conservative and Liberal Government in Westminster?

The Minister for Social Development: I thank the Member for his question. The question of the release of assets is relevant across Departments. The Executive and the Assembly will need to consider more fully the issue of the public estate in Northern Ireland and whether assets can be rightly disposed of in a way that protects the public interest rather than through a fire sale as we move forward during the Budget negotiations.

When it comes to the disposal of Housing Executive assets, I am extremely vigilant. The only case where I have considered it appropriate to move in that direction is in relation to a number of properties in Rinmore in Derry, where the tenants in the properties and in the estate generally and all the parties and political representatives agree that it is appropriate for a small number of houses — I think that it is about 60 — to be transferred to a housing association to, to use the Member's language, release assets. That has been done only because of the unanimity among the parties and the political representatives and because of the high level of unanimity, as I understand it, among tenants and residents. Moreover, given that that number of properties require multi-element improvements and that funds are not available for those multi-element improvements, we have a choice between allowing those properties to go into more disrepair or enabling

that small number of properties to be made fit for continued occupation.

That is the only case in my time as Minister where I have seen good evidence and overwhelming support to go in that direction, and I hope that we do go in that direction. So far, that is the beginning and end of the disposal of Housing Executive assets in the way that the Member might have been indicating. As I said earlier, if there are proposals that are consistent with the state's obligation to provide public housing and that, in my view, do not compromise the principle of substantial public funding for social and affordable housing, we should all look at that. However, I would be misleading the House if I were to indicate that I thought that, in the short term or even the longer term, there was a quick answer to that question.

As I indicated to another Member, the timescale for the short-term audit is between now and November and the timescale for the longer-term fundamental strategic review of the Housing Executive is up to next March, when I hope to receive some recommendations. After that, I hope that we will be in a position to make some more fundamental decisions about where the Housing Executive should go.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. I have to challenge the Minister on some of his statements on whether I had raised the issue with the Department. If he were to do a bit more research, he would find that I have. As far back as November 2008, I raised the matter with the Audit Office, which then met the Housing Executive and detailed some of the issues that I and some of my constituents in West Belfast had. I posed questions for written answer to the Department on the matter.

Yesterday, I was taken by shock when I heard Margaret Ritchie state on 'The Politics Show' that, in February 2009, she raised issues with regard to investigation. In September 2009, I asked her a question —

Mr Deputy Speaker: Order. This is questions to the Minister, Mr Maskey. A number of Members are yet to ask questions, and this item of business is time-limited, so please get to the question.

Mr P Maskey: Thank you for that, and I will. I raised the issue with the Minister in September 2009, and her answer was that it was not a

matter for her but for the Housing Executive to deal with. I raised the matter as far back as then, and nothing has been done. Does the Minister have the same concerns that I and a number of his constituents in West Belfast have that work is not being carried out because of the actions of Red Sky and others? Did he have confidence in the then Minister, Margaret Ritchie? Many of my constituents did not, and they are now saying that they do not have confidence in the way that he has handled the inquiry. It is unfair on our constituents in West Belfast, because there is no confidence in the process when people are being shipped out of their offices. My question is: did he have confidence in the then Minister, and did he raise issues with regard to the Housing Executive's contract with Red Sky? If not, why not?

The Minister for Social Development: I note the Member's question. I have no doubt that Members, on behalf of their constituents, have raised questions with various Ministers, including the Minister for Social Development, and with the Housing Executive and others. If Members are not raising questions, they are not doing their job very well, so obviously questions have been raised. *[Interruption.]* I will deal with all of that; I said that questions have no doubt been raised.

Last week, Mr Maskey said that DSD was in crisis and that the Northern Ireland Housing Executive was out of control. There is a big difference between raising questions on behalf of constituents in respect of contracts or procurement and playing on people's fears for political and narrow reasons to suggest that the Housing Executive is out of control and that DSD in crisis. It is not for me to remind Mr Maskey about the role that he plays in the Chamber as Chairperson of the Audit Committee.

My Department has kept the Audit Office informed about what is being done. However, in the event that the matter is investigated further in the House, I wonder whether Mr Maskey will discharge himself from the investigation, given that he has prejudged its outcome by referring to the Housing Executive as "out of control."

Let me repeat these questions: how many times do we debate private Members' motions about issues of concern in Northern Ireland? How many times was Margaret Ritchie called to account, quite rightly, on her duty as housing Minister? How many times did a party in

the Chamber table a motion stating that the Housing Executive was out of control? There was no such motion.

When I appear before the Committee for Social Development, I am rightly challenged and questioned by members from Sinn Féin and the other parties. However, when did the Sinn Féin members of that Committee table a motion on this issue, as they are entitled to do? When did they call on the Committee to conduct an investigation, as they are entitled to do, into the Housing Executive, which they now claim was "out of control"?

I have confidence in the Housing Executive, but that does not give it a licence. That is why I called for a fundamental review and an audit to get to the bottom of each and every matter. Let me say bluntly that I understand why the Member is upset and uncomfortable. In the past couple of months, certain events regarding the responsibility of Ministers from other parties in the Chamber were very close to home.

The profile of housing is higher now than it has been for many years because of Margaret Ritchie's work. There have been more new starts than there were for years and years because of Margaret Ritchie. Time in and time out, she fought a determined, relentless battle against DFP and Executive colleagues to get money for newbuilds and to address housing need in Northern Ireland. She did so from a position of some weakness in the Executive because she was the only SDLP Minister. Do I have confidence in her? It is not a matter of my having confidence in her. It is a matter of the people knowing who brought housing up to its current level, and that person is Margaret Ritchie.

Mr Deputy Speaker: I wish to make a correction for the record, Minister: Mr Maskey is the chairperson of the Public Accounts Committee, not the Audit Committee.

Mr Craig: Thank you for that correction, Mr Deputy Speaker. I declare an interest as the chairperson of the Audit Committee, so I have also corrected the record for the Minister. *[Interruption.]* I would like that remark to be withdrawn immediately. *[Laughter.]*

Is the Minister aware of any investigations into, or allegations about, the relationship between his Department and the Housing Executive? More importantly, can or will the review, given

that it is being chaired by the permanent secretary, investigate that relationship? That issue also goes to the root of a number of ongoing investigations in the Housing Executive.

The Minister for Social Development: The answer to the Member's first question is no. However, if anybody has reliable information about any public body that concerns relationships, probity, accountability, financial integrity, any other aspect of that public body and, in particular, the five principles that govern the conduct, role and character of public bodies, they should pass that information on, and they may pass it to me if they so wish. Since last week, members of the public have been in contact with me about the issue, and I will refer any and all of their queries to the relevant people in my Department. Any further information about any and all of those matters will come to pass in the fullness of time.

As the Member's second question escapes me, I will have to come back to it.

12.45 pm

Mr Kennedy: I am grateful for the opportunity to ask the Minister questions. I join with him in his tribute to Mr Paddy McIntyre.

My personal view is that the transformation in housing owes more to Margaret Thatcher than Margaret Ritchie.

Does the Minister understand why Members can be slightly sceptical, given that, in recent weeks, the Minister for Regional Development has renationalised Northern Ireland Water, and it now seems that the Minister for Social Development is going to renationalise the Housing Executive? That has all happened in a matter of months and all before the Assembly election.

Have the Minister's colleagues in the Executive seen or approved his statement? Does he accept that the fundamental review is not possible, given that he expressed in his statement a very predetermined outcome that the state should, substantially, provide the funds for social and affordable housing? Finally, when will the Minister's fundamental review begin, given the acknowledged current problems in the Housing Executive?

The Minister for Social Development: I thank the Member for his various questions. As he may be aware, I am obliged to inform the Office of the First Minister and the deputy First

Minister of my intention to make a statement, and it was so informed.

Mr Kennedy: It was not shared with them.

The Minister for Social Development: No, I do not have an obligation to share a statement with Executive colleagues until 11.30 am on the day of making the statement. However, under the requirements of an Executive Minister, I advised the Office of the First Minister and the deputy First Minister that I would be making a statement, and that matter was noted in the report to the Executive meeting last Thursday by junior Minister Robin Newton in respect of forthcoming Executive business. As of this morning, the statement was shared with the Office of the First Minister and the deputy First Minister. All requirements as a Minister and under Standing Orders have been complied with.

If members of the Executive have any comments to make with regard to those matters, so be it. I presume that Executive Ministers are aware that I intend to commence a fundamental review, along with the various media, political and Committee interests over the last few days in respect of the short-term inquiry. So far, no Executive Ministers have raised any comments with me in respect of all of that. Nevertheless, I welcome any comments that they might have.

With regard to the fundamental review; as I said, I hope to have recommendations by March next year. I do not deny that it is a substantial bit of business, and that five or six months is a short time frame. However, as there has been so much public and other commentary about housing need, housing provision, and housing models in the future, a weight of evidence has already been gathered on the shelves of the Department and elsewhere that could quickly inform the Housing Executive's future direction. I do not think that we will recreate the wheel, but there is a lot of good evidence and best practice available that might lead us to conclusions, and if we are not able to do that, I will certainly say so.

I have a very simple view: yes, I have been a Minister for a short time and an election is coming up. I am sure that other parties in the Chamber are much more fixed on that date and outcome than me. I keep saying that I believe that when Ministers go into Government they should also go into power. That has not been demonstrated fully during the first and second mandates. I am determined to prove otherwise in the short time that I am a Minister. I intend

to do further work to reform the North in the next short period. Even with respect to my departmental responsibilities, never mind the fact that we are broadly doing that, there is need for much reform.

I can assure the Member that some of that will not be popular and that there may be some further resistance and unhappiness. The people of Northern Ireland need to know that devolution is not about the mere fact of devolution; it is about delivering for their hopes, ambitions and aspirations. Part and parcel of that will be the reform of a wide range of functions and services in Northern Ireland. Whether that is popular or unpopular, that is where I intend to go.

Mr Gallagher: I thank the Minister for his statement. Given that he has been in office for only a short time, I commend him for the steps that he has taken to intervene and ensure that we can all have confidence in the way that the Housing Executive works.

In his statement, the Minister said:

"housing funding must not be a victim in any Budget outcome."

I am sure that all responsible Members share that view. Will the Minister tell the House what he sees as the immediate priorities in the upcoming Budget?

The Minister for Social Development: I thank the Member for his question. At the Executive awayday in July, there was reference to the need to protect those in need, distress and disadvantage in the Budget outcomes, and there has been reference to that subsequently. That was the right principle then, and it is one that needs even deeper protection and defence as we move forward. The emergency Budget that was put forward by the Chancellor in June has been proven to have had a disproportionate impact on the poor. Some of the short-term, never mind the longer-term, welfare proposals will have a disproportionate impact on the poor, the vulnerable and the disadvantaged.

We are entering into a situation in which, if the figures are correct, we will have increased unemployment until at least the end of 2012, with fewer jobs in the public sector and the shortfall not being taken up by the private sector. There was also information on the radio this morning about some worrying trends in manufacturing output here, unlike other parts

of these islands. Therefore, in the context of us having higher unemployment, potentially less public money with the shortfall not being taken up by the private sector, short-term welfare changes that could impact on those in need and a Budget that has, so far, impacted disproportionately on the poor, ethical values must be front and centre in the upcoming Budget. We must protect and encourage jobs, but we must also recognise the reality that there will be those who will be unable to find work because of their conditions and that there will be others who would like to work but who will be unable to find it. There will be up to 90,000 unemployed people by the time the recession is over in Northern Ireland. Those people must be front and centre when it comes to the Budget. Those who make up the family of front line services, such as nurses, teachers, front line social security staff, CMED staff and all those who are concerned with the DSD budget lines, must be protected. I will be arguing that point at the Executive, and I hope that ministerial colleagues will endorse that view.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle, Gabhaim mo bhuíochas leis an Aire as a ráiteas. I thank the Minister for his statement.

I noted that the Minister outlined his criteria to be used before anyone can call a Department in crisis or an agency out of control. Did he share that with his party colleagues, or does that just apply to one particular Department?

The Minister said that he wants the review to end by the end of November, yet a number of investigations are continuing; indeed, we are told that one has lasted over 18 months. How will the outcomes of those investigations impact on his review if the review is over before the investigations finish? The Minister also told the House today that there are a number of internal investigations ongoing. Will he tell us exactly how many there are?

The Minister for Social Development: I thank the Member for his question. At any one time, there will be a whole lot of investigations ongoing in respect of any public body in Northern Ireland. Complaints will be made locally in respect of the activity of some official in a health board, the Housing Executive, the Department of Education or another Department. At any one time, there will be a large number and a wide range of complaints

being made by members of the public, staff, or whoever, in and around the conduct of each and every Department. I am not talking about those categories of complaints. I am talking about the ones that are of more significance and have attracted media comment.

There are three ongoing police investigations; one ombudsman investigation was completed recently; and I understand that there are five internal investigations in respect of a range of matters. I do not intend to share anything with the Assembly beyond what was shared with the Committee, given that these matters are under investigation and due process must be exhausted. As I indicated, my understanding is that a number of the ongoing internal investigations may mature in a short time. Consequently, there may be convergence of the timeline of what I am doing and the conclusion of a number of those investigations, although not the police ones, because those are completely beyond our control.

As I outlined in my statement, the work that I am doing in sending in the team moves beyond the particular cases that are under investigation. That work looks at a range of other matters that have been highlighted by the investigations to some degree but that, in my assessment, require further and independent investigation. The team that I have sent in comprises people who deal with governance issues, audits, risk or suspected fraud and/or who work to build in an anti-fraud culture. A conclusion is required promptly, which is why I have an indicative deadline of November. The immediate work that I am doing is outwith the ongoing investigations but informed by my assessment that various matters in and around the Housing Executive need to be considered further.

In respect of the comment about Northern Ireland Water —

Mr McCartney: I never mentioned Northern Ireland Water.

The Minister for Social Development: I stand corrected, but you did refer to my colleague, and I think that — *[Interruption.]*

Mr Deputy Speaker: Order.

The Minister for Social Development: The Member, in a previous intervention from a sedentary position — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr McCartney: Is there a wee bit of guilt there?

The Minister for Social Development: If the Member is not prepared to say what he is talking about, I would just be speculating about what he means; that is not a very clever way to go. I do not take as good example his party colleague's speculation last week about the Department being in crisis and the Housing Executive being out of control. If I will not rely on that sort of speculation, why should I rely on the Member's speculation about whatever it was that he was talking about?

I will say, however, that there are people not too far away from me who, over the last number of weeks, have not only demonstrated that they know what it is to oversee what public bodies do and to get hard information that leads to progress in respect of how public bodies conduct their affairs but who have taken a responsible, balanced proportionate, well-argued and well-presented approach to the conduct of public life and public affairs in Northern Ireland. They are unlike those who think that the terms "crisis" and "out of control" will somehow get them casual and easy headlines without dealing with the hard truths.

1.00 pm

Mr Deputy Speaker: There are still seven Members who have indicated their wish to ask a question. I remind you that there is only 15 minutes left for questions, so if Members are concise and the Minister is brief in his responses, we may get you all in. If not, some Members will be disappointed.

Mr S Anderson: I thank the Minister for his statement. The Minister touched on the issue of confidence. In his statement, he referred to the seven principles of public life being effectively implemented throughout the organisation. Does he have absolute confidence, from the chief executive of the Northern Ireland Housing Executive downwards, that that is so?

The Minister for Social Development: I thank the Member for his question. I will step back for a moment and say to the Member that it has always been a principle of mine and of SDLP party colleagues to never get into words such as "absolute confidence". In a completely different context — in a different world, thank God — we were forever being asked to unambiguously support the police, the RUC, as it then was. However, we in the SDLP said that

we would support it when it upholds human rights, employs best practice, and is on the right side of the standards necessary for civilised policing, especially in a divided community. That was the right principle then, and it remains the right principle now.

We never got into language such as "absolute confidence" in any organisation or individual. We always stated the principles and practices that we support. If those principles and practices are employed by any organisation, be it the Housing Executive or any other, we will support that organisation. That remains the case. However, a number of investigations have been ongoing in respect of the police, and, although I have confidence in the Housing Executive, I have asked questions about particular matters, instances and practices. That is the balanced and proportionate approach, and the House can unite around that, rather than getting into the language of absolute confidence. The Member's comments about absolute confidence, and the comments from Sinn Féin in respect of having no confidence, are not the best narrative around a delicate and sensitive matter.

Mr B McCrea: I have waited patiently for my turn to speak. I declare an interest as a member of the Northern Ireland Policing Board. Other people are aware of the media coverage around what is, as the Minister said, a delicate and sensitive matter. The Minister asked for people who had information that they could stand over to bring it to him. With regard to the report that will be made available in November, do you plan to share that information with any other statutory bodies that may have an interest in this delicate and sensitive issue? How and when do you plan to disseminate that information to the Assembly?

The Minister for Social Development: I thank the Member for his question. I do not think that it would be appropriate for me as a Minister to prejudge what will transpire over the next couple of months in advance of any report being made available. I will be kept fully informed and aware of what is going on by the permanent secretary reporting to me and through the panel that will work around him in respect of the audit. However, it would be wrong for me to prejudge what the conclusions might be. It would be equally wrong for me to say, when I do not know what the outcome of an audit might be, who I will share it with, except that it will be shared

as appropriate with people in this Building and outside it where there is good cause so to do.

Mr McDevitt: Will the Minister join me in paying tribute to the many thousands of staff who served the Housing Executive well during the past four decades and, indeed, stood up to the worst excesses of Thatcherite reform and intimidation by IRA and loyalist paramilitaries? Is it the Minister's ambition that, post the fundamental review, the Northern Ireland Housing Executive will, again, become a global pioneer in its provision of social housing to people who most need it in the region?

The Minister for Social Development: I thank the Member for his question and agree with his remarks. The Housing Executive and housing policy in Northern Ireland are pioneering in social housing provision. We can rehearse the rights and wrongs of the decision to allow housing associations to build private social housing. The fact is that that decision was made. During the past 15 years, more than 20,000 houses were built for ownership by housing associations.

The fact that more housing has been built on government-owned land during the past number of years than previously; that housing associations can now access money at low interest rates from the European Investment Bank and others; that, at present, we might consider the one-off proposal for Rinmore; and that more social houses have been built during the past couple of years than at any time during the past 12 years demonstrate that the housing sector — the Housing Executive and housing associations — are breaking new ground and are pioneers.

I am trying to protect the Housing Executive's achievements and legacy and ensure that it has its full range of skills capacity to take forward housing in the next 20 years. If we build on all that has been good and remodel where appropriate in order to maximise progress, the Member's ambitions for housing in the future will be met.

Mr Spratt: I thank the Minister for his statement. I agree that he should not comment on the police investigations. With regard to the review that he announced today, will he assure the House that if issues are raised that may impinge on the police investigations, or if any new criminal investigation is required, the review

team will ensure that that information is brought to police attention immediately?

The Minister for Social Development: I assure the Member categorically that if any matter, however it arises, should be referred to the PSNI for further investigation, it will be.

Mr Savage: I, too, congratulate the Housing Executive on its achievements during the past number of years. It should not let those achievements be marred by investigation. No Department is without investigation. That should not distract it from its main target. Over the years, the Housing Executive has achieved much to improve the standard and stock of social housing. Is it not true that housing associations, too, have played a pivotal role in upgrading housing standards?

The Minister for Social Development: Essentially, I endorse Mr Savage's comments. One reason why I was concerned about how the matter could best be handled and about certain injudicious and political remarks that were made last week was that unnecessary, inappropriate or wrong-headed damage could be done to the Housing Executive. Some people have gone down that dead end. They should reflect on their words and actions. In common with other Members, I affirm the good work of the Housing Executive's staff and its many achievements during the past 40 years. This is a process, in the short term and the longer term, to affirm what is good, to build on what is good, and, where things have not been handled properly, to ensure that we handle them properly going forward.

I concur with the Member's views on the housing associations, but there are issues around them that need to be addressed. There are 33 housing associations, Mr Savage. Is that the right number going forward? How can we further what Margaret Ritchie started as Minister, namely the bringing together of housing associations in procurement groups, not only to procure building contracts, but to procure all their services to ensure that we have better value, efficiency and maintenance of jobs and services? There are a number of other matters in respect of the housing associations that, in the fullness of time, I will return to at Committee.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Does he agree that an internal investigation, or internal expertise, will not get to the root of the matter? He would never

accept the police investigating themselves, so how does he think that the Housing Executive will investigate itself? The Housing Executive is part of his Department, so how can he oversee it? Will the investigation restore confidence in the Housing Executive?

There are concerns that 30% of the budget for Egan contracts was misappropriated and allocated wrongly. Will that be investigated as part of the internal investigation?

The Minister for Social Development: I note what the Member said. I do not know whether the Member was in the Chamber for all of the statement, but if he reads it —

Mr Molloy: I have it here.

The Minister for Social Development: That is good. You will, therefore, see that this is not strictly the Housing Executive investigating itself. The Housing Executive has referred a number of matters to the police, which is the entirely appropriate thing to do, because those matters gave rise to criminal concerns. The structures in relation to a number of internal matters, so far, require internal investigation. Through working with the Housing Executive board, the chair of the Housing Executive and others, I have been keeping a close eye on those ongoing internal investigations, as is appropriate and to the extent that is reasonable. Remember that one major investigation may be maturing in the near future. Margaret Ritchie, as Social Development Minister, put shape and form around that investigation to ensure that the public concerns around the conduct of various contracts would be seen to be addressed.

I reiterate that we are going back to the use of language about the need to restore confidence. I do not know how many times during the course of this statement Members have raised questions about confidence in the Housing Executive. They singularly failed to do so in any appropriate, structured, disciplined, ongoing, relevant or proportionate way at any time until last week. They will have to answer for themselves in that regard. I have confidence that the Housing Executive has done sterling work over the past 40 years. I have confidence that it continues to earn public and political confidence for much of the work that it does now and continues to deliver for those in housing stress and need and who are on waiting lists. I will not go into the exaggerated and extravagant language that has been used to

suggest that, all of a sudden, the bottom has fallen out of the Housing Executive and how it does its business. I want to maximise the Housing Executive as an organisation going forward, so that it serves people in Northern Ireland as it has done over the past 40 years.

Some matters will give rise to criticism. Let me go back to the ongoing short-term audit. I will comment more about it in a second, but the team that is going in comes from across government and from outside government, and the oversight mechanism of that team comes from across government and from outside government. In that way, we will bring together and gather people with the highest level of skills necessary to conduct whatever assessments need to be made. As I said, they will make assessments on issues of procurement, fraud or suspected fraud, administration, accounting and audit. That will cover all the bases.

1.15 pm

To deepen public confidence, it was I who insisted that departmental and cross-departmental teams would be supplemented by independent, external people in doing the work on the ground in the Housing Executive and in the oversight function. In my view, that is a good model for going forward, and we will see where all that leads. When we see where it leads, I will be in a position to make further assessments about what is appropriate going forward.

I am very cautious about Members getting into the use of further extravagant language such as the term “misappropriation”, which is the word that Mr Molloy used. I am not getting into the use of that sort of language. I will make assessments based on what the team does over the next number of months. That will be informed by my own judgement, by the evidence and by any concerns that stand up. At the same time, when drawing conclusions, I will validate that in the Housing Executive which is fit for purpose and which serves people well. However, I will not hide from any uncomfortable truths, if any are to be found.

Mr Givan: On a point of order, Mr Deputy Speaker. Is it in order for Members who have not been in the Chamber for the statement to ask questions about it?

Mr Deputy Speaker: Members who have not been in the Chamber for any part of the statement will not normally be invited to ask a

question. Those Members who have been in the Chamber for part of the statement will be invited to ask a question after those Members who have been present for the entire statement.

Mr Givan: Further to that point of order, Mr Deputy Speaker, will you advise whether all the Members who asked questions were here either for the full statement or part of it?

Mr Deputy Speaker: I confirm that that is the case. Those who were in for the entire statement got to ask questions first, and those who were here for part of the statement got the opportunity to ask a question towards the end.

Executive Committee Business

Unsolicited Services (Trade and Business Directories) Bill: Consideration Stage

Mr Deputy Speaker: I call the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, to move the Consideration Stage of the Unsolicited Services (Trade and Business Directories) Bill.

Moved. — [The Minister of Enterprise, Trade and Investment (Mrs Foster).]

Mr Deputy Speaker: No amendments have been tabled to the Bill. The Chairperson of the Committee for Enterprise, Trade and Investment, Mr Alban Maginness, wishes to speak to clause 1, so we will debate that clause and then put the Question. I then propose, by leave of the Assembly, to group the remaining eight clauses of the Bill for the Question on stand part, followed by the schedule and the long title.

Clause 1 (Control of charges for directory entries)

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness): The Committee welcomes the Unsolicited Services (Trade and Business Directories) Bill. We thank the Minister and her officials for their co-operation with the Committee in its consideration of the Bill during Committee Stage.

It is quite a technical Bill that proposes to re-enact, with amendments, certain provisions of the Unsolicited Goods and Services (Northern Ireland) Order 1976 governing the circumstances in which businesses may be charged for publications about them in directories.

The Bill is intended to update the legislation to facilitate electronic commerce by introducing equivalence between paper-based and electronic contracts in directories. The Committee raised some concerns about scams involving electronic systems. However, it was content with the Department's response that the Bill will be prescriptive about informing businesses of every aspect of a transaction before an order is placed.

The Minister of Enterprise, Trade and Investment (Mrs Foster): I thank the Chairperson of the Committee for Enterprise, Trade and Investment and the rest of the Committee members for their assistance with the Bill. They gave it careful scrutiny and, in particular, did effective work to ensure that

the consultation was carried out thoroughly and involved representatives of the business community, which the Bill is aimed at protecting. Therefore, I thank the Committee for its work in connection with the Bill.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Mr Deputy Speaker: No amendments have been tabled to clauses 2 to 9. I propose, by leave of the Assembly, to group those clauses for the question on stand part.

Clauses 2 to 9 ordered to stand part of the Bill.

Schedule agreed to.

Long title agreed to.

Mr Deputy Speaker: That concludes the Consideration Stage of the Unsolicited Services (Trade and Business Directories) Bill. The Bill stands referred to the Speaker.

Terrorist Asset-Freezing etc. Bill [HL]: Legislative Consent Motion

The Minister of Enterprise, Trade and Investment (Mrs Foster): I beg to move

That this Assembly agrees that the provision in the Terrorist Asset-Freezing etc. Bill [HL] dealing with Northern Ireland credit unions, which is contained in clause 45 of the Bill as introduced in the House of Lords, should be considered by the UK Parliament.

It may be helpful for Members if I recap on some of the background leading to the tabling of the motion and how this particular Great Britain Bill relates to and impacts on Northern Ireland credit unions.

Members will already be aware that my Department is working very closely with Her Majesty's Treasury and the Financial Services Authority (FSA) to implement the recommendations in the February 2009 report from the Committee for Enterprise, Trade and Investment, 'Report on the Committee's Inquiry into the Role and Potential of Credit Unions in Northern Ireland'. The main recommendations of the report, and my Department's policy, focus on the introduction of the appropriate legislative framework to allow credit unions here to expand the range of services that may be available to their members and shareholders as well as the provision of additional protection for shareholders' and savers' assets through the financial services compensation scheme.

A key element of that process will see the regulatory responsibility for credit unions here being transferred from my Department to the Financial Services Authority, or, indeed, its successor, following the conclusion of the coalition Government's review and the consequential restructuring of the current role of the FSA.

In pursuance of the extension of the role of credit unions, my Department, along with Her Majesty's Treasury, recently concluded a joint UK-wide consultation exercise on our proposals for the regulatory reform of credit unions here. We will shortly publish our joint response to the comments and submissions received. However, I am happy to report that the responses were broadly in favour of the measures proposed in the consultation.

Credit unions are an integral part of Northern Ireland society and play an important role,

reaching into the kernel of every community here. For that reason, the process in which we are engaged cannot be hurried through for the sake of expediency. It is important that we get it right and that the FSA is afforded sufficient time to negotiate the various statutory and administrative steps it is required to undertake in advance of assuming full regulatory control, which, it is anticipated, will be completed by the end of 2011.

That process will require the enactment of a number of pieces of legislation, the majority of which will be the responsibility of HM Treasury and will be laid at Westminster. Those include amendments to the Financial Services and Markets Act 2000 (Exemption) Order 2001 to remove the current Northern Ireland credit union exemption as well as the GB Money Laundering Regulations 2007, the provisions of which fully extend to Northern Ireland. Drafts of both pieces of legislation were published in the recent consultation document.

In addition, the introduction of new powers dealing with money laundering, terrorist financing or proliferation involving financial and credit institutions and possible business dealings with persons in a non-European Economic Area into schedule 7 to the GB Counter-Terrorism Act 2008, which extended to Northern Ireland, placed additional enforcement and supervisory responsibilities on my Department. Those measures were aimed at beefing up the Money Laundering Regulations 2007, which were insufficient in addressing issues of international restrictions. That HM Treasury legislation applied to credit unions here equally as in the rest of the UK.

Due to the late tabling of the amendment and the timing of the Bill, at that time, I was unable to follow the appropriate procedure and seek the approval of the Assembly for the inclusion of the provisions relating to Northern Ireland. However, on 24 November 2008, I made a full statement to the House explaining the prevailing circumstances, and the House was generous in accepting the explanation for the position in which I had been placed.

It is now those very same supervisory and enforcement responsibilities, introduced in 2008 in paragraphs 18(1)(d) and 39(2)(d) of schedule 7 to the Counter-Terrorism Act 2008, that are the subject of this motion. These provisions will require to be omitted from a

date in the future, yet to be determined, and ownership will pass to the FSA when it or its successor assumes regulatory responsibility for credit unions here. However, responsibility for credit unions will remain a transferred matter, subject to the will of the Assembly.

The clause to omit these provisions from my Department's area of responsibility is required to be enacted through primary legislation. In keeping with government policy that only amendments relevant to the main Bill are to be included therein, the Terrorist Asset-Freezing etc. Bill [HL] is the only suitable vehicle to carry the clause — clause 45 — that will omit the provisions that currently apply to Northern Ireland within the proposed time frame for the implementation of credit union reforms.

This clause will not be effective immediately but will be commenced by secondary legislation at the appropriate time, when the FSA or its successor is in a position to assume responsibility, upon full implementation of the credit union reforms. The clause will make provision for appropriate arrangements to be put in place and enable a smooth transfer of those responsibilities to the FSA or its successor when required. Therefore, this procedure is purely a technical issue and is a further step towards the ultimate aim of enabling credit unions here to extend their services. I hope that Members will approve the inclusion of clause 45 in the GB Terrorist Asset-Freezing etc. Bill [HL], and I ask for their support for this motion.

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness): The Assembly Committee for Enterprise, Trade and Investment supports the Minister's motion that the Terrorist Asset-Freezing etc. Bill [HL], as introduced to the House of Lords, should be considered by the UK Parliament.

The Minister first wrote to the Committee on 16 September to make known her intentions and reasoning for the motion. The Committee took oral evidence from departmental officials at last week's meeting, to hear the implications of this Bill for Northern Ireland's credit unions. The Committee was satisfied that the Bill would be the most appropriate mechanism to change the relevant provisions in the Counter-Terrorism Act 2008, which prescribes the role of the Department of Enterprise, Trade and Investment as the enforcement/supervisory authority for credit unions in the areas of terrorist financing

and money laundering services. This Bill would transfer those responsibilities to the Financial Services Authority or its successor and is just one of the many legislative requirements to reform credit union legislation in Northern Ireland.

The Committee has been warmly supportive of the process of reforming credit union legislation in Northern Ireland. The Committee has been assured by the Department that this does not have any effect on the transferred status of credit unions in Northern Ireland. The Committee is particularly interested in the credit union movement and is most anxious to see materialise the recommendations of its own report on the inquiry into the role and potential of credit unions in Northern Ireland, specifically the recommendation that credit unions in Northern Ireland should be permitted to expand their range of services to include, at the very least, the services that credit unions in Great Britain can offer.

That recommendation has been supported repeatedly by the Department and the Treasury, and legislation is progressing.

1.30 pm

I warmly welcome the Minister's encouraging remarks about this legislative process. The Committee is supportive of her bid to progress the matter. The Committee is satisfied that progress is being made continually and that this Bill is a necessary step in the process of legislative reform. Therefore, I urge the Assembly to support the Minister's motion.

Mr Irwin: The matter is largely technical. The Committee received a briefing on the proposal last Thursday. I have no difficulty with the requirements referred to, as they will ensure that Northern Ireland is fully compliant with the rest of the UK, particularly with regard to the shift in control of credit unions from the Department of Enterprise, Trade and Investment (DETI) to the Financial Services Authority.

I have nothing further to add, and I support the motion.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. Following the publication of the inquiry into credit unions, an Assembly debate focused on whether credit unions in the North should have the same powers as their counterparts in the South of Ireland and in Britain. That concept was

supported by all parties. The current economic climate places an extra onus on the Executive to bring forward legislation that will give credit unions the same powers. I hope that that is a step closer.

It is important that we offer all our communities access to those key financial services at an affordable rate, particularly in the present adverse financial conditions. Credit unions are community-based and are open to anyone irrespective of their economic situation or whether they have assets. It is difficult to make day-to-day financial transactions without a bank account, so the restrictions on credit unions' being able to offer a wider range of financial services to meet the changing needs of their customers should be removed.

Hopefully, the added income coming from expanded services could be reinvested in the social economy, for instance, for the benefit of the communities to which the credit unions belong. I hope that this is a step in the right direction, because there is an onus on the Executive to bring forward that legislation as quickly as possible.

Mr Cree: I also welcome the opportunity to speak on the matter given its relevance in today's society. We in Northern Ireland are intimately aware of the threat that terrorism poses, and, therefore, know only too well the focus that these groups place on building sophisticated and complex channels through which to finance their campaigns. Although previously, terrorist groups travelled to the Middle East to pull together funds for their campaigns, things are considerably different in the twenty-first century. With the ability to electronically transfer vast sums of money, it is vital that we have the right financial regulatory systems in place to ensure that any funds that may be used to assist terrorism are quickly and permanently taken out of circulation.

The recent attack in Londonderry is a stark reminder of the threat that terrorist groups still present in Northern Ireland. If we can cut off the financial lifeline to those groups, it will only be a matter of time before they wither and disappear. The motion will ensure that the UK Government have the necessary tools to supervise and freeze any financial assets kept in a credit union by someone suspected of being involved, directly or indirectly, in terrorism. Under the legislative consent motion, functions will be

moved from the Department to the Financial Services Authority as part of wider reform.

Clause 45 of the Bill places a requirement on DETI to relinquish some of its control of the supervision and enforcement of credit unions. It is important to reflect that, although we may be losing this power of self-assessment, the supervisory role will be taken up by a more appropriate body.

It is paramount that we get the right balance between bringing offenders to court and protecting the privacy of the general public who save in credit unions. What discussions has the Minister had with her counterparts on that issue?

Credit unions have played an important role for many people in Northern Ireland since 1960. They have provided a service to the community and allowed for an element of economic autonomy. This legislation allows us to directly target those who seek to finance terrorism. The long-term ambitions of terrorism cannot be realised, and it is the duty of every arm of government to bring about its eventual demise. Accordingly, we welcome and support the motion.

Mr Neeson: The Committee for Enterprise, Trade and Investment has been dealing with the issue of credit unions for some time. We fully support the extension of the services that credit unions in Northern Ireland will be able to provide. When the powers are transferred to the FSA or its successor, there should be an office here in Northern Ireland. It is important to reinforce that issue. I support the motion.

Lord Browne: I welcome the motion. For some time, access to services and protection has been a major issue for credit unions in Northern Ireland. I know that at least half a dozen credit unions in my constituency will be very glad to see today's motion passed.

Although this is only an early step in the process of allowing credit unions to expand their services, it is, nevertheless, an important one. The process will allow credit unions to provide people with money that they need at a time when banks are increasingly unwilling to lend. Hopefully, it will circumvent the need for people to become involved with loan sharks and other creditors who would aim to exploit them. The process of changing credit unions will benefit businesses also. I am sure that at least a few Members are aware of the EU PROGRESS scheme, which is a micro-finance

initiative that will help organisations such as credit unions. It offers loans of anything up to £21,000 to small businesses. That could be a vital weapon in battling the recession and reversing unemployment. Our credit unions will play a leading role in that regard.

It is one of the ironies of devolution that sometimes the best thing to do is to give up responsibility over something. I have every confidence that this process will lead to a better service for the people and businesses of Northern Ireland. I am also confident that the Terrorist Asset-Freezing etc. Bill [HL], which is currently under consideration in the House of Lords, will receive due attention and swift passage through Parliament.

The Minister of Enterprise, Trade and Investment:

I thank all the Members who contributed, particularly the Chairperson for his comments about the legislation. Clause 45 really only came into being in 2008 when it was realised that there was a gap in relation to money laundering in respect of international terrorist organisations that were outside the European Economic Area. As a result of the Committee's desire to allow credit unions to have the same powers and to be regulated in the same way as our colleagues in GB, there is a need for that power to be transferred from the Department of Enterprise, Trade and Investment to the Financial Services Authority, or whatever body replaces it.

We are all very keen for the process to be moved along as quickly as possible. That is what we are doing today: we are laying down yet another building block for those measures to go forward. I noted that Ms McCann said that the Executive need to get on with it and bring forward legislation. However, as I mentioned at the beginning, most of the legislation in respect of this matter will come from Her Majesty's Treasury. We are pushing ahead with this agenda.

The Treasury knows that we are keen to have the matter dealt with as soon as possible. There have been many pieces of correspondence between me and Treasury Ministers, and our officials are in continual contact. I assure the House and Ms McCann, although she is not in her place, that we will continue to push ahead with that matter.

I have enormous sympathy with Mr Neeson about his point that there should be an office of the FSA in Northern Ireland. That view is shared

by every credit union because they will want easy access to their regulator and to the body responsible for the registration function, if we decide to go ahead with that also being sent to the FSA. We will keep pressing the FSA on that matter, and I encourage the Committee to do likewise.

I am happy to bring the motion to the House. It is another building block, and I hope that we are now very well on the road to dealing with the matter.

Question put and agreed to.

Resolved:

That this Assembly agrees that the provision in the Terrorist Asset-Freezing etc Bill dealing with Northern Ireland credit unions, which is contained in clause 45 of the Bill as introduced in the House of Lords, should be considered by the UK Parliament.

Committee Business

Clean Neighbourhoods and Environment Bill: Extension of Committee Stage

The Chairperson of the Committee for the Environment (Mr Boylan): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2011, in relation to the Committee Stage of the Clean Neighbourhoods and Environment Bill [NIA Bill 31/09].

Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker. Tugaim tacaíocht don rún fad a chur leis an Bhille um Chomharsanachtaí Glana agus an Chomhshaol.

There is no shortage of Bills going through Committees at the moment, but the Environment Committee has more than most. The Clean Neighbourhoods and Environment Bill is the fourth being scrutinised by the Environment Committee and will be the ninth that the Committee will have scrutinised during this mandate.

The Bill is large and wide ranging, with 76 clauses and four schedules. It covers many diverse areas, from alley-gating and abandoned vehicles to dogs and fly-posting. The Committee is keen to complete its scrutiny before Christmas recess and still aims to do so. However, in light of the Bill's size, the fact that the Committee is also working on three other Bills and the possibility that the Minister may bring a planning reform Bill to the Assembly, the Committee thought that it would be prudent to extend the Committee Stage of this Bill as long as possible into January, while giving the Department the opportunity to complete the Bill's progress in the current mandate. Therefore, I seek support for the motion.

Question put and agreed to:

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2011, in relation to the Committee Stage of the Clean Neighbourhoods and Environment Bill [NIA Bill 31/09].

Standing Committee Membership

Mr Deputy Speaker: As with similar motions, the motion on Standing Committee membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Declan O'Loan replace Ms Margaret Ritchie as a member of the Assembly and Executive Review Committee. — [Mr Burns.]

Private Members' Business

Public Sector Recruitment

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

Mr Campbell: I beg to move

That this Assembly notes the importance of ensuring that public sector recruitment is based on the merit principle; acknowledges that there are still areas of the public sector where under-representation of certain communities appears to be worsening; further notes the ongoing problems associated with recruitment to the Northern Ireland Housing Executive; and calls on the Minister of Finance and Personnel to take further measures to ensure that recruitment in the public sector is more broadly reflective of the working-age population.

1.45 pm

The issue is important, not least because of the size of the public sector in Northern Ireland, and, at this time of supposed austerity and cutbacks, we are only too aware of that. In Northern Ireland, there is very high dependency on the public sector, within which the Northern Ireland Civil Service (NICS) is the largest employer by far. Other public sector bodies, such as the Police, the Northern Ireland Housing Executive and the Department of Health, Social Services and Public Safety (DHSSPS) are also large employers. Then, of course, we have smaller but no less important public sector organisations such as, to name but a few, the Child Support Agency (CSA), Her Majesty's Revenue and Customs (HMRC), Waterways Ireland and the Equality Commission.

The motion is about recruitment. To get the message across, I shall use pupil numbers in a school as an analogy. A school might have a healthy number of pupils on its roll, but if, each year, just 10 first formers arrive and 25 sixth formers leave, it does not take a genius to work out that the school will have a problem in the not too distant future. The same principle applies to the public sector workforce. There is not much that one can or would want to do about people retiring at the end of a career in the Civil Service, but there is much that we can

do about the inflow or recruitment of people commencing what they hope will be a long career.

At the start of the Troubles, a case was made that Roman Catholics were being disadvantaged in recruitment. At that time, there was a lack of the kind of regulation that we have now; workforces were not monitored, and there was no Equality Commission to oversee such matters. There was no strict regulation of any kind. Now that organisations, strict monitoring and regulations are in place, disadvantage and under-representation ought to be less likely to occur. However, that is not the case. When there were no regulations, there were accusations of unfair recruitment procedures and an imbalanced workforce. However, now that we have regulations, there are still complaints. I am happy to say that I will keep campaigning for fair play in the public sector.

Turning to an individual instance of unfairness that I have raised on numerous occasions, the general service grades in the Northern Ireland Civil Service form the largest cadre of employment in the largest employee base in Northern Ireland. About 20,000 are employed in general service grades, so, in an area of that size, fair recruitment ratios are very important. However, in recent years, there has been a significant under-representation of Protestants being recruited to that section of the Civil Service. It is also true that there was an under-representation of Roman Catholics in the much smaller Senior Civil Service grades, but that has been improving year on year. Meanwhile, percentages of Protestants in the larger general Civil Service grades are not improving, and I will hammer that point home over and over again until the message is received and understood and action is taken to redress the imbalance. On the one hand, the improved representation of Catholics is to be welcomed, and why would it not be? However, on the other hand, the under-representation of Protestants is worsening, so we need to do something about it.

The 50:50 recruitment policy in the police, which has been raised on innumerable occasions, is unjustifiable and well known, and April next year cannot come quickly enough to end the imbalance, disadvantage and discrimination against members of the Protestant community who apply for a position.

If Roman Catholics were systematically debarred from recruitment to the police or any

other part of the public sector, I can imagine the outcry from the Benches opposite that such practices had to stop. Why are they surprised that there is an outcry from these Benches? It is because those practices must stop. There is not, and was not, systematic discrimination against Roman Catholics; there is systematic discrimination against Protestants in recruitment to the police now. It needs to stop, and next April cannot come quickly enough.

The motion mentions the Northern Ireland Housing Executive; we have raised that issue in the past as well. That organisation brings us to the nub of the motion. Down through the years, and, some might say, through the decades of monitoring fair employment and the different programmes put in place by the Equality Commission — an organisation whose workforce does not represent the wider community and has an under-representation of Protestants — the Housing Executive has been criticised by me and by others for its unfair recruitment basis. It is not about the practice of recruitment, but the basis for it. There has been a significant under-representation of Protestants in the Housing Executive.

As a result of that campaign over many years, the Housing Executive announced in 2003 that it would implement an affirmative action plan that had been negotiated with the Equality Commission to address the underlying problem of Protestant under-representation in the Housing Executive. On 22 June 2010, I tabled a question for written answer to the Minister for Social Development asking what the composition of recruits had been in the seven years since the affirmative action plan had been put in place. After all, Mr Deputy Speaker, one would expect an affirmative action plan that is designed to address an under-representation of a particular community to give you some bang for your buck after seven years. If such an under-representation had not been eradicated, one would at least expect to see significant progress towards its eradication.

What were the figures that I received in answer to my question in June 2010? The percentage of Protestants being recruited to the Housing Executive now is less than when the affirmative action plan was put in place. Were the reverse the case, how many people across the Floor of this Chamber would be saying that it was intolerable, unacceptable and would have to be clarified? That is what they would be saying,

but the silence from all sorts across this Chamber is deafening. They do not seem to mind or care when it is only Protestants who are discriminated against.

I will put the figures on record: in 2004 — the year after the affirmative action plan was put in place — 36.6% of those recruited were Protestant; in 2009, 33.7% of those recruited were Protestant. It was worse than when the affirmative action plan was put in place. That is why there is a need for the motion. I could go on to develop other issues concerning organisations such as the Equality Commission, the Department of Health, Social Services and Public Safety and Waterways Ireland. Many of us have campaigned on issues in regard to those bodies for many years.

The essence of the motion is that we must address underlying problems of under-representation on the basis of merit. I am not asking for 50:50 recruitment to the Housing Executive, nor is my party campaigning for it, although it would be more justifiable than for the police. We are asking for merit to apply.

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

Mr Campbell: Where merit must apply, we must see outcomes to affirmative action programmes. I rest my case on the motion.

Mr McLaughlin: Go raibh míle maith agat, a LeasCheann Comhairle. I state at the outset that my party will support the motion. Notwithstanding the mistaken and partisan approach to the question, I take the view that, despite our differences, equality does not threaten anyone except those who have a vested interest in continued division. If we can refine and improve the current policies, we should do so, and we should not be afraid to acknowledge that improvements can be made.

Let me also state clearly that there is a history here that we cannot deny. There has been abuse of power. I will not go off on the familiar rant, but it is, at this stage, incontrovertible that there was an abuse of power during 50 years of one-party rule in this state. That set down the patterns of division in communities and in society that many people from across the different parties in the Assembly are tasked to address. However, those patterns are there and still affect us. No one who is seriously interested in achieving the maximum level of

equality and equality of opportunity that we can devise through our collective efforts should, in any sense at all, retreat from the need to take remedial measures. Those patterns are so deeply set that it will take affirmative action proposals for us to recognise how we can change them.

I hope that the proposers of the motion will address my key point and accept my bona fides in making it. It is in no one's interest to reverse the process that affected a group of victims of a discriminatory public policy. That was official policy, and it affected people on the basis of their perceived religious or political affiliation. It was not just tolerated, it was prosecuted. Those patterns are a standing disgrace that must be addressed.

I hope that the proposers of today's motion are, in fact, raising concerns that, perhaps, there is a danger that we are drifting towards the position that Gregory Campbell outlined. If that is the case, I want to do something about it. If he believes that, in providing equal opportunity, a new system of discrimination has emerged, I will work with him. It should be possible to see that in the same way that it is easy to establish the pattern of discrimination that existed under one-party rule and under the abuse of the then unionist party. That is not the biggest or most rigorous task.

However, if, under the current arrangements, there are patterns, or the beginning of evidence trails, to demonstrate overcompensation, I did not hear them being mentioned in the proposition that you put forward. For you simply to suggest that people from the Catholic persuasion now enjoy the benefits of equal opportunity is not the same as identifying active discrimination against people from the Protestant community. Perhaps you are making a well-meaning effort to ensure that we do not make the same mistakes of the past, and I join you on that. However, it would help if your motion was supported —

Mr Deputy Speaker: Will the Member refer all his remarks through the Chair?

Mr McLaughlin: Indeed I will.

It would help greatly if your proposition and supporting remarks were presented as an acknowledgement of the mistakes that were made over many previous generations and left a task that we must all share. Therefore,

if we start by acknowledging that there was a problem, and on the basis that we wish not to reverse those patterns of discrimination but produce a society of equals, we can all work together. That should be the proper approach of all parties in the Assembly.

Mr Beggs: I, too, welcome the opportunity to speak on the motion. I caution all Members to speak in a measured tone, because we must be careful not to contribute to heightening the tension in society. I ask that Members be thoughtful in what they say and do not give others an excuse to heighten sectarian tension.

The motion states that any indication of failings in the recruitment process, particularly in the public sector, should be addressed.

2.00 pm

From the outset, I want to make it clear that the Ulster Unionist Party supports the merit principle for employment throughout society. Equality of opportunity must be provided. However, we also recognise and support the benefits of having a workforce that is broadly reflective of the working-age population and, therefore, seek reassurance that there are no barriers preventing that equality of opportunity and employment on the merit principle.

The Member who proposed the motion highlighted the valid point that the Northern Ireland Housing Executive has a disparity in the composition of its employees. We are looking at figures from the Equality Commission's 2008 monitoring report. What happened in 2009? If that information could be brought forward in a more timely fashion, that would be helpful; we could talk about how things are today, not how they were two years ago. The report shows that public employment broadly reflected the composition of the working population. It shows that 54·7% of the workforce came from the Protestant community and that 54·6% of the public service workforce came from the Protestant community. It shows that 45·3% of the working-age population came from the Roman Catholic community and that 44·6% of the public service workforce came from that community. Those figures were broadly in line with the overall figure.

One of the interesting findings in the Equality Committee's document is that two thirds of public sector leavers are from the Protestant community. That means that there is a demographic time bomb. More older employees

from the Protestant community are retiring, and that means that there is a danger that community imbalance could worsen in a different direction. It appears that there is a reasonable balance in recruitment generally but that there are some specific issues. For example, Protestant recruitment to the Housing Executive has varied from 41% to 33%, a very low figure. Around five or six years ago, I took part in a meeting with opinion formers and I know that some attempt was made to address the issue, but I have not heard about any follow-up since then and I am not aware of what proactive programmes have been running to try to ensure that applications come forward and that there is balance, with appointments being made on the merit principle.

An issue that was relevant in the past was the number of students who left Northern Ireland to study in other parts of the United Kingdom, many of whom did not come back. I understand that that figure has improved in that fewer students have been going away, but it would be interesting if the Minister could reflect on that and on any bearing that it might have on the appointment process.

I would also be interested to hear not only from the Finance Minister but from the Minister for Social Development about the overall numbers of applications to the Housing Executive and its composition. Will he confirm any geographical trends that may exist? Is it an issue in different parts of Northern Ireland? Are there areas where members of the Protestant community do not feel welcome and safe? Do such issues need to be addressed? It would be helpful if we were to learn more about that.

The merit principle should be applied to employment generally. and let there be no doubt that the 50:50 recruitment process to the PSNI is offensive to people who are classed as "others". Anyone who is in that category —

A Member: Will the Member give way?

Mr Beggs: I am running out of time.

Anyone who is in that category is being discriminated against and, therefore, the sooner it comes to an end and everyone in Northern Ireland is employed on merit, the better.

Mr O'Loan: I regard the motion as fundamentally misconceived. It is born of a fixation on the part of the proposer with the employment practice

in one particular organisation. If he had been willing to look at the situation in the round, he would not have pursued the issue in the way that he has done with a series of questions.

The Minister of Finance and Personnel (Mr S Wilson): Will the Member give way?

Mr O'Loan: I am surprised to be asked to give way by the Minister at this point, but I will give way.

The Minister of Finance and Personnel: Does fixation about one particular sector include the police?

Mr O'Loan: I think that the Minister misunderstood me. I was referring to proposer's clear fixation with one organisation in particular, and that is the one that is named in the motion. He is fundamentally wrong in his reckoning of that organisation and, particularly, of the whole of the public sector. I also criticise the co-signatory of the motion, Lord Morrow, for his statement in the public arena that Protestants are grossly under-represented in the Housing Executive. That is not so; they are significantly under-represented. It is better that we stick to the facts and do not exaggerate them.

I agree with a substantial amount of the motion or, at any rate, I agree with it to some extent. The motion notes:

"the importance of ensuring that public sector recruitment is based on the merit principle".

I could not agree more with that. However, I am entitled to point out that the Member and his party stood against the mechanisms that were necessary in law and the actions of the Equality Commission to ensure that the merit principle was applied to public sector employment.

The motion also states:

"there are still areas of the public sector where under-representation of certain communities appears to be worsening".

I challenge the Member to produce facts that justify that. The trends show that we have succeeded in achieving a situation in which there is, broadly, a much better balance in employment as a result of good legislation.

Mr Campbell: Will the Member give way?

Mr O'Loan: I will proceed for the moment. I will specifically address the point in the motion about the Housing Executive. The motion asks:

"the Minister of Finance and Personnel to take further measures to ensure that recruitment in the public sector is more broadly reflective of the working-age population."

As I said, the trends are absolutely moving in that direction. However, if the Member reads the facts, such as the 2007 review of fair participation in the Civil Service and the Equality Commission's monitoring report, he will realise that the situation is considerably more sophisticated than he says. Comparisons with the appropriate census figures and the appropriate age group are considerably more complex than he cares to read them.

I wish to comment on the broad situation. If the Member reads the Equality Commission 2008 monitoring report, he will see that the composition of the public sector as a whole, to the nearest percentage point, was 55% Protestant and 45% Catholic. Incidentally, if the Member wants to ask questions about an issue, he might be concerned that two thirds of public sector employees are female. That is an interesting issue for us to address. He might also be prepared to look at the issue of applicants and appointees, given that 54% of applicants are Protestant and 46% are Catholic, and that 54% of appointees are Protestant and 46% are Catholic. As I said, getting the exact comparisons with census figures is not as easy or as simplistic as the Member chooses to make out. Nonetheless, any reasonable person who looks at those figures would say that we are getting something like a broad balance across the relevant sections of the working population.

If Mr Campbell were to look at the trends over the past seven years, he would find that, in the public sector as a whole, the Protestant section of the workforce has reduced significantly and the Catholic section has increased significantly. That needed to happen, because, as little as 10 years ago, those sections of the population were seriously out of balance with each other. They are heading towards balancing out now as a result of the legislation that was brought into existence.

I do not know why the Member singles out the Housing Executive. He does not tell us about the Northern Ireland Fire and Rescue Service, where 62% — I am, again, rounding to the nearest percentage point — of the workforce is Protestant. He also does not tell us about the Northern Ireland Policing Board, where 76% of the workforce is Protestant. He does not tell

us about Northern Ireland Railways Company Ltd, where 70% of the workforce is Protestant. Furthermore, he does not tell us about the Police Service of Northern Ireland, where 79% of the workforce is Protestant, and he does not tell us about Ulsterbus Ltd, where 58% of workforce is Protestant. Mr Campbell also does not mention at all — I assume that this was not in the Equality Commission report because it was an NIO service at that time — about the Prison Service, where 90% of the workforce is Protestant. It is, therefore, a complete nonsense and an abuse of the facts to single out the Housing Executive on this matter. Indeed, the Housing Executive has a substantial affirmative action plan in place.

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

Mr O'Loan: I hope that the Member will concede that, when recruitment is limited, as it is at present, it takes some time to get the appropriate and necessary redress.

Dr Farry: The Alliance Party can support the motion on the basis of subscribing to the merit principle and to the outcome of having a representative workforce. However, I want to take this opportunity to challenge how the debate on representation in the workforce has been framed. By that, I mean not just today's debate but the debate more generally. The Alliance Party has particular concerns about the use of language and about how people are perceived and counted. Indeed, it offers a liberal critique of the approach to monitoring, in that we accept the importance of monitoring itself.

The Alliance Party's central concern is that the debate is framed around a binary notion of Protestant versus Catholic and the nature of the balance between the two. That has been played out in the Chamber today, with Members quoting statistics at one another. The Alliance Party rejects the notion and the reference, not just in the motion but elsewhere, to two communities, multiple communities or certain communities. It does not dismiss for one minute that Northern Ireland is a deeply divided society and that that division relates to issues of identity. That said, however, it is more important to talk about a single overarching identity for Northern Ireland that provides room for open, mixed and multiple identities. We should try to move forward on that basis.

In the past, it was the norm to talk about the two communities. There is an almost complete coincidence in someone's political, religious and national identities. Therefore, anyone who is a unionist is assumed to be Protestant and British, and anyone who is a nationalist is assumed to be Catholic and Irish. That is simply not the case. If it were, we would have the absolutely farcical situation that would suggest that, Basil McCrea, for example, who is perhaps the most moderate of Ulster Unionists, would have more in common with Jim Allister because they both call themselves unionists than he could ever have with a member of the SDLP. I thought that we were trying to make this society work together. By the same token, Declan O'Loan, the Member who spoke most recently, would have more in common with a dissident republican who is trying to bring this place down than he would ever have with an Ulster Unionist who is trying to make this place work. Both those statements are patently untrue, which shows the fallacy of people continuing to frame the debate around two communities that are against each other.

Mr O'Loan: I will not address the Member's particular point, which was absurd. However, I will discuss his broader point. Is he saying, on behalf of his party, that he is opposed to the monitoring of employment in terms of Catholic and Protestant statistics? That is what he was saying.

Dr Farry: I will come to that point in a minute. My brief answer is that we fully support the need for monitoring. However, our approach to monitoring is no longer fit for purpose in a diverse society such as Northern Ireland. One cannot view those things in purely binary terms. Let us look at what we have in Northern Ireland. We have a growing number of mixed marriages and mixed relationships, as well as the children that result from those relationships. How on earth will we count those people? Will we pass them off to the side as aberrations in this naturally binary society that people have in mind? What about the ethnic minorities who are coming in to this society? What about people coming in from the Republic of Ireland, Great Britain or elsewhere in Europe? Indeed, what about those, particularly young people, who are moving away from traditional notions of identity? Regardless of whether those figures are borne out in the 2001 census — just wait until we see the figures in next year's census — the Northern

Ireland Life and Times surveys or other opinion polls, the evidence is overwhelming.

Whenever we talk about employment monitoring, the use of the terms "Protestant" and "Catholic", or "Roman Catholic", as is often used for people from the Catholic faith, is, in essence, a euphemism for unionist and nationalist. The use of those terms is about using religion as a label for political identity. That, in itself, is often dangerous. People resent being pigeonholed. They also want the right to have their identity, even a mixed identity, valued in the same way that someone from a Protestant or Catholic background has their identity valued. That is not just an issue for those in the cross-community middle; it is for people right across the spectrum. For example, there are those who call themselves Christian but not Protestant — I am not talking about people from a Catholic background in case any unionist Members intervene — but who are labelled as Protestants for this and other exercises and resent it.

2.15 pm

I accept the need for monitoring and for a representative workforce. However, given that our system of monitoring is so flawed that it is no longer fit for purpose, how on earth do we know if our workforce is balanced? I suspect that it is becoming more balanced as discrimination is eliminated, but we do not have the methodology that will lead us to the right conclusions.

Mr G Robinson: I congratulate the Members who tabled the motion. It addresses two important points: that people should be given a job on merit; and that the representation of one community in the public sector appears to be worsening.

I am a firm believer that the person who gets the job should get it on merit. I have always taken that stance and will not move from it; therefore when I see discriminatory measures such as 50:50 recruitment to the police, I do not support them. Measures such as that only ensure that those from a certain perceived background have a greater chance of a job, which may prevent others of equal or greater ability from a different perceived background from getting a job. That is not equality; that is shameful. If we want a good workforce, we should employ the right people and not the politically correct ones.

Legislation has ensured that that position becomes enshrined and acceptable to some and a source of disgust to others. If legalised discrimination is acceptable to some when it suits them, they must question their claim to be democratic. A person cannot be a democrat and support discrimination, no matter how it is dressed up.

The second point that I mentioned was the continuing under-representation of the Protestant community in some areas of the public sector. In 2009, 53% of the workforce of the Northern Ireland Housing Executive were Roman Catholic, 33.7% were Protestant and 12.9% were others; that does not reflect the population as a whole. I also want to point out an inaccuracy in section 1 of appendix 2 to the Equality Commission's monitoring report, which deals with the composition of individual specified authorities, but which does not reflect the figures that I detailed for the Northern Ireland Housing Executive. The figures are detailed only as Protestant or Roman Catholic, with the others figure added to the Protestant tally. The Equality Commission needs to publish full and accurate figures and not a figure that has been made to look better. Having said that, the Equality Commission is a prime example of a body in which Protestants are grossly under-represented.

Other bodies with an uneven distribution of employment include the Special EU Programmes Body with 64% Roman Catholic workers; the Western Education and Library Board, with 64% Roman Catholic workers; the Western Health and Social Services Board with 73% Roman Catholic workers; and the Western Health and Social Care Trust, with 68% Roman Catholic workers. It is no wonder that some of those employers are seen as cold places for Protestant applicants.

If Northern Ireland is to move towards a peaceful and prosperous future for all, employment must be based on individual merit. That will go a long way to stop the exodus of young Protestants who believe that there is no future for them in Northern Ireland because of discriminatory employment practices. I do not want any discrimination for those seeking a job, and, because of a deep belief in that, I am delighted to support the motion.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt don mholadh

seo. I support the motion, not because I have been seduced by it or because I regard it as a Damascus-type conversion on the part of its proposers. Rather its context reflects for me the almost schizophrenic nature of some in political unionism, and I am sure that there are those outside the Assembly who would take a less benign view and regard it simply as the same old unionist sectarianism. That was demonstrated when the proposer of the motion said that there had been no systematic discrimination against Catholics — catch yourself on. The proposers call for recruitment on the merit principle but, at the same time, ask for measures to ensure that public sector recruitment broadly reflects the working-age population. The simple question must be: which do the proposers want? Have they arrived, by accident or perhaps by design, at a position in which both can be accepted? If they genuinely supported both proposals, their examples would not have focused solely on one section of the community.

In the past, the proposers made a great play of arguing that the workforces of the Equality Commission and the Housing Executive, which is cited in today's motion, do not reflect the working-age population. Have the proposers considered that the workforce in those organisations reflects the merit principle? I do not think that they have, because that is not how they approach such issues generally.

The proposers are guided by the notion that the proportion of Protestant workers in those organisations does not reflect their percentage of the workforce; the DUP spokesperson said something similar earlier. However, let me be clear: Sinn Féin is absolutely opposed to discrimination, no matter where it arises or against whom it is directed, whether Protestants, Catholics, men, women or, perhaps more challengingly for the DUP, members of the lesbian, gay, bisexual and transgender (LGBT) community, new nationals or ethnic minorities.

The Housing Executive has launched an affirmative action programme that aims to increase the number of Protestant applicants. To that end, its community liaison officer already works with controlled schools. I welcome the proposers' new-found support for affirmative action, as demonstrated by their call for the Minister of Finance and Personnel to take further measures to ensure that public sector recruitment reflects the working-age population.

However, are they the same people — I believe that they are — who were the voices against 50:50 recruitment to the PSNI, even though that process is designed to ensure that its make-up more broadly reflects the working-age population?

The motion lacks any mention of the similar inequalities that exist in the Civil Service. I acknowledge that the proposer's comments bordered on the fact that women and Catholics are under-represented at senior level, although he went on to try to dismiss that to some extent by saying that something was being done to address that. Across the Civil Service, only about one third of those at grade 5 and above are Catholics and a quarter are women. The figures for people with a disability and for ethnic minorities are even more scandalous. Therefore, despite the proposers' one-sided approach, support for the motion goes well beyond their narrow definitions. In voting for the motion, they will support affirmative action and equality for opportunity in our society, including the LGBT community, with which some DUP members seem to have so much difficulty. Therefore, the proposers could be hoisted with their own petard.

Mr S Anderson: I support the motion and commend my colleagues for tabling it. Any recruitment and promotion process must ensure that the best person is appointed to the post. We ought to recruit on the basis of merit and merit alone; we depart from that principle at our peril. I accept that, in the past, there were problems with recruiting enough members of the Roman Catholic community to the RUC. However, many factors contributed to that, none more so than intimidation from within the Roman Catholic community against their own people.

The pendulum has now swung too far the other way. In a rush to redress the perceived imbalance, those in authority have overreacted. In attempting to address one set of problems, they have merely created another.

Although it is not named on the motion before us and does not fall within the remit of the Finance Minister, I feel that it is only right to mention the worst example of institutionalised employment discrimination in Northern Ireland today. The 50:50 police recruitment policy is blatantly sectarian and openly discriminates against people on the sole grounds of their religion. It is shocking that the very parties that claim to be the inheritors of the Northern Ireland

civil rights movement are the loudest supporters of that religious discrimination in the workplace. That the policy was conceived in the mind of an Ulster Unionist — Ken Maginnis — is a truly sorry fact of history.

Turning to the Civil Service, it must be stated that the policy of encouraging members of the Roman Catholic community to apply to the Civil Service created a feeling of despondency and despair among Protestants. Many Protestants, especially Protestant males, wondered whether there was any point in applying for the Civil Service, even if they exceeded the necessary qualifications.

There has also been an imbalance in Civil Service promotions. Let us not forget that. After numerous rejections and promotion board after promotion board, along with the failure to get satisfactory explanations and feedback, some Protestant employees simply gave up, and others left the Civil Service altogether. Therefore, I was not surprised to note from the 2008 statistics that there was a fall in Protestant representation in public sector employment of 2.4%, while Roman Catholic representation rose by 0.8%.

In my constituency, I am still approached by Protestants, mainly male Protestants, who cannot understand why their applications for even the most junior posts in the Civil Service are not successful, even though they meet the required criteria. Therefore, I ask the Finance Minister to keep a very close eye on Civil Service recruitment and promotion.

The motion also calls particular attention to the Northern Ireland Housing Executive. Historically, that body has been disgracefully imbalanced against the Protestant community. For years, we were told that the problem was being addressed. We have had an affirmative action plan in place since 2003, but little has been delivered. In the first year of the affirmative action plan, 52.5% of new entrants were Roman Catholic and 36.6% were Protestant. The balance tilted slightly towards Protestants in 2005 but swung away again very markedly in 2006 and 2007. By 2008, things seemed to improve, but it was only a flash in the pan. By 2009, 53.4% of new entrants were Roman Catholic, 33.7% were Protestants and 12.9% were non-determined. The Housing Executive's reputation is one of being a cold house for

Protestants, and they must put that reputation to rest once and for all.

I would like to say something briefly about the Equality Commission. It has failed to regard the Protestant population and to address many key concerns about public sector recruitment, and it must clean up its act in that regard. We face inevitable budget cuts, and recruitment to the public service will be reduced drastically. Therefore, it is imperative that our public service is more broadly reflective of our working-age population. We must get it right. I support the motion.

Mr Deputy Speaker: Order. As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mr Tommy Gallagher.

The debate stood suspended.

(Mr Speaker in the Chair)

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Integrated Development Fund

1. **Mr McClarty** asked the First Minister and deputy First Minister what new work has been carried out under the integrated development fund in the last two years. (AQO 239/11)

The deputy First Minister (Mr M McGuinness):

The integrated development fund (IDF) was an initiative by the Office of the First Minister and deputy First Minister (OFMDFM) aimed at building on existing local partnership working to produce and implement integrated development strategies for identified local areas. The fund's main aim was to address a range of social and economic issues in selected areas.

During the past two years, new work has been carried out on three projects for which integrated development fund support was approved by us and the Minister of Finance and Personnel. Details of the projects are as follows. On 26 November 2008, £1.387 million of IDF funding was approved for the redevelopment and refurbishment of the First Derry Presbyterian Church, which cost a total of £2.27 million. IDF funding provision for that project was to assist to preserve the built fabric of the church and to contribute to the tourism product in Derry city.

On 26 January 2009, £2 million of IDF funding was approved for the renovation and restoration of St Columb's Church of Ireland Cathedral. The total cost of the project was £2.629 million. The purpose of IDF funding for that project was to assist to maximise St Columb's Cathedral's ecclesiastical and tourism potential.

On 5 February 2009, £3.1 million of IDF funding was approved for the Colin gateway project. The total cost of the project is £4.6 million. The project's aim is to deliver integrated environmental improvement of Belfast's Stewartstown Road and the physical

regeneration of key nodes and linkages along that road. A key objective of the work is to enable the creation of a town centre for the Colin area. The project's promoter is Lisburn City Council.

Mr McClarty: I thank the deputy First Minister for his response. He has suggested that the integrated development fund is managed by the economic policy unit in OFMDFM. Will he indicate whether management of the fund is planned centrally or is merely reactive to proposals from other Departments and agencies in much the same way as the Northern Ireland Tourist Board operates?

The deputy First Minister: Obviously, the economic policy unit recognises, as does OFMDFM, the key role that other Departments play. Indeed, in many cases, other Departments are the delivery mechanism for funds that are made available.

Mr Burns: How much of the budget has been spent on salaries, consultants or project delivery?

The deputy First Minister: With respect, it is impossible to give a figure for any of that offhand. However, I am sure that officials will write to the Member with that detail.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Will the deputy First Minister confirm that the Department is developing a programme to tackle disadvantage that is measured by objective need, which will build on the success of aspects of the integrated development fund?

The deputy First Minister: Now that work on IDF funding is winding down, that policy area is being developed by our officials and will include consultation with a number of relevant Departments and other organisations. Our Department has policy responsibility for addressing poverty. Our objective is to have sustainable intervention in areas that suffer most from poverty and disadvantage. That will be done at a number of levels by providing tangible programmes to deal with those difficult issues. Jobs, community confidence and positive environments help to underpin equality and sharing of areas and services. That programme will, therefore, be developed through OFMDFM and its partner organisations working with targeted communities to develop plans to which all Executive members can respond. The programme that we hope to develop will be additional and complementary to those of

other Departments. Collectively, we need to have significant intervention that will tackle disadvantage, deprivation and poverty in a strategic way where the impact can be seen, felt and believed by everyone in the community.

Quangos

2. **Mr Savage** asked the First Minister and deputy First Minister to outline any plans to reduce the number of commissions and quangos. (AQO 240/11)

11. **Mr A Maskey** asked the First Minister and deputy First Minister for their assessment of how a more efficient use of quangos could reduce administration costs and ensure that front-line services are safeguarded. (AQO 249/11)

The deputy First Minister: A Cheann Comhairle, with your permission, I will answer questions 2 and 11 together.

Publicly funded bodies can and do play an important role in the delivery of public services. That said, it is essential that they operate efficiently and look continuously and creatively at how best those services can be delivered, so as to most effectively meet their objectives and serve the public.

Members will be aware of the Executive's establishment of a ministerial Budget review group, which has commissioned a range of information to inform its approach to the major financial challenges that we face. As part of that work, we will be looking carefully at the scope to achieve greater efficiencies in our public bodies and to yield savings without a loss of vital public services. That will include examining the options for reductions, amalgamations or greater use of shared services and shared facilities across public bodies.

Mr Savage: I thank the deputy First Minister for his answer. Will the deputy First Minister and his party enter the real world and accept the fact that cuts are coming? With that in mind, will he and the First Minister agree to set up a working group to see where quangos and commissions can be culled or amalgamated? We have to bear in mind that a lot of the chairs of the committees and quangos receive twice the salary of any MLA who is sitting here today.

Mr Speaker: I urge the Member to come to his question.

Mr Savage: The whole thing is wrong.

The deputy First Minister: As many Members know, I was at the Conservative Party conference. I spoke at a fringe meeting, when the new leader of the Ulster Unionist Party was also in attendance. I read in a newspaper that the first item on his agenda was what the Conservative Government are going to do about the way that the First Minister and deputy First Minister are elected. I thought that the first item on his agenda would be the fight against cuts, but that was not the case. That is being left to the First Minister and me.

We were supported by other parties over the weekend. It would be in the interests of our entire community if all the parties in the Assembly weighed in behind us at a time of great discussion and debate around the possible reneging of an agreement that was made with all the parties, including the Ulster Unionist Party, prior to the establishment of these institutions.

As many Members will know, we have established a Budget review group. At the Executive meeting that was convened in Greenmount College on 6 July 2010, it was agreed that a ministerial subgroup would be established to consider a range of strategic issues relevant to the formulation of Budget 2010. The Budget review group includes the First Minister, myself, the Finance Minister, the Employment and Learning Minister, the Social Development Minister and the Justice Minister. The review group commissioned the secretary to the Executive to produce a set of papers for discussion on key cross-cutting issues, such as capital investment plans, additional revenue-raising options, flexibility in respect of discretionary spend, impact of savings, local taxes and charges, public sector pay, public bodies, reduction in bureaucracy, and east-west and North/South co-operation opportunities. Since the Greenmount meeting, a considerable amount of work was commissioned on those issues across all Departments, and the Budget review group has held preliminary discussions on some of the key issues and has commissioned a range of further work, which includes bringing forward more developed proposals on the options for rationalising arm's-length bodies or, in other words, quangos.

The Member needs to understand that many of us are in considerable sympathy with some of

the points that he has made. As we go forward, all this will include consideration of options for reducing the cost base of arm's-length bodies through, for example, amalgamation and the sharing of corporate services. Those issues are not the Holy Grail. We are in a difficult economic situation, and I think that our Executive are committed to looking seriously at how we can make further savings.

Mr McDevitt: Does the deputy First Minister agree with his colleague Martina Anderson who, on 28 July, said that we are spending a staggering £9.7 billion in this region on unelected quangos? She claimed that that figure is 75% of our total Budget. Does the deputy First Minister agree that Ms Anderson is in fact correct that those largely unaccountable organisations, which, of course, include health trusts, cannot and should not be sustained?

The deputy First Minister: I always agree with Martina Anderson. We all know that a number of different propositions have been made by a number of Departments about how we can further make savings and efficiencies and provide a much leaner, but much more productive, service for the people we represent.

Dr Farry: Although the rationalisation of government is very important, does the deputy First Minister agree that there are even greater potential savings to be found through tackling the cost of duplication in a divided society? In that light, will he clarify his stance on the issue of shared education?

The deputy First Minister: As a former Minister of Education, I am a huge supporter of those families who choose to have their children educated through the medium of integrated education, just as I am a keen supporter of those families who choose a Catholic education system, the state-controlled education system, or education through the medium of Irish. I said when I came into the Department at the very beginning that we would attempt to provide choice for all. I recently attended the opening of the new St Mary's College on the Northland Road in Derry, where well over 88% of young people left with 5 or more GCSEs, and 96% of those young people left with two A levels or more. Those are results that would be the envy of many a grammar school in the North.

Equality Legislation

3. **Mr McCarthy** asked the First Minister and deputy First Minister for an outline of any future plans for equality legislation. (AQO 241/11)

The deputy First Minister: We are considering the options for legislative reform here. When we have made a decision, we will outline our proposals.

Mr McCarthy: My goodness, that was a short one. I am delighted to see that the deputy First Minister is now going for short answers.

Given that the Executive have abandoned the single equality Bill and the Equality Act 2010 has been passed at Westminster, and bearing in mind that Northern Ireland had been to the forefront in relation to equality issues, what are the Executive going to do to close the gap, and when?

The deputy First Minister: First of all, no decision has been taken in relation to a single equality Bill. We continue to keep the broad spectrum of equality legislation under review, and the St Andrews working group, which the junior Ministers chair, is also considering the issue. The Office of the First Minister and deputy First Minister is committed to the principle of equality for all. Work on equality legislation continues in order to deliver on our commitments in the Programme for Government, EU obligations, case law requirements and emerging issues.

Mr Kennedy: I am grateful for the deputy First Minister's earlier replies. Do Ministers have any proposals for the rationalisation of equality legislation in light of the saving imperatives imposed by block grant spending cuts?

The deputy First Minister: All of us in the House understand that, as we go forward, everything is under renewed consideration. We consistently challenge ourselves to see how we can deliver for the people that we represent in a very efficient way. We are conscious of our responsibilities in that regard.

Mr Campbell: Equality legislation should offer minority communities across Northern Ireland the hope of fairness and the expectation that an acknowledgement of their cultural outlook will be obtained. In that context, does the deputy First Minister think it is a coincidence that, in areas where his party has the most electoral

support, there is hardly a Protestant about the place?

2.45 pm

The deputy First Minister: I could not accept that for one minute. It is quite clear that the party that I represent is absolutely committed to equality. I have often said that I am not looking for equality for Catholics, I am looking for equality for everyone: Catholic, Protestant and Dissenter.

Mr Leonard: Given the limited scope of the protection under the Equality Act 2010 compared with the much more comprehensive section 75 legislation, is he able to assure the House that any future equality legislation will not be regressive?

The deputy First Minister: The simple answer to that is yes. It is important that we recognise the particular circumstances that apply to the North. The 1998 Act, which flowed from the Good Friday Agreement, laid out protections for a number of groups across our society. The sad reality was that it was necessary to offer those protections.

However, we all understand that we are living in new times; this is a new age. There is a duty on everybody in government to ensure that absolutely nobody is discriminated against. None of us would want to be part of any institution that discriminated against anybody on the basis of their religion or all the other issues. There may be examples of people feeling that they are being discriminated against, and that represents a challenge for us that we have to rise to. If people raise in the House issues of concern to them, including the issue raised by the Member for East Derry, it is incumbent on us all to take that seriously.

Mr P Ramsey: It is reassuring to hear the deputy First Minister tell us that the single equality Bill has not been abandoned. Will he outline the time frame for the Bill, and why there has been a delay?

The deputy First Minister: I do not need to explain to the Member why there has been a delay. He understands quite well. Suffice to say that it is a work in progress, and I am as anxious as anybody to get us to a position where there is a single equality Bill.

Budget 2010-11: Treasury Discussions

4. **Ms M Anderson** asked the First Minister and deputy First Minister for an update on their discussions with the Treasury in London on the need for a special package to ensure economic recovery, the development of efficient and effective public services and to tackle disadvantage. (AQO 242/11)

5. **Mr Hamilton** asked the First Minister and deputy First Minister for an update on their recent meeting with the Chancellor of the Exchequer. (AQO 243/11)

6. **Mr Ross** asked the First Minister and deputy First Minister for an update on their meeting with the Chancellor and whether they can confirm that a significant amount of the Northern Ireland block grant will be identified through formulae and not negotiated with the Treasury. (AQO 244/11)

The deputy First Minister: With your permission, Mr Speaker, I will answer questions 4, 5 and 6 together.

The First Minister and I met the Chancellor of the Exchequer, George Osborne, on Tuesday 28 September to discuss the forthcoming Budget announcement and its potential impact here. We are particularly concerned at the latest forecasts, which suggest that the capital budget will be significantly constrained over the four-year spending review period, falling by almost 50% in real terms in 2014-15. That is totally unacceptable to the First Minister and me.

We reminded the Chancellor of the commitments given by the previous Government at St Andrews that at least £18 billion over a 10-year period would be guaranteed. He undertook to investigate that. Last Thursday, the First Minister, the Finance Minister and I joined our counterparts in Scotland and Wales as co-signatories of a joint declaration calling on the Westminster Government to reconsider their approach to the spending review. The declaration's key message is our common concern about the social and economic consequences of cuts that are too deep and run the risk of stalling any recovery.

We also met the Deputy Prime Minister, Nick Clegg, on Thursday and reinforced that message with him. We are encouraged by his subsequent commitment to look again at the level of spending cuts proposed for here. We

wrote to David Cameron, with the endorsement of the Executive, reiterating our request for an urgent meeting on the Budget settlement. We underlined the cross-party nature of the agreement with the previous Government on the financial settlement, which led to the establishment of these institutions in May 2007.

The First Minister and I are agreed that the scale of the proposed cuts being speculated on in the public domain would have a very damaging impact on our efforts to grow the economy and protect our most disadvantaged communities. We asked the British Government to reconsider the scale of the cuts and to take account of the particular circumstances here.

We also know how reliant we are on the public sector here, and that large cuts to the block grant, through the working of the Barnett formula, will affect the whole economy, thereby potentially slowing recovery, rather than hastening it. We are keen to look at ways in which we can achieve better value for money in the delivery of public services, and, at the same time, continue to support those most in need, which is critical in the current environment. The First Minister and I are happy to update the House on an ongoing basis as the Budget picture becomes clearer.

Ms M Anderson: Go raibh míle maith agat. I thank the Minister for that comprehensive response. What are the Executive doing to ensure that the most vulnerable and disadvantaged in our society are protected in the forthcoming Budget?

The deputy First Minister: Following the Executive awayday at Greenmount, we made it clear that one of our priorities would be to protect our most vulnerable citizens, especially those at risk of poverty and social exclusion. In our bids for the forthcoming comprehensive spending review (CSR), we have sought funding to target some of our most disadvantaged areas and for a pilot project to look at the impact of an increase in earnings disregard. Through the workings of the Executive subcommittee on poverty and social inclusion, we have also asked our officials to undertake work with colleagues from other Departments to progress priority actions that will benefit the individuals, groups and areas in greatest objective need. We are also developing a child poverty strategy, which will be laid before the Assembly by 25 March

2011 and will set out the Executive's plan to work towards the eradication of child poverty.

Mr Hamilton: The Deputy Prime Minister, Nick Clegg, seemed confused last week that the £18 billion capital pledge by the previous Government was not raised at the meeting with the Chancellor. Will the deputy First Minister clear up that confusion by confirming that that pledge was raised at his and the First Minister's meeting with the Chancellor last week?

The deputy First Minister: Yes, I have to say that I was very surprised when I read in 'The Irish News' that Nick Clegg had raised questions about whether the First Minister and I had broached that subject with the Chancellor at our previous meeting. The fact is, and the minutes will show, that the issue was raised very forcibly in the course of that meeting. It is a worrying development that the Deputy Prime Minister is not aware of the reality of that engagement.

It was also very significant at that engagement that the Chancellor, George Osborne, asked the First Minister and me to furnish him with the details of the agreements made at St Andrews and the discussions that followed from that, which culminated in the meeting that took place at Downing Street, at which representatives of all the parties in this House were present. That was followed by the then Chancellor of the Exchequer, Gordon Brown, going out to the front steps of Downing Street and making public the agreement and the commitments that were made. He followed that up on 8 May 2007, the day that Ian Paisley and I went into government together, by lodging in the Houses of Parliament his ministerial statement confirming the extent of that package, which includes the guarantee — and he is the person who used the word "guarantee" — of £18 billion for our capital building programme up until 2017. So, there can be no doubt about it whatsoever. The issue was raised at the meeting with the Chancellor and has been raised ever since.

We also took the opportunity when President Clinton was at the Magee campus, just two weeks ago, to apprise him of that agreement. He was on our side in regard to the responsibility that the coalition Government have to honour the commitments that were made. I hope that the coalition Government do not dishonour the commitments that were made. I hope that, like the Irish Government, who committed very substantial funds to infrastructural projects in

the North and who pledged to honour those commitments, the coalition Government led by the Tories will do likewise.

Mr Ross: Does the deputy First Minister agree that despite opposition from the Ulster Unionist Party, it can be beneficial for Northern Ireland to work along with the leaders of the other devolved institutions within the United Kingdom in discussions with the Chancellor?

The deputy First Minister: Absolutely. Scotland, Wales and ourselves are singing from the same hymn sheet. We all recognise, particularly in our case because we have not come out of recession, that there is a very real danger that the approach being adopted, with cuts that are too deep and too fast, will plunge us further into recession. That is a very real danger for our economy.

I have to say that I am taken aback at the lack of support shown by the Ulster Unionist Party for our efforts to hold the British Government to the commitments that they made. Many people who support the Ulster Unionists must be absolutely dismayed that, at a time of economic peril for us and for all the people we represent, one party in the Assembly is not only not being helpful, but is being very unhelpful in some of the utterances that it has made.

Mr K Robinson: I thank the deputy First Minister for his comments; not the political ones, but the factual ones. Will he update the House on the discussions that he had with Government last week regarding the Presbyterian Mutual Society (PMS)? What is the position of those talks?

The deputy First Minister: That is a very important issue. The First Minister and I, along with the Minister of Enterprise, Trade and Investment and the Minister of Finance and Personnel, have been involved in a series of discussions with the new coalition Government, specifically with the Treasury, in the company of Owen Paterson and others. We are very conscious of the hardships that are being imposed on ordinary savers in the Presbyterian Mutual Society, particularly elderly people who are trying to work out care packages for the future, as well as their families.

The issue a real concern. We had some initial hiccups, for want of a better word, in so far as when we first broached the subject with the new Administration, they effectively told us that we had to make a wholly new submission to them, because they said that they did not have access

to the papers of the previous Administration. However, we have now done that, and we have had discussions with them. Recently, a Treasury Minister met us in Belfast, and another meeting is due within the next few days.

The new Administration have pledged to expedite this issue as quickly as possible, and we have applied huge pressure. Obviously, the best solution would be if a financial institution were prepared to take over the PMS but, failing that, we have plans to try to save as many people from pain as possible, because they are undoubtedly suffering at this time.

Mr Speaker: Questions 5 and 6 have been answered.

Childcare Strategy

7. **Mr Lyttle** asked the First Minister and deputy First Minister what progress has been made in the development of a strategy for childcare provision. (AQO 245/11)

The deputy First Minister: Mr Speaker, with your permission, I will ask junior Minister Kelly to respond to that question.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): Go raibh maith agat, a Cheann Comhairle. The ministerial subcommittee on children and young people identified childcare as a priority issue and agreed that a policy and economic appraisal should be carried out on a range of strategic options. A paper on the report has now been prepared for the Executive. It outlines the appraisal's key findings and, when the Executive have had an opportunity to consider the paper, the next phase of the work on the development of a childcare strategy will begin. That will require public consultation. That work will be carried out in a cross-departmental way, with an identified lead Department.

We will consult the Committee for the Office of the First Minister and deputy First Minister as the work progresses. The report contains a timetable of actions, and estimates of the financial implications of those actions. It is expected that the report will form part of the evidence base underpinning the public consultation.

Mr Lyttle: I thank the junior Minister for his response. Can he give us any idea as to a timescale for the completion of the process?

The junior Minister (Mr G Kelly): I suppose the only answer to that is: as soon as possible. We have declared this matter a priority. We know that, especially in the present economic circumstances, this issue affects most families, and we will complete it as quickly as possible.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. Will the Minister provide an update on the play policy and associated implementation plan?

The junior Minister (Mr G Kelly): Following the publication of the play and leisure policy statement in December 2008, a cross-sectoral group has been working to develop an implementation plan to deliver the key aims and objectives within it. We have issued a copy of the draft plan to Ministers and to the OFMDFM Committee for their views before formal submission to the Executive for approval later this month.

3.00 pm

Employment and Learning

NEETs

1. **Mr P J Bradley** asked the Minister for Employment and Learning to outline any plans and targets he has for people not in education, employment or training. (AQO 253/11)

4. **Mr Molloy** asked the Minister for Employment and Learning for an update on his bid to the Executive regarding the development of a strategy for people not in education, employment or training to address the increasing numbers of young people who are unemployed. (AQO 256/11)

9. **Rev Dr Robert Coulter** asked the Minister for Employment and Learning to outline progress on the development of a strategy for people not in education, employment or training. (AQO 261/11)

The Minister for Employment and Learning (Sir Reg Empey): With your permission, Mr Speaker, I will take questions 1, 4 and 9 together.

Reducing the number of young people who are not in education, employment or training (NEET) is a key priority for those caught in the category, for all of us economically and socially in Northern

Ireland and for me personally. It is also a key concern for the Northern Ireland Executive.

In making substantial headway on the issue, my Department has taken the lead in producing a scoping study. It is clear from that that the issues affecting those young people are cross-departmental and multi-agency in nature. At their meeting on 22 July, the Executive agreed, on the back of the findings of the scoping study, that a cross-departmental mechanism should be put in place to develop a strategic approach to tackling the issue.

Developing a cross-departmental mechanism is crucial, and officials have been seeking views as to what shape that will take. In doing so, Department for Employment and Learning (DEL) senior officials have already met with counterparts in most of the key Departments: the Office of the First Minister and deputy First Minister (OFMDFM), the Department for Social Development (DSD), the Department of Justice (DOJ), the Department of Health, Social Services and Public Safety (DHSSPS), the Department of Enterprise, Trade and Investment (DETI), and the Department of Agriculture and Rural Development (DARD). They also briefed the Committee for Employment and Learning.

The outcome of all that activity has been very positive. We are putting together a framework for the production of a draft strategy, which we hope to bring forward for consultation early in the new year. We plan that that strategy will set the broad direction for more co-ordinated and effective action for reducing the number of our young people who have fallen into the NEET category. Key areas in the strategy are likely to be the broad themes of information, prevention, intervention and good practice.

Mr P J Bradley: I thank the Minister for his answer. Does he acknowledge the contribution of the voluntary and community sector in delivering on the needs of people who are not in employment, training or education? Will he agree to a formal stakeholders' forum involving the community sector and his Department?

The Minister for Employment and Learning:

I am very happy to look at any of the key stakeholders. The voluntary and community sector is involved already in delivering a number of programmes on our behalf. We are very aware of the role that the third sector can play because it operates at a local level, has access to many of the young people and has knowledge

of their family and personal circumstances. The Department is always open to ensuring that there is adequate consultation with the voluntary and community sector. That sector plays a very significant part in the delivery of many of our programmes.

Rev Dr Robert Coulter: Does the Minister agree that part of the problem is the fact that so many young people enter further and higher education with limited abilities in learning and numeracy? What percentage of young people have to be retrained when they enter further education?

The Minister for Employment and Learning:

Sadly, the Member has touched on a very critical point. As the House is probably aware, in 2008-09, some 82% of young people who left school at year 12 — that is, at the age of 16 — did not achieve at least five GCSE A-C grades including both English and Maths. That represented 7,281 of the 8,879 people who left school in that year. The most recent labour force survey estimates that 15,000 people who are aged between 16 and 19 in Northern Ireland are not in education, employment or training. That is about 16% of people in that age group. Although we compare similarly with England and Wales and better than Scotland, the point that the Member makes is that there is a continuous supply of people coming out of full-time school education without those basic qualifications or even the basic grasp of some of the subjects. Certainly, they do not have proper numeracy and literacy skills, which is why my Department has to engage with an essential skills strategy. As Members will know, it is far more difficult to deliver those services to young adults at that age than it is to deal with the problem in earlier years. That goes to the very heart of the problems that we face on this issue.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers. It is great that officials are talking to one another across Departments.

I welcome the Minister's and the sector's commitment to trying to tackle the issue of NEETs. If we are to get young people into education or training, will the Minister give us a more detailed assessment of where he thinks NEETs will be this time next year?

The Minister for Employment and Learning:

That is tied up with current economic circumstances. Although the figures that I gave are for last year, the economic downturn will

inevitably have some impact on the issue. The downturn has resulted in an increase in youth unemployment and hence, in overall terms, to the number of people not in education, employment or training. However, it is important to bear in mind that the situation is a consequence of global and external factors. Increasing job opportunities when the economy improves will address those issues, but the downturn exacerbates our difficulty. As the Member pointed out, in the present difficult economic circumstances, more and more young people are becoming unemployed.

Sadly, the trend in youth unemployment and in overall unemployment is still gradually upwards. As I told the Executive, my office has no evidence of any cessation of that trend, and I consider that unemployment will continue to grow this year and next. That is what we are planning for, Mr Speaker, and that makes the problem for those young people worse. However, that does not relieve the Assembly or any of us of our responsibility for the point made by Rev Robert Coulter, which was that that does not explain why so many young people leave the education system unable to read and write properly. That is a totally different matter outside economic circumstances. Nevertheless, economic circumstances make it more, not less, difficult.

Mr Campbell: The Minister will be aware that quite a number of people in hard-to-reach communities are simply not availing of courses in the various regional colleges. I put on record my thanks to the staff of the Northern Regional College for a project that I helped to launch last week. To ensure that people who want to volunteer to reach communities that are not being reached are assisted by flexible programmes designed to help hard-to-reach communities, will the Minister look at the criteria for some of the programmes in regional colleges?

The Minister for Employment and Learning: I am happy to look at any such proposals. Indeed, if the Member has particular suggestions, I would appreciate his writing to me with them. There is no doubt that we engage and contract with people and organisations that specialise in trying to reach people in marginalised communities. I am thinking of organisations such as the Prince's Trust. Money is provided to our further education colleges to get to harder-to-reach learners.

As I said to Mr Bradley, the voluntary and community sector also has an important role to play. What worries me most is that the basic pool of people not in education, employment or training is not diminishing to the extent that we would like, and that is not entirely because of our economic circumstances. With the investment that we put into the continuum of education, the structural failures throughout the system that leave thousands of young people without those abilities does no credit to us. We are no worse than anywhere else in the United Kingdom; indeed, we are better than most, but I still say that it is not right. I am happy to take on board what the Member said and if he cares to write to me, I will look into it.

DEL: Ministerial Visit to USA

2. **Mr P Maskey** asked the Minister for Employment and Learning for an update on his recent visit to the USA. (AQO 254/11)

The Minister for Employment and Learning:

I made an official visit to New York from 19 September to 24 September 2010 to promote Northern Ireland's multi-skilled workforce in the United States and to encourage greater educational exchange opportunities between Northern Ireland's universities and further education colleges and those in the US.

My programme of events included meetings with the Bill and Melinda Gates Foundation; the New York City Council Speaker, Christine Quinn; the Commissioner of the New York City Department of Small Business Services, Rob Walsh, who is responsible for workforce development; and Loretta Brennan Glucksman from the American Ireland Fund. I also attended the annual Irish American Wall Street 50 awards ceremony as a guest of Declan Kelly, the U S economic envoy to Northern Ireland, and the Clinton Global Initiative as a guest of former President Clinton.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. I would be grateful if he would go into more detail about how his trip will assist people to get back into employment. Were there any opportunities to discuss that when he was in America, because, in the current economic climate, it is very important that such topics are discussed in such a forum?

The Minister for Employment and Learning: I shall deal with two issues that might answer

the Member's question directly. We had a very positive meeting with Speaker Christine Quinn and the City University of New York. Members may be aware that, last year, I appointed Lidija Smirnov to represent the interests of the Department in the Northern Ireland Bureau in Washington DC. Ms Smirnov reports to the bureau but works specifically on developing links between institutions in the United States and here. We agreed with Speaker Quinn and the City University of New York that she will take forward a proposal to develop links with our universities, and I believe that that is coming. We agreed in principle that it should happen, and officials have been appointed to take the work forward.

I mentioned that I spoke to the Commissioner of the New York City Department of Small Business Services, Rob Walsh. We had a very positive meeting, during which we saw a lot of the programmes that he and the New York City Council have followed up. We visited locations in the city where they operate, and he later put some very positive responses to our meeting on his website. Indeed, I am sure that the Member is familiar with the 'From the Balcony, A Publisher's Blog' website. If he cares to look at the entry for Saturday 25 September, he will see copious notes that describe the "special visit and dynamic exchange" that we had with the commissioner. Even in a city like New York, job creation and dealing with people who are looking for work is proving to be very difficult. Indeed, Rob Walsh sent an e-mail round his department on the day that we met, recommending that his officials visit my Department's website. We believe that we have established good contacts there, and we will follow up on them.

Although the Americans have some excellent methods, we were able to bring just as many good ideas to them. When visiting the United States or anywhere else, we should not think of ourselves as underdogs; we can produce good ideas, we have some excellent further and higher education people of whom we can be proud, and we have some excellent job-creation opportunities and processes. I am hopeful that the visit will result in positive outcomes. At the very least, a formal institutional link has been established between one of our universities and the City University of New York.

Mr Beggs: Given our historic connections, mutual values and the potential for investment, does the Minister agree that Ministers and Departments

should lobby robustly in the United States to bring investment and jobs to Northern Ireland?

The Minister for Employment and Learning:

I omitted to say that I visited the Titanic exhibition that was held in Grand Central Terminal, at which people from Tourism Ireland were promoting Northern Ireland tourism.

3.15 pm

Indeed, I was very proud to see Belfast and other parts of Northern Ireland represented in that great cathedral of a station. There was live music and a mock-up of the Titanic, and Northern Ireland was being promoted as a destination. I think that tourism is one of the ways through which economic growth can be delivered. We have shown that we have a saleable product, and we now have a direct air link between Belfast and Newark, which is adjacent to New York. There is every reason to believe that we should grow those links.

The Member referred to what might be called diaspora issues. I note that Invest Northern Ireland and the two universities have appointed a representative to promote those issues. That person took office on 1 October as a diaspora co-ordinator, as it were. I think that the combination of that work and the work that we are doing with Invest NI and other Departments will prove fruitful. I should point out that other regions of Europe would give their right arm for the entrée into some of the places of business and government in the United States to which we have gained access.

Universities: Accessibility

3. **Mr McDevitt** asked the Minister for Employment and Learning, in light of the current considerations on funding for universities, if he can provide an assurance that university education will continue to be accessible and affordable to people from all economic backgrounds. (AQO 255/11)

The Minister for Employment and Learning:

Since 2000, my Department has been addressing the issue of fair access to higher education through a number of policy initiatives and a range of specific funding mechanisms. With almost 50% of 18-year-olds leaving school going to university, Northern Ireland now has the highest participation rate of university students of any area of the United Kingdom. In 2008-09, when that rate was at 41.7%, we

had the highest participation rate of students from disadvantaged backgrounds and economic classes 4 to 7. That compares with 32.4% in England and 28.2% in Scotland.

The existing fees regime has, so far, not impacted adversely on our participation rates. Nevertheless, there remain some stubborn pockets of under-representation in sections of the population. That is why my Department is leading the development of a new integrated regional strategy for widening participation in higher education. Fair access to higher education is an economic, as well as a social, equality imperative. The implementation of the new Widening Participation strategy will be a key element in ensuring that university education will continue to be accessible and affordable to people from all economic backgrounds.

Mr McDevitt: Does the Minister agree that access to university should be based solely on one's ability to learn and never on one's ability to pay? Will he assure the House that there will be no increase in university fees in this region in the months and years ahead and that student loans will remain available and affordable at rates that young workers pay back?

The Minister for Employment and Learning:

In answer to the Member's first point, I believe that, in these islands, we have an unbeatable record in participation rates in higher education of people from socially disadvantaged backgrounds. No one has achieved what we have achieved. One of the reasons for that is that we have set out, as a fundamental policy objective, to achieve something. Indeed, one section of my Department is devoted to precisely that.

However, even though we have those high rates, I did not feel that all aspects of disadvantage had been addressed, and stubborn pockets of under-representation remain. I had a discussion with the lead official less than two weeks ago about that issue, and we have work to do. Indeed, the Widening Participation strategy document will be made available shortly to Members.

The Member knows that it is my intention to make a statement on fees to the House tomorrow morning. If he was trying to get in early and anticipate that statement, I am afraid that he will have to leave it. We will return to that issue tomorrow, and we will return specifically to the outcome of the Browne review, which has been widely trailed. However, the

detail of that review will not be available until tomorrow. Our ability to respond in Northern Ireland depends on a range of issues, including what Revenue and Customs is prepared to do. That will have a big impact on the repayment of loans. It has indicated heretofore that it is not prepared to single us out and to treat taxpayers here differently from those in other parts of the UK. We will return to those issues tomorrow and, I suspect, in the days ahead. However, I may be wrong about that.

Mr Bell: The Minister correctly outlined that Northern Ireland led the way for the United Kingdom in ensuring that children from working-class backgrounds, such as me, got to university. Without pre-empting tomorrow's statement, is it not important that we maintain a balanced approach whereby our universities can remain competitive but, at the same time, ensure that we have a richly educated population as opposed to reverting to the old days of the educated rich?

The Minister for Employment and Learning: I agree entirely with the Member. That is my personal view. I also draw Members' attention to a fact that sometimes gets lost in the debate: in the past five years, my Department significantly increased its funding to universities by 21%. Since fees were introduced, all of the resulting income, a combined total of £80 million a year, has gone directly to the two universities. On top of that, the universities have successfully and properly increased the flow of cash from the private sector and philanthropic sources. Therefore, higher education has been treated extremely favourably in Northern Ireland and rightly so. Indeed, it is our intention to ensure that our universities remain competitive. However, there is no point in having universities if people cannot get into and benefit from them. My general approach is that which the Member set out.

Mr B McCrea: The Minister mentioned that he had talked to a lead official about the existing programmes to widen participation in higher education. Perhaps he would comment on the impact of those programmes and outline what might be done in future.

The Minister for Employment and Learning: The general picture is positive, but there are some negatives. The pattern is that university students from socially and economically deprived backgrounds tend to have higher

dropout rates than those from other backgrounds. We are raising that issue with the universities. It is my understanding that we provide the universities with specific funding to help them to deal with that problem. However, I have been somewhat disappointed that the dropout rates have not fallen to a greater extent. If those rates do not start to come down, we may, as part of future arrangements, have to introduce penalties.

Some issues remain outstanding. Certain pockets of people in the community do not avail themselves of higher education. In the coming months, the widening access strategy will address those groups. Although we have a good record and much to be proud of, there is unfinished business.

Ms Lo: Without probing too much on the Minister's statement tomorrow, I want to ask him about the review that he commissioned, namely Joanne Stuart's review on tuition fees, which has still not been published. Does he intend to publish that shortly, and will he reconcile its findings with the imminent report from Lord Browne?

The Minister for Employment and Learning: Yes. The report will be published shortly, whether that is tomorrow or in a few days. There are some logistical issues, but it will be published very shortly. There will be differences between the two reports, but we must remember that university funding is a devolved matter. We must look at the circumstances in Northern Ireland. The Executive will have to prioritise resources, and my Department can spend resources only if it receives them. As the Member knows, there are other competing demands, such as health, education, and so forth.

We must also remember that the Stuart review was completed in the spring before the worst of what happened became apparent. Therefore, there will be differences. However, the Assembly must determine its priorities. That is what devolution is about, and we will collectively have to put our money where our mouth is. If we want to go ahead with one option, we will have to say that we do not want something else, or vice versa.

We will have that debate, and I hope that we will start it tomorrow when we see the details in the Browne review. As I said to the Chairperson of the Committee, we will make the Stuart report available as soon as possible.

DEL: Budget

5. **Mr Gardiner** asked the Minister for Employment and Learning if he will seek to protect the economy-facing aspects of his Department in the forthcoming public expenditure round. (AQO 257/11)

10. **Dr McDonnell** asked the Minister for Employment and Learning for his assessment of the potential impact of any future cuts on his Department's various business support programmes. (AQO 262/11)

15. **Mr McClarty** asked the Minister for Employment and Learning for his assessment of the importance of the Assured Skills programme in attracting foreign direct investment. (AQO 267/11)

The Minister for Employment and Learning:

With your permission, Mr Speaker, I will answer questions 5, 10 and 15 together.

Growing the economy is the central plank of the Programme for Government, and my Department's work in supporting local business is critical to the success of our economic strategy. I recognise fully the value of the economy-facing aspects of the work that is being done by my Department, and I wish to protect and, ideally, expand that work over the Budget 2010 period. However, that decision is dependent on the future resources that are made available to DEL from the Assembly.

The number one priority is growing a dynamic economy, and DEL is responsible for a range of measures associated with alleviating the harsher effects of the economic downturn. Clearly, any reduction of the skills budget will have an adverse impact on the Executive's response to the downturn. I continue to prioritise that work through the funding of important programmes such as that of providing qualifications in business improvement techniques to local manufacturing and management and leadership courses. Since 2009, departmental funding has enabled over 1,400 individual managers and over 300 companies to improve their leadership and management practice, and the feedback to date has been extremely positive.

Mr Gardiner: To what extent is investment in skills essential if Northern Ireland is to emerge from the recession?

The Minister for Employment and Learning:

It is absolutely critical and essential. Another example of our work is a programme called Assured Skills, which we hope to have completed and ready for next week's economic conference in the United States on which we have been working closely with the Department of Enterprise, Trade and Investment (DETI) and Invest NI. Yes — shock, horror — we do work together from time to time. We have been working closely on those matters and have taken a joined-up approach.

It is clear from talking to any potential indigenous or inward investor that the skills agenda will be the main issue in the future. As Members will probably be aware, the ability of Invest NI to deliver selective financial assistance will be on a diminishing scale from now on due to European regulations, so there will be fewer opportunities for Invest NI to give the employment and capital grants that it used to give in the past. Therefore, skills will be the future in determining whether we attract and encourage future investment.

Dr McDonnell: I thank the Minister for his answers so far. He said that he has had discussions in which he has co-operated fully with DETI. What discussions has he had about the various business development programmes that are being run in parallel and delivered by the Department for Employment and Learning and DETI?

The Minister for Employment and Learning:

Officials meet regularly and work those things out together. There is a much closer working relationship in dealing with individual companies. As the Member may be aware, last week, I attended a meeting with a significant potential investor. Both Minister Foster and I were present, as were officials from my Department, Invest NI and DETI. That heralds a new approach, which I know the Member will support.

At the end of the day, we are a small place, and, when we deal with those investors, they are not interested in meeting a plethora of Departments and organisations. They want to talk to people who can deliver what they want. As the Member will also be aware, we are happy to do bespoke training for individual companies should that be necessary. Knowing his approach to such matters as I do, I am satisfied that what is now happening will meet fully with his support and approval.

3.30 pm

Private Members' Business

Public Sector Recruitment

Debate resumed on motion:

That this Assembly notes the importance of ensuring that public sector recruitment is based on the merit principle; acknowledges that there are still areas of the public sector where under-representation of certain communities appears to be worsening; further notes the ongoing problems associated with recruitment to the Northern Ireland Housing Executive; and calls on the Minister of Finance and Personnel to take further measures to ensure that recruitment in the public sector is more broadly reflective of the working-age population. — [Mr Campbell.]

Mr Gallagher: I want to say at the outset that the SDLP welcomes this debate. As one of our Members who spoke previously said, we believe very much in the principle that the person best qualified for a post should be appointed, and that goes for all employees.

Earlier, Dr Farry said that this was the same old debate and that the two sides of the House were just quoting statistics to each other. For those of us from the nationalist community, it is not that simple. I do not want to rake up everything from the past, but facts are facts. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Gallagher: In the past, there were serious abuses in relation to the appointment of Catholics. Much has been done to correct that, but it is still a work in progress, and concerns remain among the nationalist community about employment issues.

As I said, I welcome the debate. I note that this is not the first time that Gregory Campbell has brought a motion to the House that has provided us the opportunity to discuss equality issues. I refer particularly to a motion about Civil Service recruitment that Mr Campbell brought forward on 21 September 2009. That motion stressed the need for action to be taken so that those from all community backgrounds could have confidence in the recruitment process. I am sure that nobody in the House disagrees with that sentiment. However, during that debate,

there was a division on an SDLP amendment that the House subsequently did not accept. Our amendment drew attention to the need to sustain and progress the achievements that had been made to address the historic imbalances throughout the Civil Service workforce. I said something about that earlier. The SDLP amendment also recognised the continued need for a specific focus on encouraging religious and gender equality and ethnic diversity in the Civil Service and beyond and, importantly, in the Senior Civil Service. Therefore, Mr Campbell might reflect on whether it would have been better to support the SDLP amendment in that debate some 13 months ago, rather than putting forward the motion today.

However, as I said, today's debate is welcome and so is the fact that it is a wider debate that covers the whole of the public sector. OFMDFM's 'Public Appointments Annual Report 2008/2009' from the central appointments unit contained a table outlining the total percentage of chairpersons appointed by gender, remuneration and community up to March 2009. It is noteworthy that of the senior appointments, only 31% of those appointed were Catholic and only 19% were female. Bearing that in mind, I echo Mr Campbell's call to the Minister of Finance and Personnel to take further steps to ensure that recruitment in the public sector is more broadly reflective of the working-age population. Perhaps Mr Campbell and Lord Morrow, whose names are attached to the motion, would like to join me in taking that scrutiny a stage further and widening the debate to employment right across Northern Ireland.

In 2006, the Committee on the Administration of Justice produced a report entitled 'Equality in Northern Ireland: the rhetoric and the reality'. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Gallagher: That was long before the current downturn —

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

Mr Gallagher: To finish, I encourage Mr Campbell to revisit the Good Friday Agreement and to ensure that what is laid down there is put into practice.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I am in favour of the motion,

although I do not agree with everything that the proposers have said so far.

With regard to statements that there was not systematic discrimination against Catholics in this state and this community, of course there was. Some of us have to wake up to that reality. We have to learn from the mistakes of the past. Those mistakes and those policies should not be repeated against any section of the community ever again.

Mr Campbell: They are.

Mr McKay: Things are moving on, and if you listen a wee minute, Gregory, I will explain the point.

From 2001 to 2008, the Catholic composition of the Six-County workforce increased by 4.9% from 40.3% to 45.2%. By comparison, the Protestant composition at 2008 was 54.8%. The 2007 labour force survey (LFS) religion report estimated that the Catholic share of the economically active lies between 44.1% and 47.7%. Various factors that caused those demographic changes need to be taken into account. The Member for East Antrim Roy Beggs referred to the high level of Protestant workers retiring at one end of the scale, and that is an issue in the Housing Executive. At the other end of the scale, there is a higher proportion of Catholics coming through at working age, which has led to much of the demographical change.

Affirmative action is needed to create a level playing field, and public bodies and, especially, private sector companies should adopt those where necessary. We need to look beyond total compositional figures as representation at different levels and grades of organisations needs to be addressed in certain sectors. My party colleague Martina Anderson referred to the Civil Service and the fact that at grade 5 and above, a third was Catholic and a quarter was women. Those are glaring statistics.

A 2008 monitoring report outlined a number of clear figures. My constituency colleague Declan O'Loan referred to the Fire and Rescue Service board, which has a significant workforce of 2,119, with 61.6% Protestant and 38.4% Catholic. The proposer of the motion referred to the Housing Executive, which is 59.9% Catholic and 46.1% Protestant. NI Railways is 69.6% Protestant and 30.4% Catholic. There needs to be affirmative action, not just from large employers in the public sector but from the

private sector. Inequalities of any scale need to be acted on across the board.

Employment monitoring is important, and we must ensure that we act on any information that shows that people are overlooked for jobs because of race, religion, sexual orientation, gender, age, disability or political opinion. It is also important to take into account the figures for those who are economically inactive and who want and seek work. Last year, an LFS report highlighted the fact that there were still twice as many Catholics — 31,000 — than there were Protestants who were economically inactive and who wanted work.

Significant shifts are also taking place in communities. We should take cognisance of the fact that working-class Protestants are becoming more vulnerable to unemployment because of the demise of many of the traditional industries that employed them. Although inequalities between Protestants and Catholics are narrowing, we are witnessing a high proportion of people from across society being left behind, and that is borne out by the large number of unemployed and economically inactive people in communities of highest deprivation.

To conclude, I agree that there are still areas of the public sector where under-representation of communities needs to be fundamentally addressed. We want to see a balanced workforce, and we want to ensure that the progress that we have seen in addressing those inequalities in employment is built on further. Equality, of course, does not threaten anybody.

Mr Bell: The reality of Northern Ireland in the twenty-first century is that if Protestants were to stand accused of having genuine equality in recruitment, there would not be enough evidence to convict them. The record is clear and quite shameful: in matters of recruitment, which the SDLP and Sinn Féin have skirted around, the balance against the Protestant community is clear and present, and it is a danger to employment relations. That is why change is necessary now.

Some Members from Sinn Féin and the SDLP quoted figures and talked about discrimination. Of course, they did not mention the flood of emigrants who crossed into Northern Ireland from the Republic of Ireland in the decades after it came into existence from the 1920s. Those figures were ignored. With respect, I will never take lectures from Sinn Féin on discrimination

when that party has yet to apologise for the republican movement taking a single mother of 10, stripping her, torturing her, murdering her and leaving her on the side. That is the big discrimination question that that party has yet to tackle.

The reality is that even the bodies in Northern Ireland that are tasked with the promotion of human rights and equality — the Equality Commission and the Northern Ireland Human Rights Commission — cannot advocate their current practice or stand as exemplars of good practice to the Protestant community. Indeed, I raised that issue when I was a member of the Northern Ireland Human Rights Commission. In those respects, it is a case of, "Physician, heal thyself."

Mr O'Loan: The Equality Commission compiled the figures that we are debating. Does the Member agree that that body is the first and only employer in Northern Ireland to offer free and independent training to Protestant applicants to increase their likelihood of obtaining jobs with the commission, and that that is a very significant form of affirmative action? Does he not consider that the negativity of his party towards the Equality Commission, which is reflected in his speech, may disincline members of the Protestant community to seek employment with it?

Mr Bell: I always welcome an intervention from "himself" O'Loan. However, he skirted around the fact that, although the Equality Commission may be putting on a good training programme — fair play to it if it is — the reality is that that is not working in its own organisation. That is the elephant in the room. It is not working for the Equality Commission or the Human Rights Commission, and the Protestant community is being disadvantaged. However, that is going to change and I welcome the fact that there was cross-community support for that change today. Members have got to get it. The figures are clear on the Housing Executive, with 36.6% of the workforce from the Protestant community in 2004, and 33.7% in 2009. What part of discrimination against Protestants do they not understand? They must get it.

As for the police, the shameful 50:50 recruitment process that was brought in by Ken Maginnis of the Ulster Unionist Party was wrong when that party brought it in, it is wrong today, and it will be wrong every day until 2011. Mr O'Loan argued that negative comments stop

people joining the Equality Commission, yet those negative comments were not applied to the police. The 50:50 requirement is a systematic bar, because it says to young men and women, some of whom are constituents of mine in Strangford, that they have the ability, the skill set, the education, the physical fitness and everything that is necessary to be excellent police officers in our society, bar the fact that they are Protestants. That is the shame that Members from the Ulster Unionist Party, which brought it in, and Members from the SDLP and Sinn Féin, which ensured that it was kept in, will have to live with.

Mr Beggs: Will the Member give way?

Mr Bell: I am sorry —

Mr Beggs: Lies, lies, lies.

Mr Bell: I am sorry — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Bell: I will not give way, because the Ulster Unionists have given enough away. *[Interruption.]*

Mr Speaker: Order.

The Minister of Finance and Personnel

(Mr S Wilson): On a point of order, Mr Speaker. If I heard the Member for East Antrim right, he accused the Member for Strangford of being a liar; not once, but four times. Perhaps he should be asked to withdraw that remark before proceedings continue.

Mr Speaker: I was not exactly listening to the Member, but I ask him to reflect on what he said.

Mr Beggs: I will reflect on what I said. If the record is examined closely, the Ulster Unionist Party's view was very clear, and — *[Interruption.]*

Mr Speaker: Order. I ask the Member to take his seat. That is not what I asked the Member to do; I asked him to reflect on a comment that he made earlier.

Mr Beggs: Reflecting parliamentary language, the Member is being extremely diplomatic with the truth.

Mr Speaker: Order. Let me read the Hansard report and come back either to the Member directly or to the House on exactly what was said. I ask the Member to continue.

Mr Beggs: I am happy to withdraw what I said, but I indicate clearly that the Member is being

extremely diplomatic with the truth. In saying what I am saying, I am reflecting parliamentary language.

Mr Bell: I accept the Member's withdrawal. Unfortunately, I cannot withdraw what Ken Maginnis did to numerous Protestants in my community, who were systematically discriminated against by the 50:50 recruitment policy. It is not undiplomatic to say that that was wrong when Ken Maginnis introduced it and that it will be wrong every day until 2011.

We are not talking in the past tense — oh that we were reflecting on an historical base. The motion is worded in the present tense, which makes the situation all the more shameful. We are reflecting on 20,000 posts in the general grades of the Civil Service that are not reflective of the Protestant population of Northern Ireland. That fact should leave many people not only with significant questions about the reasons for the under-representation of Protestants in the Civil Service but about what will be done about it.

In supporting the motion, we must change employment patterns in Northern Ireland.

Mr Speaker: The Member's time is up.

Mr Bell: In the Housing Executive and the Civil Service, all members are equal, but, for Protestants, some seem more equal than others.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I wish that I could say that I am delighted to take part in the debate. However —

Lord Morrow: *[Interruption.]*

Mr Speaker: Order.

Ms J McCann: From what I have heard so far, I have to say that I do not understand what exactly we are debating.

As in any working sector, recruitment to the public sector should be made on merit. However, when a sector is not representative of the society or community that it comes from, there can be times when affirmative action should be taken to ensure that people's equality of access to, and opportunities for, employment are adhered to.

I have listened to statistics being quoted back and forward, but we must look at the Civil Service equality statistics, which were published in January. They show that there is a higher percentage of women in the full-

time workforce — 60·8% — but a very low representation at more senior levels of the Civil Service. The statistics show in black and white that there is a similar pattern for those from particular community backgrounds. The Catholic community is represented less at the higher level than at lower grades, but I have not heard anyone from the DUP complain about that discrimination.

Family considerations must be taken into account in promotions to higher grades, because women find it difficult in that respect. We should argue for workplaces in the Civil Service and the public service to be made more accessible for women; they should be able to work nearer to home, for instance, given the shared work space.

We should be talking about new ways of thinking about work and about how to incorporate family life. We should be debating equality for everybody. If discrimination exists anywhere, it should be challenged. I do not think that anyone argues against that, but discrimination must be challenged in a balanced and even way. The sectarian remarks from the party opposite do no justice to that principle.

The public sector can show leadership on the issue. We must also look at discrimination against people with disabilities or from ethnic minorities. We must consider the issue in a rounded way, not in a purely sectarian manner.

As my party colleagues and other Members said, we want recruitment in the public sector to reflect the working-age population to a greater extent, but that does not go far enough. As my colleague Daithí McKay said, we must also look at people who are economically inactive.

As I was listening to Question Time before I came into the Chamber, I heard that high levels of young people still leave school with no academic qualifications, without which it is difficult to get into the public sector. Therefore, perhaps we should make it easier for young people from disadvantaged backgrounds, for instance, to be recruited to the public sector.

I would rather that we were having a more holistic debate on equality and not concentrating on one area. We should be looking at equality for people with and without disabilities, equality for people from ethnic minorities and gender equality. Inroads have been made here, but people must remember

that equality is for everyone, not just for one section of the community.

Mr Speaker: Before I call the Minister, I ask Members once again to temper their language, please. Some of the debate falls far short of good standards in the Assembly.

The Minister of Finance and Personnel: I hope that that is not a warning to me, Mr Speaker. I do not know where the standard will go when I start participating.

I will make a few observations on the debate. First, my views on the bloated equality industry in Northern Ireland are well known, and I hope that one possible outcome of the unfortunate financial circumstances that we will face over the next number of years is that we will look more closely at all the apparatus that has been put in place.

The debate illustrated some of the points that I want to make. Members threw figures backward and forward across the Chamber this afternoon, but all that information comes at a cost. It might be said that such information is worthwhile if it helps to identify the problem, satisfy people that the problem is being addressed and sort out the problem. However, the truth of the matter is that people are selective. As we have seen today, people choose the bits of information that they like, ignore the bits that they do not like, and, in the meantime, the public purse bears the cost.

Every year, equality monitoring in my Department alone costs £200,000. Do not forget that equality monitoring extends across all Departments, the Equality Commission and all the other bodies that go with it. The first question that people must ask themselves is whether that is how they wish to spend resources in times of economic austerity. Is that the priority that we should set, especially as it is clear that people on that side of the House or this side of the House will not be satisfied? My first observation, therefore, is that all the figures of the day will not necessarily address the problem.

My second observation is this; I agree with the first part of the motion. It is important that public sector recruitment, and, indeed, recruitment in any sector, is based solely on the merit principle. I am advised by officials every day. People come and give me papers, information, et cetera. I do not really give a toss which church they go to on a Sunday. However, I am concerned about whether they give me sound advice and the

information that I want and whether they understand the issues that are involved in the Department. Their religion is immaterial to me. I want quality advice from people who can do the job, who are enthusiastic, and who will serve the Department well. As far as I am concerned, those are the only qualifications that count. If we concentrate on those, much of what Members have mentioned in the debate becomes less important.

Let us have a reality check. If there is imbalance in some Departments, which has been oft-quoted in the debate, the only way to solve it is, usually, to recruit more people or wait until vacancies arise. People cannot be sacked because there are too many Catholics or too many Protestants. Some Departments already have recruitment freezes, and during the next number of years, there will not be the opportunity to recruit, let alone recruit on the basis of trying to resolve some perceived imbalance or discrimination. In fact, in one or two years' time, the Assembly might be happy that there is any recruitment, full stop, rather than dwelling on the group from which people are recruited.

My third observation is that my Department is not, of course, responsible for all the recruitment mentioned in the motion. By the way, that is not a Pontius Pilate act of mine. I suggest to the proposer of the motion that if he is deeply concerned about the Northern Ireland Housing Executive, perhaps, the Minister for Social Development would love to come to the Dispatch Box to talk about that issue at some stage. As we are aware, the Minister for Social Development is extremely concerned about imbalances. I served alongside him on the Policing Board, when he waxed lyrical about imbalance in the Police Service and what should be done about it. I am sure that he will bring the same vigour and determination to the job of the Housing Executive. It would be useful to get his reaction on that.

Let me deal with the Department of Finance and Personnel. Like all public sector organisations, my Department has a duty, which it fulfils and which costs it a fair amount of money every year, to monitor and carry out regular reviews of the workforce and submit annual returns to the Equality Commission under the Fair Employment and Treatment (Northern Ireland) Order 1998. My Department must review its employment practices and policies, and, where it finds a lack

of fair participation or imbalance, it is required to take steps to address the problem.

The Department usually does that — and here is the irony — through discussion with the Equality Commission. Mr Speaker, you will realise the difficulty that that causes because I must point out that that is the same Equality Commission whose Protestant employment was 43·4% in 2001, when the Protestant make-up of the workforce was 56·7%. Eight years later, startlingly good progress had been made: the Protestant composition of the body to which my Department is required to submit returns and to enter into discussion with to deal with recruitment imbalance had fallen to 34·8%.

Mr Speaker, you will see the difficulty that we face. We go to a body for advice on how we might deal with those imbalances, but, since it cannot sort out its own house, its advice might be rather suspect. How on earth can we go to it for advice to get our house sorted out? That is one of the ironies. We all know that employment practices, politics and all of that kind of thing in Northern Ireland are peppered with ironies, and that is another example of such ironies.

4.00 pm

I know that Mr O'Loan would say that it is like that because of the attitudes of people such as me. That is the point that he has made. That is despite the fact that, over the years, when the SDLP was trailing the name of the RUC and the police through the mud, he never thought that that may have contributed to Catholics not wanting to join the police. There was always some other reason for that reluctance. However, I digress, and I do not want to get down that route. I was trying to provoke him into an intervention, but he has not been provoked. Pardon me, he has; very good.

Mr O'Loan: There is a phrase about giving a person enough rope to hang themselves. I did not intervene earlier because I wanted to hear what the Minister would say. He has conveyed the tone of his speech at some length now. Although there is an amount of levity about what we say, I am shocked to listen to an Executive Minister speaking in the terms in which this Minister is speaking. He talks about a bloated equality industry. By saying that all the figures of the day do not address the problem, he is rejecting the mechanisms that we have used — the mechanisms of fair employment law and the monitoring of workforces. He says that, in

the future, we might be happy to be recruiting at all and not be concerned about such issues as the merit principle in employment practice. He is telling us that the advice of the Equality Commission, which is a body established under statute, is rather suspect. For a Minister of the Executive to be saying those things is very serious and should cause considerable concern.

Mr Speaker: Order. The Minister gave way. I have continually said in the House that the good practice of interventions is that they should be sharp, short and to the point.

The Minister of Finance and Personnel: I regret doing that; I will not do that again. That was not an intervention; it was a speech. Despite all of the reservations that I have about the bloated equality industry in Northern Ireland — I repeat that phrase, because I do not feel ashamed in any way about saying it — and about the ability of the Equality Commission or any other commission to sort out the imbalances that exist, recruitment in the Civil Service is broadly reflective of the working population. People will seek out imbalances. Do not forget that so far in this debate, once people have accepted that a balance has been struck in one place, they have looked for an imbalance somewhere else, because they have to find some reason to complain about equality issues.

The Northern Ireland Civil Service, which is the only part for which I can answer, is a big recruiter. In 2008, we recruited 1,913 people. That recruitment was broadly reflective of the working population. Some 53·1% of those recruited were Protestant and 46·9% were Catholic. Overall, 55% of those employed by the Northern Ireland Civil Service are Protestant and 45% are Catholic. That, again, is broadly reflective of the population. The numbers at the top end are fairly reflective as well. Some 55% of those in grade 5 positions and above are Protestant. I hope that those figures show that the Northern Ireland Civil Service broadly reflects what happens in the general population. I do not know whether it is deliberate or accidental or whether, given the size of our workforce, we can be broadly reflective in that way.

The one thing that I would resist is if I thought that figures and recruitment were being manipulated to reach an artificial balance; I would be the first to condemn that. Although we have such figures, I hope that they are purely reflective of a policy that recruits people on merit.

The debate has shown that even genuine concerns can lead to one side accusing the other. Mitchel McLaughlin spoke about how Sinn Féin broadly supports the motion, and then we got a tirade about the past. In fact, every Sinn Féin Member gave us that. It is an opportunity for the most oppressed people ever (MOPEs) to wash their linen in public. They refer to the discrimination of the past. Mr O'Loan started by saying that the public sector is broadly reflective and then gave us a list the length of your arm of areas where it is not broadly reflective. That is the problem with a debate like this.

As far as the Northern Ireland Civil Service — and my responsibility as Minister — is concerned, I hope that I have made it clear today that the one piece of guidance that I would offer every recruitment exercise is that when people come forward they should not be judged on their religion, colour, or background but on whether they can fill the post effectively. That should be the basis of any recruitment, and if recruitment panels deviate from that, they should be called to account. The figures for the Northern Ireland Civil Service show that, by and large, given the numbers — and I think that it probably is because of the numbers — recruitment is reflective of society.

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

The Minister of Finance and Personnel: I will bring my remarks to a close now. Given the situation into which we are moving, we have to ask ourselves whether that is how we want to spend resources and whether we can sort the problem out by recruitment.

Lord Morrow: This has been a very useful debate. Many figures have been bandied to and fro across the Chamber, some accurate, some downright inaccurate, and some very unhelpful. However, the sum and substance of the debate has been useful. Some Members wanted to take the debate back to the '80s and some wanted to go back to the '60s, but I could take you back to partition itself, where this all started.

I would like Mr O'Loan in particular to reflect, because he comes off with some wonderful stuff. Indeed, he is the same Mr O'Loan who, quite recently, was put into a wee anteroom — a naughty box — by his party because he came up with the bright idea that Sinn Féin and the SDLP should form a pan-nationalist front. He made

that suggestion to the utter embarrassment of his new leader, and, I suspect, of his party, although some of them were strangely silent and neither backed him nor spoke out against him, so they may not have made up their minds yet. He not only embarrassed himself, he castigated his own party. He wants to form a link with Sinn Féin because he says that that is a wonderful way forward; they will form a pan-nationalist front and down those unionists. Perish the thought.

He then castigated Gregory Campbell and me for having the audacity to bring such a motion to the House. He used wonderful words, but perhaps he should reflect a wee while. I see that some of you want to go back to the 1960s. Go further back, however, and look at the trends in the 1920s, because I know that you are a man who is interested in history: your own history, that is.

When there was partition in this country, what had we? We had a population in the South of Ireland that was 12% Protestant, and the Catholic population here in Northern Ireland was 20%. What is the population like today? In the South of Ireland, the Protestant population is 2%. Well, that is just generational, isn't it? Over here in the North, where all the discrimination allegedly goes on, the Catholic community has increased to over 40%. So, you just wonder whether Mr O'Loan has really tackled the problem.

I am glad also to see Mr Attwood here. I recognise that Mr Attwood is a very busy man. He is a Minister, and I understand that it was not possible for him to be here for all of the debate. I have no doubt that he will consult Hansard tomorrow, because the Housing Executive just happens to be under his wing. Who better could it fall to than a man who has been prancing up and down for years about the police, inequality, recruitment, everything, and has got himself into a state of depression. However, he is not getting himself into any state of depression about the Housing Executive figures. Oh, not at all. He seems to be able to smile his way through them.

We have a challenge for Mr Attwood. When you go home tonight, get a hold of Hansard and take a good read of it, because there are some interesting figures there for you to have a wee mull over. I have no doubt that you will want to come back to this House very soon, and say: "Look, there is a problem here, and, as a

fair-minded Minister, I will address it". We look forward to that, and that is a wee challenge that goes out from this debate to you, Mr Attwood.

Mr Gallagher at least said, and I think that he was genuine, that the SDLP wanted to see fairness and agreed with the merit principle. I think that you said that, and that is genuinely welcome. It is just a pity that you stopped there and did not put a wee bit more to it. I suspect that that was an omission on your part and not something that you did genuinely. However, I want you, too, to reflect on the 50:50 PSNI recruitment, which Mr Beggs got into a tizzy about and got himself all worked up because Jonathan Bell said something. Why do you get so worked up about the discrimination, as you call it, or the imbalance in the number of police recruits but do not have the same urgency about other Departments? You will have to explain that some day, because in all the facts and figures that were bandied about —

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

Lord Morrow: Yes, I am trying to do that, Mr Speaker, but I am being distracted. *[Laughter.]*

In all the facts and figures that were bandied about, that was not mentioned.

Let me say sincerely to Sinn Féin: if Sinn Féin has changed its ways and wants unionists to start to take it seriously, it should stop putting up Martina Anderson as a spokesperson on equality, because we are acutely aware of what Miss Anderson's past was like, and she is the last person in this Assembly to come in here and lecture unionists about equality, fairness and equity. No, Miss Anderson, we are not taking it from you, thank you very much.

As for Mr McKay — *[Laughter.]*

Mr Speaker: Order. Allow the Member to continue.

Lord Morrow: Thank you. Mr McKay comes into this House as if he was born yesterday. Where, Mr McKay, do you live? What planet have you been on for the past what number of years? I do not know what age you are.

Mr Cobain: He is 24.

Lord Morrow: He is a bit over, but he looks like it anyway.

Mr Speaker: Order.

Lord Morrow: Mr McKay, you will have to do a bit more homework before you come in here lecturing anybody about discrimination.

Jennifer McCann said that she regretted having to take part in the debate. I regretted that you took part, too, when I heard what you said. *[Laughter.]* You are another one who does not seem to want to face any facts.

Mr Speaker: Order.

4.15 pm

Lord Morrow: Mr Speaker, we have a raft of people right around this Chamber today who will do anything but face facts. They will talk about police discrimination and bigotry, but when it comes down to facts, facts do not exist.

Mr Campbell: I thank the Member for giving way. Does the Member agree that although it was a welcome debate, part of the problem is that, as an overriding concern, it appears from all the figures, whoever bandies them about, that where there is under-representation of the Catholic community, things are improving; where there is under-representation of the Protestant community, things are not improving. That reality cannot seem to dawn on the minds of the Member for North Antrim — either Member for North Antrim — of either pan-nationalist front for some reason.

Lord Morrow: That point is well made; I am glad that I allowed Mr Campbell to intervene and make that point. This motion is, in fact, dealing with recruitment; it is not dealing with employment. I and the proposer of the motion acknowledged that if there is a pattern, it just cannot be changed overnight. Therefore, we are talking about recruitment.

I remember that, about five years ago, the Housing Executive got exercised about the issue of imbalance. It called a meeting in Omagh and said that it had a concern about imbalance. I suspect that a number of representatives here were at that meeting. I asked the question, "Did you initiate this meeting, or were you prompted to do it?" The Housing Executive had to admit that the fair employment agency had pointed out to it that there was an imbalance that it had to address. Would it not have been much more encouraging to the Protestant community if the Housing Executive had initiated that meeting of its own volition, without having to be prompted by the fair employment agency?

But then, let us look at the fair employment agency. The Minister made reference to it, which I think was very apt — irrespective, Mr O'Loan, of what you might think of the Minister's comments. We have a fair employment agency that is supposed to be looking after and monitoring employment patterns in Northern Ireland. Does anyone in this Assembly remember the time when we used to hear said: "a Protestant police force"? Was that ever said? We now have the Equality Commission — it was the fair employment agency then, I think — which is an organisation with a gross imbalance in its own figures, and it is steadily —

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

Lord Morrow: Yes, I will.

It is steadily getting worse.

Mr Gallagher: Will the Member give way?

Lord Morrow: Right, OK.

Mr Gallagher: Mr Speaker, I want to —

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

Question put and agreed to.

Resolved:

That this Assembly notes the importance of ensuring that public sector recruitment is based on the merit principle; acknowledges that there are still areas of the public sector where under-representation of certain communities appears to be worsening; further notes the ongoing problems associated with recruitment to the Northern Ireland Housing Executive; and calls on the Minister of Finance and Personnel to take further measures to ensure that recruitment in the public sector is more broadly reflective of the working-age population.

Disappeared Victims

Mr Speaker: I remind Members that they have a general duty to behave responsibly — *[Interruption.]* Order.

Mr McDevitt: On a point of order, Mr Speaker. I would appreciate a ruling on the term "pan-nationalist front". Mr Campbell referred to Sinn Féin and the SDLP in a collective sense as the "pan-nationalist front" some moments ago in the Chamber. Is this appropriate, Mr Speaker? Does such an organisation exist, and is it appropriate for Members to refer to it?

Mr Speaker: In all of these matters, I look at the cut and thrust of debate around all of these issues. I am very happy to look at the Hansard report and come back to the Member directly.

Order. We will move on. I remind Members that they have a general duty to behave responsibly, so as to ensure that nothing that they say may prejudice any future proceedings that may be taken in relation to these matters. I warn Members of that, because Members may sometimes, in the cut and thrust of debate, say something that they regret later.

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

Mr D Bradley: I beg to move

That this Assembly acknowledges the continuing suffering of the families of disappeared victims; pledges its support for them and for the Independent Commission for the Location of Victims' Remains; and calls on all groups and individuals who have any knowledge of the location of victims' remains to bring that information in confidence to the commission without further delay.

Go raibh maith agat, a Cheann Comhairle. Tá an-áthas orm an rún seo a mholadh. Gabhaim buíochas leis an Choiste Gnó as cead a thabhairt domh an t-ábhar seo a thabhairt faoi bhráid an Tionóil.

I thank the Business Committee for the opportunity to debate the motion. It is timely that we do so in the light of recent events.

We last debated the plight of the families of the disappeared on 3 November 2008 and

since then progress has been made by the Independent Commission for the Location of Victims' Remains in recovering the remains of Danny McIlhone from west Belfast and Charlie Armstrong from Crossmaglen. I place on record the thanks of the House for the excellent work done by the commission and all its staff in giving the families of Danny and Charlie the comfort of being able to bury their loved ones in a Christian fashion.

The commission's work is not easy: it is difficult and it involves showing great sensitivity to the families and to the information it receives. At the end of the day, the quality of the information determines whether a family will get relief from the long wait for the return of a loved one. That is the crux and purpose of the debate. I want to renew the appeal for information on the location of the remains of those victims as yet unrecovered.

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

After the funeral of Charlie Armstrong in Crossmaglen, I spoke to the staff of the commission and they told me that they have the personnel, technology and resources necessary, but that accurate information is of equal value to all of those resources and that it is the key to a successful outcome. The recent search for the remains of Gerard Evans of Crossmaglen, carried out in County Monaghan, covered an area equal in size to four football pitches. The wet ground necessitated the laying of four miles of drainage pipes, but still the search ended in disappointment for all concerned, especially the family. More accurate information would have made all the difference.

I want every party in the House to join in appealing once again for all those who have information about the location of any of the disappeared to bring it to the commission as soon as possible. Information recovered by the commission is treated in the strictest confidence and cannot be used to bring about a conviction.

The operation of the commission is covered in the United Kingdom by the Northern Ireland (Location of Victims' Remains) Act 1999 and in the Republic by the Criminal Justice (Location of Victims' Remains) Act, 1999. Those Acts provide for three types of protection for information provided to the commission. They make such information inadmissible as evidence in criminal proceedings; place restrictions on the forensic testing of human

remains and other items found as a result of the provision of information to the commission; and restrict the disclosure of information provided to the commission except for the purpose of facilitating the location of the remains to which the information relates. That means that the commission may not disclose the identity of an informant or any information likely to lead to the identification of an informant. The protections afforded by the two acts mean that those who provide information have nothing to fear. There is no longer any reason for those who have information to withhold it.

It is important that those who have access to networks of whatever kind, past or present, continue to use their influence to encourage anyone who has information, however insignificant it may seem, to bring that information to the commission without delay.

Gerard Evans' brother, Noel Evans, made an appeal in the media recently after the search for his brother's remains near Hackballscross in County Louth. He underlined the fact that the merest detail of information, such as the type of soil at a site or the presence of any type of landmark nearby, may be enough. Anything at all of significance could make the difference in helping to locate remains.

Sandra Peake of the Wave Trauma Centre, which has done tremendous work in supporting the families over the years, said recently:

"People are genuine in wanting to help. If the team is not in the area where it should be, then lead them to where they should be, in order that the Evans family and other families may be able to lay their loved ones to rest."

More information is needed about the whereabouts of Gerard Evans' remains. That is also the case for the remains of Joseph Lynskey, Seamus Wright, Seamus Ruddy, Kevin McKee, Peter Wilson, Columba McVeigh, Robert Nairac, Brendan Megraw and Lisa Dorrian.

Throughout the history of what we call the Troubles, many individuals have been killed and lost their lives. Many families and communities have struggled with the aftermath of that, and we see that process continuing to the present day. The overwhelming majority of families have had the consolation of waking and burying their dead in accordance with Christian rites. Although those ceremonies have not wiped away every tear, they have provided the possibility of

coming to terms with the grief, sorrow and pain of the tragic death of a loved one. The families of the disappeared who have not yet had the remains of their loved ones returned to them have not even that possibility open to them. They have been left, in many cases for decades, pondering the whys and the wherefores of their loved one's disappearance, wondering about their fate, arriving at their own conclusions and awaiting the recovery of their remains. I hope that the debate will once again focus minds on the need for fresh information and will prompt those with influence to reconnect with those who have information and urge them to bring it forward without further delay.

We can but stand back and admire the families' endurance, patience and great dignity in the face of prolonged anguish. That was typified by the widow of Charles Armstrong, who, during her long wait for the recovery of her husband's remains, remained patient and hopeful without being bitter. Thank God, her hope was rewarded. The families are not, as indeed they are entitled to, asking for retribution. As I said in a previous debate, they are not even seeking justice; they are asking only for the return of the remains of their loved ones so that they may afford them a Christian burial.

Time is of the essence to the families. God knows, they have waited long enough. I hope that the debate will prompt those who have influence and those who have information to come forward to the commission so that more of the families may have the comfort of affording their relative a decent and Christian burial.

A LeasCheann Comhairle, agus mé ag druidim chun deiridh, tá súil agam go mbeidh toradh fiúntach ar an díospóireacht seo, agus go dtiocfaidh na daoine sin a bhfuil eolas acu chun tosaigh chuig an choimisiún gan a thuilleadh moille agus go mbeidh faoiseamh ag na teaghlaigh atá ag fanacht le tamall fada dá bharr.

4.30 pm

I know that all parties in the House will support the motion. I hope that the debate is conducted in a dignified fashion, as exemplified by the widow of Mr Charles Armstrong in her long wait. Go raibh míle maith agat, a LeasCheann Comhairle.

Mr S Anderson: I support the motion. Just last week in this Chamber, Martina Anderson stated:

"Republicans have only ever involved themselves in armed action when there was no other means to pursue their political objectives." — [Official Report, Vol 56, No 2, p40, col 1].

This motion, and, more importantly, the murders, the lies that justified those murders, the character assassinations that followed in the wake of those murders, and the long years of mourning that the families have endured all stand as conclusive testimony against Martina Anderson and her self-serving statement last week. They all prove the falseness of every word of that statement.

The motion goes to the dark, murderous and criminal heart of the long years of terrorism that our society endured and the firestorm of sectarian and bloody murder that was inflicted by the terrorists on the entire community, Protestant and Catholic. In her statement in the House last week, Martina Anderson said that republicans only ever involved themselves in armed action when there was no other means to pursue their objectives. Therefore, we are to believe that they had no choice but to kidnap, torture and murder Jean McConville and all the other disappeared.

The Provisional IRA murdered numerous people on the sole grounds that they were of the wrong religion. It murdered others on the sole grounds that they held the wrong political opinion. It abducted, tortured and murdered people for reasons as trivial as looking the wrong way at one of its so-called volunteers. Sinn Féin tells us that it is committed to truth recovery. However, it is clear from Martina Anderson's self-serving statement last week that that commitment on the Sinn Féin Benches does not extend to owning up to the truth about the very terrorist organisation of which she was an active member.

The motion urges all groups and individuals who have any knowledge of the location of victims' remains to make it known. I certainly agree. A good beginning would be to call on Gerry Adams to make known whatever information he may have in that regard. We have had the numerous denials. They are reminiscent of an exchange between Gloucester and Anne in act I, scene II of Shakespeare's play 'Richard III':

"GLOUCESTER: Say that I slew them not?"

ANNE: Then say they were not slain. But dead they are".

I will leave the rest of that quote for another time. If Martin McGuinness can suddenly remember that he did know Father James Chesney after all, perhaps Gerry Adams will find that his memory of the past may change also.

Those who we have come to call the disappeared suffered the ultimate abuse of their human rights at the hands of the greatest abusers of human rights in Northern Ireland over the past 40 years. Their families have endured many years of loss. In many cases, they also endured years of false and malicious whispering campaigns against their loved ones. They deserve the full truth. They deserve the return of the remains of those who were torn so brutally from the bosom of their families.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. Tá mé buíoch dár gcairde as an rún thábhachtach seo a chur ar chlár an lae inniu. Aontaím le Dominic Bradley nuair a dúirt sé go gcaithfidimid ár ndícheall a dhéanamh ar son na dteaghlach bocht cróga seo.

I thank those Members who put the motion on our clár again today. Dominic Bradley reminded us that, almost two years ago, the Assembly passed a similar motion. Since then, the remains of Danny McIlhone and Charlie Armstrong have been recovered and their families have had the opportunity to bury their loved ones. Other families still hope that the remains of their loved ones will be recovered. I commend all the families for their courage, grace, dignity and resolve, and I note that members of some of the families are in the Public Gallery today. They have suffered a grievous injustice and have campaigned with great dignity over many years. I again express my solidarity with them and my deep regret at the hurt that has been done to them.

I have met all the families bereaved by the IRA in this time. The danger, obviously, in a commendable motion such as this being put on the clár is that it will be used and abused by others who have never said a word to me, never spoken to me and who do not know me, never mind anything else about any of these issues. However, I will not go down that road.

I commend everyone who has sought to help those families. That includes the Independent Commission for the Location of Victims' Remains, the PSNI, An Garda Síochána and the experts and staff who have been brought in to assist in this work. They deserve our full support.

The IRA accepted full responsibility for its actions. It apologised for the injustice done to the families and the grief that it caused. That may be of little consolation to bereaved families, but, according to the forensic science investigative consultant who is working for the independent commission, the IRA provided full disclosure of all the information available to it. He said of the IRA:

"in a spirit of cooperation and reconciliation they are trying to help in every way they can. I am absolutely convinced that they are doing everything they can to assist. The support that we have had from them has been absolutely 100% from day one".

A LeasCheann Comhairle, that does not excuse or minimise the IRA's responsibility for the suffering inflicted on those families and their loved ones. Families are still going forward with hope — dóchas — of success during planned searches or that some new information will emerge to initiate new searches. However, the challenges involved are enormous, and Mr Knupfer has acknowledged that. He has reported that some of those directly involved in the disappearances are now dead, that the terrain has dramatically changed over the decades and that memories are flawed. However, efforts must continue.

That is equally true of cases in which the IRA has said it was not involved. The disappearances of Seamus Ruddy, Gerry Evans, Peter Wilson and Lisa Dorrian are as much a source of trauma and grief for their families as that for the other families. All of them have the fundamental right to bury their loved ones, and there is a responsibility on anyone who can help to bring that about to do so.

Therefore, I repeat my call for anyone with any information whatsoever, no matter how minimal or relevant they might think it is, to bring it forward. Go raibh maith agat, a LeasCheann Comhairle.

Mr Kennedy: I begin by welcoming the motion and expressing my support and that of the Ulster Unionist Party for it. The disappeared are one of the most infamous blots on the landscape of Northern Ireland's troubled past. The matter represents a deeply offensive violation of the dignity of the families of the disappeared; a violation that, for decades now, has blighted the lives of many. I am conscious that this is a highly sensitive issue, and I want

to avoid either personalising or politicising it, particularly for the families whose loved ones are still listed as missing.

Murder is an atrocious act, and following it with such prolonged, callous disregard for fellow human beings is, for many, unfathomable. The circumstances surrounding the disappeared are a true litany of horror from the Troubles, and it is important for us to recall that horror. Without naming individuals, they include numerous cases of interrogation and alleged confessions under torture, followed, ultimately, by murder. They include cases in which families' hopes were raised by the provision of information and even, on occasion, by maps showing where their loved ones were buried; information that turned out to be false. They include murders carried out not just in Northern Ireland and the Irish Republic but further afield. The tragedy is compounded by the fact that parents died before knowing the whereabouts of their children's bodies.

There is no way that those activities can be called to mind without shaming the cause in whose name the murders were carried out; the cause of Irish republicanism is forever tainted by those horrors. Mr Adams should know that and Sinn Féin should accept that. They will live forever in the history of infamy.

The tragedy is that families in such circumstances find closure so difficult. How can they find closure when their loved ones' remains lie in some unknown location? It is important to remember that the organisations that carried out the murders did so to inspire fear and to intimidate the very population whose will they claimed to protect and in whose interests they claimed to act. Terror, for that is the only word that is applicable, can never stand for human rights in any shape or form. A cause that is in any way praiseworthy, right or worthwhile cannot use methods that call into question the motivation of all those involved. People who commit crimes of that nature are driven by blood lust, and the infamy of their deeds has shamed the cause that they claim to represent. I also believe that the political associates of the organisations that killed those victims should and could do a great deal more to signify their regret about those evil deeds; they need to make direct and personal reparation to the families involved.

By passing the Presumption of Death (Northern Ireland) Act 2009, which allowed the formal registration of the deaths of the disappeared, the Assembly did what it could to enable families to gain some measure of closure. However, others need to do more.

Dr Farry: I, too, welcome the motion, as it is important that we keep the disappeared on the agenda of this institution. The fate of the disappeared is among the worst atrocities committed during what we call the Troubles, more than just the murders, which were horrendous, but the failure to hand over bodies at the time that the murders were carried out, never mind today.

It is important to put things in context. I never regarded what happened in this society as a war in any shape or form. Those who did what they did claim that they were fighting a war, but how the bodies of the disappeared were handled would, for a legitimate army anywhere else in the world, be a clear breach of the Geneva Convention. Therefore, it is important that those who are responsible reflect on the double standards of the language that they use.

4.45 pm

The Independent Commission for the Location of Victims' Remains has been a partial success story in that the remains of some of the disappeared have finally been recovered. However, there is a long way to go, and Dominic Bradley set out the outstanding cases that are still very much with us. It is also worth reflecting on the sheer time and effort that has had to go into every single case where there has been a successful location of remains and the amount of territory that has had to be dug up just to find an individual set of remains, all of which puts the issue in its proper context.

I was pleased that reference was made earlier to the fate of Lisa Dorrian, one of my constituents. Her case does not fall under the commission's remit, although I think that it should. In many respects, her fate equates to that of the disappeared and reminds us that loyalism was just as much a scourge on this society as was republican violence. It is important that, more than five years since she disappeared, we recall the fate of Lisa Dorrian and the lack of closure for her family.

In trying to take something positive from the debate, it is important that we try to place it in

context. The Independent Commission for the Location of Victims' Remains is one aspect of what can be a much more rounded process for dealing with the past in this society. At present, we have a piecemeal approach. It is striking that the commission is trying to bring closure to families by way of a physical outcome and the handover of a set of remains for a proper Christian burial. However, there are many other families in this society who do not have closure through having a degree of truth recovery.

Truth recovery is often pitched as knowing what the state was involved with, and I recognise that that is an important issue, but it is much broader than that. Truth recovery is also about understanding what happened at the hands of the so-called paramilitaries — the loyalist and republican terrorist organisations. There is, perhaps, a lesson that we can take around the notion of immunity that may help us in trying to fashion a comprehensive system of truth recovery. I reiterate my party's call for the British and Irish Governments to show leadership on that issue.

An important distinction can be drawn between the concept of immunity and that of amnesty. Amnesty, for me, is a very loaded concept, which is about rewriting history on other people's terms, and that should never happen in this society. We cannot rewrite history and pretend that something that was so clearly wrong could somehow be viewed as right or justifiable today. We must reject that. Immunity does not carry those value judgements: it is about the handover of information without it being used. We have used that concept in relation to decommissioning and the disappeared, and it is part of a wider, comprehensive process that includes truth recovery. We need some mechanism for bringing forward information about why certain incidents occurred and who was responsible for them so that other families across Northern Ireland can have their sense of closure as well.

Mr G Robinson: First, I want to express my genuine support for the families who are still waiting for the return of their loved ones after many years. They deserve to have their torment lifted and their loved ones returned to them in a dignified way. This topic has been much in the news recently, as some families have been able to lay their loved ones to rest. It is long overdue that the remains of the disappeared are returned to their loved ones for a dignified

burial. That is the right and decent course of action after the pain that was inflicted on the victims, as well as their grieving families.

I cannot even begin to understand the torment that those families have suffered, some for as long as 38 years, but I want to see it ended. There are nine families who are desperate for the opportunity to say a dignified farewell to a family member who was taken from them and murdered by cowards. In the interests of human decency, those victims must be returned to their loved ones.

There are families that are still in a state of limbo about the whereabouts of their loved ones after almost four decades. What a shame. What a disgrace. After all, the disappeared were human beings, as are their relatives.

As the motion states, I call on all groups and individuals who have any knowledge of the location of victims' remains to bring that information forward in confidence. The information does not have to be given to the Independent Commission for the Location of Victims' Remains, but I urge anyone with knowledge about the location of even one of the disappeared to make sure that the information is provided to a reliable person, organisation, or the police. The Assembly must not forget that some terrorist victims have been kept from their families deliberately. Is that not another form of terror to help to control the people of a particular area?

I hope that the motion is passed unanimously so that the families of the disappeared will see that they have not been forgotten. I fully support the motion.

Mr Murphy: Go raibh maith agat, a LeasCheann Comhairle. I also support the motion. Given the contributions so far, I do not think that there will be any division in the Chamber today on the motion, and I do not recall any division on a similar motion in 2008. I also join those who have paid tribute to the families of the disappeared. I have had an opportunity to meet many of them over the past number of years and have been very taken with their quiet determination for one outcome, namely closure through the return of the bodies of their loved ones and the ability to give them a Christian burial.

I commend the commission's work and that of the other agencies that have been involved with it. It has been said that, perhaps, the purpose

of this debate should be to prompt others to continue to work with the commission. That should not be required. I believe that the work with the commission is ongoing and should continue until all the issues and cases have been resolved. The families that I have met have a fundamental right to bury their loved ones and to give them a Christian funeral. The onus is on anyone with responsibility for those issues to help to bring that about. Some have owned up, and some, perhaps, have not.

The focus of our debate and our words on this issue should always be designed to benefit the families and to bring relief, rather than to vent our own prejudices on the issues. Like my party leader, I will not follow the road down which some Members want to lead us. We have a responsibility, in everything we say and do, to try to assist the families with those issues and to try to do what they require us to do, which is to ensure that the commission can get on with its work and that it is provided with accurate information to do that.

Again, I reiterate the call for anyone with any information to bring that information forward in a genuine attempt to be helpful. When I say that, I am mindful of some concerns, and it would be unforgivable and unbelievably cruel if people were tempted to use the issue to pursue other agendas through the provision of false or misleading information to the commission. I trust that that will not be the case, and I know that anyone who has engaged in a genuine way with the commission has found that it is very much interested in pursuing a resolution and finding closure for all the families involved. I call on anyone who has any information to engage genuinely with the commission to try to bring that matter to an end.

Lord Morrow: I support the motion. It is right and timely that such a motion should come before the House. As my party colleague Mr Anderson said, we will give it our unqualified support. We are supposed to be moving on in this country. However, it has to be said very clearly that moving on means different things to different people.

The debate is around the families of the people who are termed “the disappeared”, but that term does not reflect accurately what we are talking about. Although those people have, to all intents and purposes, vanished off the face of the earth, the truth of the matter is quite

different. Those people were taken from their homes and families and murdered, dumped and discarded like something that was not relevant. Although it must be very painful for the families to have to endure the death and murder of their loved ones, it must also be exceedingly painful to have to live your life knowing that you had a son, a brother or another relation taken away and treated in such a manner.

There is an onus on Sinn Féin. I have listened to what it has said this afternoon, and it has a responsibility to place at the disposal of those families all of its resources to help them out of that agony. A number of bodies have been retrieved and returned to the families; for them, there has been a degree of closure. There are quite a number of families who still grieve and long for the day when they will be able to give their loved ones a Christian burial. They could then go to a spot that is marked, whether that it is at the local church or the local graveyard or wherever it might be, and place a bunch of flowers or some other memento that will be a constant reminder of one who was near and dear to them. That has not happened in many cases.

For the life of me, I cannot understand what more mileage is in this for those who took those bodies. I know that, with the passage of time, things can become blurred. Perhaps some who were involved in those activities are now deceased. However, I still feel that more could and should be done to bring those families some closure.

Some of the parents of the people who have disappeared are now dead, and I am certain of least one mother who went to her grave with a broken heart. She longed for the day when she would see her son in some form. He had been missing for a long time, and she was realistic enough to know that he would never come back home alive. However, it would have brought some relief to that mother if she had been able to follow the remains to the local church in which the family worshipped and where she could have gone on occasion to place a bunch of flowers to remember him. She was not allowed to do that, and she has now passed away.

In my mind, the most horrific case is that of Jean McConville. Jean McConville is but a name to me, but, somehow, her circumstances and her situation were so horrific that it is chilling to even talk about it. She was a mother who was

looking after a large family with small children, and her crime was that she gave some comfort to a dying soldier.

Mr Deputy Speaker: Bring your remarks to a close, please.

Lord Morrow: To me, that says more about Jean McConville than it does about those who took her away that day.

Mr B McCrea: Like other Members, I urge those who have any information to come forward with it. I am struck, having listened to the tones that have come out from everybody, that we talk about this in a very serious manner. We do not want to offend anyone, and we want to do everything that we can for the families.

However, we do not deal with the issues. Perhaps some things need saying, not just by me or by individual Members who have already spoken, but by the whole of the Assembly. I am struck by the fact that our failure to deal with many aspects of the past — this issue involves a particularly tragic set of circumstances — is the real failure of the political process. We still have not dealt with the issues of the past. There are, perhaps, Members from all sides who want to rewrite the past to say that bad things did not happen or that if bad things happened, they did so because worse things happened to somebody else whom they knew.

5.00 pm

When we hear kind words and platitudes from people, we sometimes wonder about their genuineness. That causes more hurt to the people whom we are trying to help. There is a case for finding a way to resolve all the issues of the past. Those who genuinely want to build a future for the people of Northern Ireland must own up to what went on in the past. If there was wrongdoing on all sides, there was wrongdoing on all sides. We do not do ourselves, the individuals, the families, or the communities or the societies involved any favours by ducking the issue. It is time that the Assembly got to grips with the horrendous things that happened in the past 30 to 40 years. Soft words, platitudes and calls for people to come forward do nothing for anybody. There is an old adage: actions speak louder than words.

As we look ahead to a difficult and uncertain financial future for the Province, we see that the strains on society will be immense. Those

who claim to offer leadership must be big enough men to step forward and say that they will genuinely lead, rather than simply smiling benignly at us. They must say that they will take us forward on an issue over which they have some control. People on the other side of argument are under an obligation to address that in the proper way. When people come forward with difficult issues, we must find a way of dealing with them in a sensitive manner.

I do not wish to prolong the debate, because it is obvious that we will all vote in favour of the motion, and rightly so. However, I hope that we all find it in us to seek a way to resolve not only the problems of the families and the loved ones who are listening but the problems of our society. I also hope that the Assembly lives up to the hopes and aspirations of all the people of Northern Ireland. I hope that we are courageous enough to take on board and sort out the difficult issues of the past and that we move forward together.

There are plenty of other issues to deal with, such as the economic challenges faced by the people who are still with us, without having to worry about the past. Let us now look at what we might do, by deed and by action, to resolve those matters. Let us have no more of these debates, but resolve them here and now. I am profoundly moved when I read the stories and histories of all the people involved. There is no hierarchy of victims. The disappeared suffered a tragic and grievous harm, but we cannot undo the past. However, we can make the future a better place, and I hope that we will all do that together.

Mr McDevitt: Charlie Armstrong was a 57-year-old civilian and a father of five. He left home for Mass one morning and never came back. His disappearance was long after that of Kevin McKee, 17, and Seamus Wright, 35, who were disappeared on 2 October 1972. Their bodies have never been found.

As many Members have said, Jean McConville, who was 37, also disappeared in 1972. Eamon Molloy, 21, from Ardoyne, went missing in July 1975. James McClory, 18, from Andersonstown, disappeared in May 1978 and Brian McKinney, 22, went missing with him. Brian was believed to have had the mental age of a six-year-old. Eugene Simons was a plumber from Kilcoo in County Down who disappeared on 1 January 1981. Danny McIlhone, also from Andersonstown,

was 19 when he disappeared on 1 July 1981. Peter Wilson went missing from the St James's area of west Belfast in August 1973.

Columba McVeigh was only 17 when he vanished on 1 November 1975. As other Members have said, his mother died without getting his body back. Robert Nairac from Gloucester was 29 when he disappeared on 14 May 1977. Brendan Megraw, 23, from Twinbrook in west Belfast, disappeared on 8 April 1978. Gerard Evans, 24, from Crossmaglen went missing on 27 March 1979. Joe Lynskey was a Cistercian monk, and his name was added to the list of the disappeared last February after the IRA admitted that it had executed and buried him. The INLA claimed the death of Seamus Ruddy, a 33-year-old from Newry who went missing on May Day 1981. His body has never been found. Of course, as Mr Farry said, Lisa Dorrian disappeared more recently, and I agree that she should be considered under the remit of the commission.

As Mr McCrea rightly said, those people represent but the tip of the iceberg of our Troubles. They are the names that we know and they are the circumstances that we understand. They represent a shadow that will hang over us all — every single one of us — whether, like me, you were hardly alive when the first one disappeared or, like many, are old enough to remember the first disappearance. I agree with Mr McCrea that it is beyond the time for simply expressing our determination in words. The process can be brought to a conclusion for the families of the disappeared if information is made available. Information should and could be made available. There can be no person of any political outlook living on this island who considers themselves to be children of this island, to love the place where they were born and the people whom they lived and grew up with, who could not believe that they have a duty to do whatever they can, and more, to bring closure to the families of those who have never had a burial.

It is difficult to conceive, 30-odd years after someone walked out the door, never to return, and was known to have been murdered by certain organisations, that nobody would know how to return those people. Many of us find that very difficult to accept. As I said last week in another debate, I hope that this House becomes a symbol for a new Northern Ireland. I hope that we find it in ourselves to be able to prove

to the many generations that went before us that we are capable of a better future in this part of Ireland. In order to do that while we are living, we must be able to find it in ourselves to dig into the deep recesses of our minds and search through the dark woods of our memories to ensure that every last scintilla of potentially valuable information is passed on.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I, along with other Members from my party, support the motion and support the families of the disappeared. I also support those who have come forward with information that has led to the discovery of some of the bodies. I hope that others have information and will continue to come forward with it to try to alleviate the suffering of families.

I commend the families of the disappeared for their commitment and the way in which they have carried themselves with dignity throughout their time of difficulties. The families had a terrible injustice inflicted on them with the death of a loved one. However, the continued loss of the body and not having a body to grieve over and bury is a continuing injustice that we must try to bring to an end. Some Members have spoken along simplistic lines and said that it is just a matter of it happening. If it were so simple, I am sure that, at this stage, it would have happened.

It is imperative that all efforts continue and that we try to find the remains of those who have not yet been found. It is also important that every effort is made to uncover any scrap of information and evidence that may be of help to the commission. I commend the good work that the commission has done. It has carried out its work with dignity and silence.

It is the fundamental right of any family who have lost a loved one to have a body to bury. It is important that we try to bring that about. Republicans have been working —

Mr A Maginness: Does the Member agree with Mr Adams calling the disappearing of those individuals “a grievous injustice”? Would the Member further agree with me that murdering them in the first place was a grievous injustice?

Mr Molloy: There are two things: first, if the Member had been in the Chamber in time he would have heard me say that; and, secondly, if the Member wishes to make a statement, there

is plenty of time for him to do so. He did not need to intervene to do that.

As I was saying, republicans have been working to ensure that families are given support, comfort and information. Hopefully, further information will come forward. As others have done, I repeat the call for anyone with any information to come forward and give it to whatever source they feel comfortable with. We all want to bring this terrible period to a close for the families and for our community.

Mr Weir: Much has been said in the debate already, so I will try to keep my remarks brief and focused. I commend the proposer of the motion for bringing it forward. He mentioned that the previous debate on the issue was in 2008, and, above all else, the message that we need to send today is that the disappeared cannot become the forgotten. We must ensure that the focus remains on the issue until it is properly resolved.

Mention was made of trying to deal with the past in a holistic way. The more I look at Northern Ireland, the more unsure I am about how we can find a model solution that can deal with the past to everyone's satisfaction. It is certainly beyond me. I am not sure how it can be done. However, there are very specific things that can happen with this issue.

Any time we deal with the past, we need to do so without the fuzzy belief that everyone is a perpetrator or a victim, because that is simply not the case. Members who spoke earlier in the debate said that there is a dreadful stain on the republican and loyalist groups involved in those brutal murders and concealment of bodies, and there is clearly an onus on those organisations to provide whatever information they have. However, there is also a stain on the individuals who took part in those acts, and people have knowledge that they need to come forward with.

My experience of the disappeared is through meeting the family of Lisa Dorrian, although I do not know whether she technically counts as one of the disappeared. I, along with Stephen Farry and other representatives from North Down, have met her family on numerous occasions. That family has been put through a terrible tragedy. Although no one has ever claimed responsibility for the murder, it is widely believed that some so-called loyalists were involved. Meeting the family brought home what every family connected to the disappeared has

experienced. Many Members, myself included, have lost close relatives or someone of the next generation. That is a tragedy for any family, and there is grief associated with those deaths. However, when a father and mother lose a son or daughter, it goes against the natural order of things, particularly when they are subject to such a brutal murder.

5.15pm

Generally speaking, all of us who have had to overcome the grief of the loss of a close relative had the opportunity to have a funeral service, a service of thanksgiving, a burial or a cremation. All of us who have been in that situation had the opportunity to achieve a sense of closure. However, it is a deep human tragedy for a family, whether it is that of Lisa Dorrian or any of the other disappeared, to be left not knowing what happened to their son or daughter or where their son or daughter is. They are left without a place to grieve, a tombstone at which to lay flowers or even somewhere to go where ashes have been scattered. Beyond all the statistics that can be produced on the matter, we are dealing with families who have suffered immense grief and a great human tragedy.

I mentioned that there is an onus not simply on organisations but on individuals. People out there were involved in the murders directly, and others know, or have some suspicion about, what happened. In addition to what any of the organisations involved can provide, there is a deep onus on any individual who has any such knowledge or suspicion to come forward, whether to the commission, the families concerned or the police, with the information that will allow those families, from whatever side of the religious divide they come, to be able to have closure and properly grieve for their lost relations once and for all. I commend the motion to the House.

Mr Bell: Thank you for your indulgence in letting me speak, Mr Deputy Speaker. I was with a young man from my council area, Aaron Stubbs, who, at the age of 14, has managed to win not only Ulster's tennis Championship but the all-Ireland under-16 tennis championship. He was here today, and the Minister of Culture, Arts and Leisure wished to have a photograph taken. I apologise for the delay and for not being here for part of a very worthwhile debate.

I thank Mr Dominic Bradley for tabling the motion. It is a very important motion, because

it addresses an issue in respect of which it is within the gift of us in Northern Ireland to right a terrible wrong. This is not a debate in which to score political points off each other. Northern Ireland should feel a collective shame that the loved ones of those who were killed in the most difficult and painful of circumstances have not been allowed to go through the normal process of grieving.

Many years ago, I took a degree in psychology. There is a process of grieving, along which there are acts of closure. People live for a lifetime with the loss of a family member or a loved one. We do not want, in any way, to take away from that, because that loved one is irreplaceable. People live with that loss every day. Some people who lost loved ones in the Troubles in Northern Ireland told me that their loss is the first thing that they think about when they wake up and the last thing that they think about before they go to bed. Most of those people had, within their religious background or faith, the closure of a formal ceremony of their choosing and have a grave to which they can go at significant moments in life, such as birthdays, christenings or family marriages, to show their respect to their loved one.

The fact that some do not have that is a wrong that we must put right collectively. A united plea must come from the House to anyone who can help in any way. Civil servants are often criticised, but I appreciate the difficult decisions that they have to make about whether to undertake digs, and so forth. Although our thoughts are with them, our thoughts must be with the victims primarily. In all likelihood, their loss is the first thought when they wake up and their last thought before they go to bed, but they do not have the ability to ensure closure.

I appeal to people who can give that information to give it on the grounds of basic humanity, to allow people to progress with their lives, to allow families to have the opportunity to have a ceremony of closure and to allow people with religious conviction to have that properly observed. For some families of the disappeared, time is moving on, but for others, it is not. It is not as if we have an unlimited amount of time and can settle the matter at some later date, because none of us are guaranteed tomorrow. It is action that we want today.

The simple plea goes out on the basis of common humanity. If people can give information, they

should do so, and the necessary government structures should be in place, hopefully, to allow that search to come to a successful conclusion. Families deserve closure. They need it. It is not negotiable. I appeal for them to have that and for Northern Ireland to close a chapter of its history, not to airbrush the disappeared out of history, but to close a chapter of its history in a healthy way. If there is sufficient goodwill, I plead for that to occur.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I pay tribute to my colleague for introducing the motion. The debate has been handled with dignity, and there is a common spirit of respect around the Chamber. In many ways, that is a good thing, given the sensitivities that exist outside the Chamber among the families. Collectively, we can only imagine their loss. It has been a loss that they have not seen an end to, and they do not have a place to which they can go and pay their respects. Many Members referred to that.

My colleague Dominic Bradley referred to the work of the commission. He referred to the telling remarks of Noel Evans, who is the brother of Gerard Evans, and spoke of the suffering of the Armstrong family. Mr Anderson referred to the abuse of human rights and the years of loss endured by the families. Mr Adams referred to those who had suffered a grievous injustice at the hands of, in some instances, the provisional movement. Mr Kennedy reflected on the suffering of parents and families and said that organisations could do more for those families. Mr Farry referred to the breach of the Geneva Convention by any definition of war and spoke of the sense of closure that was required. George Robinson, among others, called for people who can provide information to come forward. Mr Murphy drew proper attention to the need for Christian burial in the cases of all those people who are missing from their families.

Mr Morrow touched on the pain and suffering endured by families, the ability to visit graves and the heartbreak of a mother. I will come to that shortly, because I believe that we might be talking about the same person. Basil McCrea correctly mentioned the deeds and actions that are required to bring about a better future and to build that future. I am sure that he will accept that it must be a future built on dignity and respect for the people who were lost at the hands of paramilitaries.

My colleague Mr McDevitt listed all the people who have disappeared at the hands of paramilitaries. Mr Molloy referred to the requirement for the alleviation of suffering and the need for more information to come forward. Mr Weir spoke of the loyalist and republican organisations that contributed to the awful situation and spoke touchingly about the closure, as he saw it, brought about by religious services and burial. Mr Bell also mentioned that.

In summation, it is important to note the facts behind the motion. The disappeared were abducted, murdered and secretly buried by members of paramilitary organisations; their families still grieve deeply for them. Those actions were designed deliberately to intimidate people and to create uncertainty and fear in the communities from which the victims were taken. The commission identified the disappeared as people who were abducted between 1972 and 1995. At the start of 2010, a further person was added to the list of the disappeared.

Since 1999, the commission has tried to return the victims' remains to their families. In July 2010, the remains of Charlie Armstrong were located at a site in County Monaghan and returned to his family. The burial sites of other victims who were abducted and, presumably, murdered remain to be found. The party to my right, Sinn Féin, may believe that, in the words of its party president, it is a human rights violation that victims' families have been unable to bury their dead. My party, along with the rest of society, recognises that the abductions and murders were the initial human rights violations. The fact that the people who were responsible have been granted immunity from prosecution in respect of any evidence that is gathered in the recovery of those remains is a disgrace. However, it is a fact that people must live with on the pathway to, we hope, discovery of those bodies.

The families deserve for the remains of their loved ones to be returned. Today, we demand it. A number of times, I sat with the late Mrs Vera McVeigh, whose son is in the Public Gallery, in her home. I heard her worries, concerns and absolute, utter heartbreak that the remains of her young son had never been returned to her. It would have taken a tear from a stone to listen to that elderly lady speak of the disappearance of her son as though it were yesterday. There is still information out there that could lead to the return of Columba McVeigh's remains; there are people who know where his remains are.

If they have any respect for humanity or for a Christian burial, I implore them or anyone who is in a position to instruct them to tell them to come forward to allow people to bury their family members with dignity.

They know that that is the right thing to do; occasionally, they have difficulty finding out the honourable thing to do. I plead with them to do what is both right and honourable: to come forward, state the truth and tell where the bodies are buried so that the families can visit those graves, pay respects to their loved ones and, after so many years, can say that their remains are back with their families.

We believe that people out there have that information. We call upon those individuals and groupings to bring that information to the commission without delay. Go raibh maith agat, a LeasCheann Comhairle.

Question put and agreed to.

Resolved:

That this Assembly acknowledges the continuing suffering of the families of disappeared victims; pledges its support for them and for the Independent Commission for the Location of Victims' Remains; and calls on all groups and individuals who have any knowledge of the location of victims' remains to bring that information in confidence to the commission without further delay.

Adjourned at 5.29 pm.



Published by Authority of the Northern Ireland Assembly,
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ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325

Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited

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ISBN 978-0-339-50431-8



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