

Official Report (Hansard)

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Suggested amendments or corrections will be considered by the Editor.

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Northern Ireland Assembly

Tuesday 15 March 2011

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

Members observed two minutes' silence.

Matters of the Day

Lance Corporal Stephen McKee

Mr Speaker: Mr Stephen Moutray has sought leave to make a statement on the death of a soldier who was killed in Afghanistan, which fulfils the criteria set out in Standing Order 24.

I will call Mr Moutray to speak for up to three minutes on the subject. I will then call a representative from each of the other political parties, as agreed with the Whips. Those Members will also have up to three minutes in which to speak on the matter. Members will know that there will be no opportunity for interventions, questions or a vote on the matter. I will not take any points of order until the item of business is concluded. If that is clear, we shall proceed.

Mr Moutray: Once again, Northern Ireland has lost a brave young soldier to the conflict in Afghanistan. Lance Corporal Stephen McKee from Banbridge laid down his life for the people of Afghanistan and in defence of our safety and the maintenance of our liberties and way of life. Whatever one's view of that conflict, there is no doubting the dedication and valour of those who, on a daily basis, place their life in jeopardy to, on our behalf, build a better future for the Afghan people.

Brave young people from all parts of Northern Ireland have served or are serving today in that theatre of conflict. From across the Province, families have shared in the loss of loved ones. Tears have flowed from beyond our land border. From Macosquin all the way to Mayo in the Irish Republic brave young soldiers have made the ultimate sacrifice while serving as part of the British commitment to that troubled land.

My constituency of Upper Bann has borne a terrible load of sorrow and loss in recent times.

Last July, we had the killing, also in Afghanistan, of young Gurkha Lieutenant Neal Turkington from Portadown. Now another family in our midst mourns a young life cut short and a brave young man taken away from them. The McKee family has a distinguished legacy of service that spans several generations. As Lieutenant Colonel Colin Weir, commanding officer of 1st Battalion of the Royal Irish Regiment, said:

"It is families like the McKees that make this Regiment what it is; they are the fibre that runs through us and what gives us our fighting spirit."

In the Chamber today I want to give voice to the sincere prayer of many people across the Province that, in the midst of their tears and loss, the McKees will know that all around and underneath them are the everlasting arms of the God of grace, the God of mercy, of compassion, of comfort and of infinite tenderness. To Lance Corporal McKee's wife Carley, his parents and his wider family circle, we extend our deepest sympathy at this sad time.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I too add my expressions of sympathy to Stephen McKee and his family on my own behalf as an MLA for Upper Bann and on my party's behalf. Another tragedy has been visited on a family, and a young man has lost his life. Regardless of the circumstances of the initial invasion of Afghanistan and the conflict there, we as a society have to reflect on the continuing death toll in that country, whether it be young men such as Stephen McKee or other young men from the area who have lost their life.

There is a duty on us to call for an end to conflict in such areas, whether among NATO soldiers or Afghan combatants. As always in such conflicts, it is the civilian population that suffers most. I hope that this is the last time in the Chamber that we have to comment on the death of young men such as Stephen McKee or

reflect on the terrible carnage in Afghanistan. As I said, I have no hesitation in adding my sympathies and those of my party to the McKee family.

Mr Kennedy: On behalf of the Ulster Unionist Party — in particular, on behalf of my colleagues in Upper Bann, Mr Gardiner and Mr Savage — I join others in paying tribute to Lance Corporal Stephen McKee from the Royal Irish Regiment, who was tragically killed in Afghanistan last week.

Stephen McKee was a dedicated and determined soldier serving in his regiment along with his brother Michael and other members of his extended family. I have known the McKee family personally for many years. They have given significant service in both the military and police over many years. Indeed, tragically, in April 1981, Stephen's uncle Richard, also aged 27 and also holding the rank of lance corporal, was cruelly murdered by the IRA while serving in the UDR. I understand that Richard's service and sacrifice inspired Stephen to pursue a military career.

The McKee family has known service, sacrifice and sadness, but, in the midst of their unimaginable grief on the loss of a dearly loved son, they are entitled to take considerable pride in what Stephen stood for and sought to achieve. The death of Lance Corporal Stephen McKee has yet again brought home the sacrifices of those who serve the Crown in Afghanistan. Stephen McKee represented the very best of the long and historic military traditions of this part of the United Kingdom. The tributes paid to him by his commanding officer and comrades testify to that.

It is also right that we remember the Royal Irish Regiment as it continues to serve bravely in Afghanistan. Men and women from across the entire community in Northern Ireland serving in the RIR and other regiments put themselves in harm's way to protect the people of Afghanistan against the forces of terror. They deserve our deepest respect, gratitude and support. The death of Lance Corporal Stephen McKee has, I know, brought immense grief to his wife, his parents, his family and his wider family circle. I trust that none of us in Northern Ireland will forget his sacrifice and their loss.

Mrs D Kelly: On my behalf and that of my party, I add our sincere sympathies and condolences to the family of Lance Corporal Stephen McKee. I thank Mr Moutray for bringing the issue to

the Chamber this morning; it gives us all an opportunity to express publicly our sympathies and prayers to his family and his regiment. I am sure that his loss is felt not only by his colleagues but by the wider family that he had opted to be part of.

As other Members said, the McKee family has a long history of military service. One often wonders what sends young men to war. Some years ago, I recall being horrified at the sight of women being routinely hanged in Afghanistan from makeshift gallows. I am sure that such a sight would make many of our young men and women go to fight to bring democracy to those who suffer such oppression. It behoves all of us politicians to prevent wars. I hope and trust that Governments and politicians will try to bring this cruel war in Afghanistan to an end. Stephen McKee's wife and family will be in our prayers for some time to come.

Mr McCarthy: On this very sad occasion, I join, on behalf of the Alliance Party of Northern Ireland, with Assembly colleagues to offer our deepest sympathy to the family and relatives of the young Royal Irish Regiment soldier, Lance Corporal Stephen McKee, who unfortunately lost his life on the battlefields of Afghanistan. Members who knew Stephen spoke very highly about him and his bravery and about his colleagues. Our thoughts and prayers are with Stephen's family, friends and relatives at this dreadful time.

Assembly Business

Justice Bill

Mr Speaker: Order. I want to say something about the Justice Bill. Further to my announcement in the House yesterday in respect of the Justice Bill, I can advise the House that, in my view, the Justice Bill, as amended at Further Consideration Stage, is outside the legislative competence of the Assembly.

Standing Orders do not make specific provision for the House to remedy such a defect at this stage. I therefore rule that an exceptional Further Consideration Stage may be held with the sole purpose of allowing the House to debate the vote on a corrective amendment prior to Final Stage. That decision is, of course, subject to the House supporting a motion to suspend Standing Orders 39(1) and 42(1).

At today's Business Committee I will ask that a revision be made to the Order Paper to debate a motion to suspend the relevant Standing Orders to take an exceptional Further Consideration Stage of the Justice Bill next Monday 21 March. If the House agrees those items of business, the Final Stage will take place on Wednesday 23 March. I advise the House that I will not select any amendments other than those designed to render the Bill competent. I intend to issue a Marshalled List on Wednesday 16 March. I hope that that is clear to all sides of the House.

Ministerial Statements

Road Safety Strategy

The Minister of the Environment (Mr Poots): I wish to make a statement to advise Members formally of the publication of the new road safety strategy for Northern Ireland. I further wish to provide an update on the position with regard to consultation on proposed changes to the learner and restricted driver schemes and on graduated driver licensing.

Before I turn to my statement, I should say that four people died on our roads yesterday and over the weekend. I must first pass on my sympathies and, I am sure, those of the House to the families and friends of those who died and to all those who lost loved ones on our roads over the year. This occasion is particularly personal, Mr Speaker: on Sunday evening, my son came home and informed me that a young man he had spent the weekend with had been killed on his way home. It is sad and tragic when someone so young loses their life in such circumstances. My son told me that the young lad concerned did not have the opportunity to say "Cheerio" to his mother before he left for the weekend and that, because of that, he went to Newcastle to buy her favourite sweets to take home to her. He never got home. The loss is greatly felt by that family and all those who were with that young man in the run-up to his tragic death.

10.45 am

Trying to move forward a road safety strategy in Northern Ireland that will bring about safer roads for our people is personal for me. I recall that, when I was a young man, I attended the funeral of a cousin who was tragically killed on the roads at the age of 19. I will never forget that funeral service or the grief that his parents, particularly his mother, expressed. Therefore, it is incumbent on us all to seek to make our roads safer and better places for everyone to travel on and to reduce the number of deaths and serious injuries that are caused on our roads. We have done that quite successfully. However, we should not be complacent, and we should always seek to improve. That is why we are moving ahead with the road safety strategy two years ahead of time. We achieved the targets that we set for 2012, but it is good that we revisit them, drive them further downwards

and reduce further the number of deaths and injuries on our roads.

The House will know that, although the previous road safety strategy was designed to run until 2012, it was decided to bring forward this new strategy. Much has been done since I announced formal consultation on a draft strategy around this time last year. At that time, I published proposals for consultation, including over 170 potential measures that led to wide discussion and debate on numerous issues with stakeholders from across the country. The significant and positive response to the consultation exercise was encouraging, and it underlined the continuing importance of road safety to so many people in Northern Ireland. In all, over 2,000 responses were received, and Members will, no doubt, be interested to know that more than 800 of those responses came from children and young people.

Respondents believed that the road safety priorities identified in the consultation paper were right and appropriate, and they were broadly content with the substance of the proposals presented. There was broad agreement with the vision, and there was support for the proposed casualty reduction targets for fatalities and serious injuries. However, even with such broad agreement, the debate throughout the consultation led to the consideration of more than 300 refinements and proposals. The result of that is that I now present a document that contains 199 measures and was produced with the broad support of our community in Northern Ireland. I want to record my thanks to everyone who took the time to meet us or to reply to the consultation.

All views and comments were considered carefully as part of the development of the road safety strategy that is being launched today. Throughout the consultation, the Committee for the Environment frequently engaged with stakeholders, and it gave detailed consideration to the evolving strategy during its period of development and the related consultation. That culminated towards the end of last year with the Committee's scrutiny of the final draft strategy, and I thank the Committee for its support. I believe that it conducted a very important piece of work that has contributed greatly to the process and the quality of the final document. I presented the final draft to the Executive, and ministerial colleagues agreed its contents,

including commitments made by several Ministers. I extend my thanks to them.

The document is presented under the title 'Driving Road Safety Forward'. It is our vision:

"To make a journey on Northern Ireland's roads as safe for all road users as anywhere in the world."

That is neither an unrealistic nor an overoptimistic aspiration. I simply note that, in 2008, we would have been placed around sixth in the table of the 27 EU countries ranked by fatalities for each million of the population. Along with many who responded to our consultation, I believe that we must seek to improve that position.

Last year saw the lowest number of road deaths since records began in 1931. Provisional figures show that there were 55 road deaths in 2010, which was 60 fewer than in 2009 and equated to an unprecedented fall of over 50%. The latest provisional figures indicate a fall of around 17% in serious injuries. However, we must remember that 55 families grieve for loved ones whom they lost last year, and already this year 13 families are suffering a similar loss, including those of the four people who lost their life over the weekend and yesterday. Many more are coping with life-changing disabilities. That is why we must strive for the day when there are no deaths on our roads. That is the only acceptable level.

The strategy was developed and is presented using the safe systems approach. That considers roads, vehicles and road users together and seeks to ensure that each of those three elements takes account of the limitations or potential weaknesses of the other two. The key road safety challenges to be addressed over the lifetime of the new strategy include continuing to reduce road deaths and serious injuries; improving safety on rural roads; protecting younger drivers and motorcyclists; reducing inappropriate and illegal road user behaviours including speeding, drink- and drug-driving, and careless and dangerous driving; improving our knowledge and broadening involvement in solving road safety problems; and working within funding constraints and future uncertainties.

What will probably be of most interest to Members and the public are the strategy's casualty reduction targets. The targets, for achievement by 2020, are to reduce the number of people killed in road collisions by at least 60%; to reduce the number of people seriously injured in road collisions by at least 45%; to reduce the

number of children killed or seriously injured in road collisions by at least 55%; and to reduce the number of young people killed or seriously injured in road collisions by at least 55%. The fatality target has been amended since the consultation from 40% to a more challenging 60%. I took that decision to reflect the significant achievements in fatality reductions. Those new targets are more challenging in two ways. First, obviously, the actual percentage reductions proposed are higher than in the past. Secondly, we are starting from much reduced baselines.

The 199 measures to be delivered over the 10-year lifespan of the strategy were developed and agreed in partnership with other statutory road safety bodies, including the Department for Regional Development, the Department of Education, the Police Service, the Fire and Rescue Service and the Ambulance Service. I thank the representatives of those organisations who worked on the strategy project board and ministerial colleagues for their unanimous support for and interest in the board's work.

The strategy includes short-, medium- and long-term timescales for the implementation of each measure. The timescales form the basis of implementation plans to support oversight, monitoring and reporting of the delivery of the strategy. It is, of course, important not to lose sight of the significant role that non-statutory partners will have in delivering road safety, and we will encourage wider involvement in future planning, advising and delivering of road safety. That will include local authorities and the private and community and voluntary sectors. It will also include the wider public, who are ultimately affected by the decisions and actions that we take.

Statutory partnerships and engagement with stakeholders will continue to be crucial to the success of many measures as they are rolled out in the months and years to come. I trust that the commitment from all Ministers, Members and many other interested parties will continue.

Like all Members, I am only too aware of the financial position in which we find ourselves. The current and future economic conditions within which the strategy will be implemented are clearly uncertain. This is a 10-year strategy that is flexible and can embrace new ideas and measures that are desirable or, indeed, necessary, given the times that we are in. It will be essential to examine and report on such

issues every year to ensure that we continue to move in the right direction.

Today may be the formal launch of the new strategy, but much has already been done to move ahead with initiatives that will make a real difference. There can be no one in the House who is not aware of and does not share my concern about the unacceptably high number of young and new drivers involved in fatal and serious collisions on our roads each year. That is why we have a target in the new strategy to reduce by at least 55% the number of young people killed or seriously injured on our roads. This will be the only part of these islands to have such a target.

It is clear that, if we are to achieve that target, we must improve how we train and test drivers to ensure that they are competent and safe. Currently, only the ability to control a vehicle and perform a range of basic manoeuvres is tested. That training and testing regime is not fit for purpose. We also need to improve how we allow new drivers who have just passed their test to gain experience in as safe a manner as possible. I do not accept that it is too complex or difficult to fix the problem and there is nothing that we can do. I simply will not accept our young people being allowed to continue to die and be seriously injured at today's rates, nor will I accept that they should be allowed to kill and seriously injure other road users.

Make no mistake: young people are particularly vulnerable on our roads. In Northern Ireland, between 2004 and 2008, 17- to 24-year-old drivers were responsible for one in four road fatalities and one in five serious road injuries, which amounted to 163 deaths and 1,237 serious injuries. Young drivers were responsible for 41% of road deaths and 34% of serious injuries caused by car drivers over that period. That is why I tasked my officials with researching and developing a detailed paper on how we might change that and improve the safety of new drivers. I announce the launch of that paper and the start of consultation on amending the 45 mph speed restriction on learner and restricted drivers and on options for a system of graduated driver licensing (GDL) to build on the current R-driver scheme. Evidence from countries that use such systems supports the view that allowing new drivers to gain crucial experience in low-risk conditions can dramatically reduce the likelihood of them being involved in a collision.

A GDL scheme might include raising or lowering the age for a provisional or full licence; setting minimum learning periods; requiring learners to take a minimum number of driving lessons or complete a minimum number of miles or hours of supervised practice; allowing learner drivers to drive on motorways; applying post-test restrictions on passengers; introducing restrictions on night-time driving; increasing the duration of the current 12-month restricted period; and introducing an offence-free period. At its simplest level, it will be about teaching appropriately, testing rigorously and, while drivers gain experience, reducing risk.

The consultation paper will be available for all stakeholders to consider, and I hope that everyone, having taken the time to consider the issues and the measures that we might take, will provide us with their views. I urge Members to get involved and to encourage their constituents to do the same — everyone has an interest in the issue. I look forward to meaningful debate. For now, I simply ask that no one jumps to conclusions about decisions already made or restrictions already planned. I also ask that people do not decide that some ideas are unworkable or unacceptable and should not even be up for debate. Rather, they should study the significant scientific evidence for the measures cited in the paper, read about the practicalities and consider whether they have the support of communities where they dramatically reduce road deaths among young people. People should read the paper, and, if they do not like the ideas, they should tell us their suggestions. It would be truly unacceptable for us to do nothing.

Today, I have published the new road safety strategy. We have identified the problems and issues and the measures to address them.

We have set targets and gained commitment, but let us be clear: this is not the end. It is one step in a journey to make our roads safe. With the announcement today of the next step, I encourage you to move forward with us. Our new strategy will improve the safety of everyone who uses our roads: pedestrians; cyclists; riders; drivers; children; new drivers; and people with many years of experience.

I thank all of you for your continued interest in road safety and for the support that my Department receives in that area from this House.

11.00 am

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. On behalf of Sinn Féin, I offer my condolences to the families who were tragically bereaved in the road traffic accidents at the weekend. There were people killed in my constituency, and our thoughts and prayers are with those families at this time.

The Committee has been kept well briefed on the Minister's policy proposal for a new road safety strategy and welcomes its launch today. One death on our roads is one death too many. We must all strive to reduce the carnage on our roads, and I hope to see the implementation of the measures in the strategy doing just that. As the Minister told the House, the Committee engaged significantly in the development of the strategy and welcomes it today. I would like to ask the Minister about his consultation on proposed changes to the learner and restricted driver schemes. The Committee recognises the importance of engaging with young people to hear their views on how to improve training and how to gain experience in driving. However, it was concerned about the impact of the changes on young people in rural areas. Can the Minister tell us how he intends to engage with young people, particularly those who live in remote areas?

The Minister of the Environment: As the Member is well aware, we have been using organisations, such as the GAA and the Young Farmers' Clubs of Ulster, to drive road safety messages out to young people. Those organisations are in regular contact with young people in rural areas. We intend to continue to use organisations that have assisted us in recent years to get the messages to young people and to hear what they have to say.

Already, 800 young people have contributed to the road safety strategy. However, let me make it absolutely clear: this is not about targeting young people. Young people are entitled to be on our roads, and they are entitled to drive on our roads. It is a great liberty and a great opportunity for them. We simply want to make the roads safer, and we want to ensure that everyone who travels on our roads can do so in a safer way. We will be very happy to listen to young people.

I do not believe that some of the proposals will come into place after the consultation exercise.

Some of the proposals are very radical, but let us get them out there, let us debate them, and let us identify the best way forward. We are not simply consulting for the sake of consulting. We are consulting so that we can listen to the responses, take them on board and move forward in a united way and in the best way for the people who use our roads.

Mr Ross: The Assembly can be proud of its efforts and achievements on the issue of road safety over the past four years, although the fatalities on our roads in recent days are a reminder to all of us that we cannot be complacent about the issue.

I welcome the fact that the graduated driver licensing (GDL) scheme will go out to public consultation. I proposed the scheme in the House a number of years ago. The Minister will know that the graduated driver licensing scheme is a concept, and it would allow us to pick and choose which elements are relevant to Northern Ireland, after we deem which bits are practical, desirable, and, importantly, enforceable, after the consultation process. Will the Minister tell the House what evidence exists from elsewhere in the world of the impact that GDL has had on reducing the number of serious collisions and fatalities on the roads, particularly for novice drivers?

The Minister of the Environment: We have taken significant evidence from many other parts of the world, including the United States of America, New Zealand and various other jurisdictions, and it has been identified that GDL makes a real and significant difference. For example, in many states of America, young people are not allowed to carry other passengers in the early days.

We know that driving behaviour changes when there is a large number of people in a car, and there is evidence to support that. The conclusion that we reach will have to be appropriate and balanced against the needs of people; that is why we need to have this discussion and why people need to be consulted. Therefore, we are going ahead with the consultation to enable us to garner fully the information available about the needs of the people of Northern Ireland. Nevertheless, there is evidence from other jurisdictions that the behaviour proposed in the GDL can make a significant difference to driving behaviour.

Mr Kinahan: I welcome the statement, particularly the target of making our roads safer. However, as always, I point out that many young people are among the best drivers, and I know that the Minister does not intend to attack them. I congratulate the Young Farmers' Clubs and the GAA for their involvement in promoting safe driving. Will the Minister keep in mind the poor public transport in rural areas and that if he restricts night-time driving, the number of passengers and other matters, he will make it harder for young people to get into the towns and cities for work or leisure? Will he ensure that the Department for Regional Development is included so that we look at improving the transport system in our rural areas?

The Minister of the Environment: The hours that we are talking about for night-time driving are the small hours of the morning, as opposed to night-time driving; therefore night-time driving is probably not the appropriate wording. I suspect that the Department of Regional Development (DRD) will not be running bus trips to rural areas at 2.00 am or 3.00 am. Unfortunately, that is when many single drivers are killed on country roads.

Seventy-two per cent of roads deaths happen on rural roads; that is where the major problem lies. Much of this is about educating people, which is why the Department of the Environment (DOE) has been working so hard to get effective, hard-hitting messages across. That is why there has been a substantial fall in the number of deaths on our roads, from 170 10 years ago to 55 last year. We need to keep working to get that message across. DRD has a role to play in making our roads safer, such as dealing with dangerous bends, corners and junctions. Roads can be made safer. For example, extending the M1 from Dungannon to Ballygawley, the Newry bypass, and other roads where accidents happened regularly, will transform the number of road deaths. DRD also has responsibility for public transport provision, so we will continue to work with it on those issues.

Mr Dallat: As a former teacher of road safety studies for many years, I welcome the document and endorse it entirely line by line. I am conscious that one of those who lost their lives in the past 24 hours came from my constituency, and my sympathy goes to their family. Families lost more loved ones through road traffic accidents over the years than through the Troubles. What message has the Minister for those families to reassure them that their loved ones did not die

in vain? Will he assure us that any future cuts will not skimp on road safety initiatives?

The Minister of the Environment: The message to those families today is that it is the number one priority of our Department to ensure that other families do not find themselves in the same circumstances. That is why we have concentrated on the issue and why we will continue to concentrate on it beyond the lifetime of the current Assembly into the future Assembly.

I cannot guarantee that the finance to deal with the issue will always be on an upward trend. However, I guarantee that we will employ every device possible to ensure that we get best value for money in putting our messages across.

At this point, we are getting considerably better value for money from advertising than previously. Members know how extensively young people in particular, and people in general, use Facebook and a lot of other new technologies to convey their messages. Therefore, we will use whatever new technologies we can to get our messages across. Even if our funding is not as good as we would like it to be, we will still maximise its use to ensure that we get the maximum from it.

Mr Lyttle: On behalf of my party, I extend my condolences to all families bereaved due to accidents and collisions on the roads. I wholeheartedly welcome today's statement and the announcement of the new road safety strategy, not least given the unacceptable number of deaths among young people on our roads. I also welcome the challenging targets that the Minister has set to address that. Given the recent debate generated by the private Member's Bill on cycling helmets, has the Minister considered including enhanced cycle training in the new road safety strategy, to provide practical learning on the roads similar to that provided by the Bikeability scheme and enhanced driver training to promote motorist awareness of cyclists?

The Minister of the Environment: I had a number of discussions with Sustrans on that issue. On a personal level, I see the benefits of better preparing young people for cycling on the roads. The Assembly pays a lot of attention to people using transport other than private cars to travel to and from work and school. If that attention is to be more than lip service, then we must ensure that the conditions are conducive to people travelling safely. To encourage people

to cycle, we need to ensure that they can do so safely; and in some respects, changing the system of testing is one method of doing that. I do not believe that the current system of testing deals adequately with the ability of new drivers to overtake other cyclists, those in slow-moving vehicles or on horses, or, indeed, pedestrians. So, that is one of the areas that we need to look at.

Sustrans wants the cycling proficiency scheme to be run alongside a further scheme in which young people can practise on the roads. That is a challenge, and we need the support of the DRD, education bodies and the schools to meet it. However, I think that that is well worth delivering, because it will provide young people with confidence to ride their bikes to and from school and, indeed, to work when they get older. It will also reduce the number of vehicles and casualties on our roads, which the Assembly desires.

We need to get the message across, because people perceive cycling as being dangerous. Cycling, of itself, is not dangerous, nor should it be. Cyclists and drivers need to be prepared properly and show the proper respect and courtesy to each other so that both can travel to their destinations safely.

Mr Weir: I thank the Minister for his statement. As has been indicated, the scale of the reduction in road deaths has been a success story. However, I join other Members in pointing out that we cannot rest on our laurels given the tragic events of the past few days. The Minister indicated how important it is to get the detail and implementation of the consultation right on the graduated driving licensing, in particular, which is very much welcomed. What is the timescale of the consultation, and, depending on the result, how long will the implementation period be?

11.15 am

The Minister of the Environment: The GDL scheme will go out to consultation. Normally, consultations run for 12 weeks, and sometimes that period can be extended, depending on the number of responses coming in. It will be a matter for whoever holds this position to give adequate consideration to over the summer and come back to the Assembly in the autumn with proposals on the way forward. I trust that we will have someone in position who will come forward with proposals that can make real change and better prepare our young people for the pleasure

that is driving and the responsibility that comes with it.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I welcome the statement and thank the Minister for launching the consultation. Will he outline what co-operation there has been between the Department and insurance providers on giving incentives to young people to improve their driving behaviour?

The Minister of the Environment: I am somewhat disappointed with insurance providers. This year, we are seeing insurance premiums go up, when the reason for raising them does not exist for drivers across the board, and for young drivers in particular. Last year, the number of people killed on our roads was halved and there were 25% fewer serious injuries and road collisions. Therefore, I think that the insurance companies are ripping people off by driving up premiums when we are making such improvements in road safety. I lay down a challenge to insurance companies that, when we are making significant steps in improving the collision record in Northern Ireland, they should be responding by reducing premiums. That would be an incentive and an encouragement to people to continue to drive in a safer way.

Mr Spratt: I welcome the Minister's statement. In any road safety strategy, enforcement of road traffic legislation is probably one of the most important elements. Given the perception in the Police Service that its roads policing department has become nothing more than a glorified motorway unit, will the Minister, in future discussions with the Chief Constable, impress on him that there should be no further dilution of roads traffic policing so as to ensure the proper enforcement of road traffic legislation across the Province?

The Minister of the Environment: I thank the Member for his comments. Last year, I engaged in a long discussion with senior police colleagues on that very issue. As I said, 72% of deaths happen on rural roads. Therefore, pulling people in on the motorway and fining them because their number plate happens to have letters that are slightly smaller than they should be is, to me, not the best use of police time. Engaging in what could be described as turkey shoots, where speed limits exist in locations at which there are very few accidents and no history of road collisions taking place, is not a good use of police time. Police time would be

better spent on roads where serious injuries and deaths occur regularly. I made that very clear to the head of the road traffic division. As a result, the number of rural roadside checks has been increased and the division is moving away from motorways and those other roads. I urge that that continue to be the case.

This is not about putting points on people's licences but about saving people's lives. There must be an absolute focus from the PSNI on how it can assist us in saving people's lives. I believe that the PSNI is making a significant contribution to saving people's lives. In all this, we all have work to do to do it better, and that includes the PSNI. However, I respect what it has done thus far.

Mr Savage: I also welcome the Minister's statement. It is good news for all who use our roads. The new road safety strategy is very welcome. If it can do anything to cut out the kind of tragedies that we have had over the past number of weeks, it will be a big bonus. The Minister has practically answered my question already, but who will have sole responsibility for policing the new strategy?

The Minister of the Environment: Responsibility for policing our roads rests with the PSNI, and it is exclusive to the PSNI. Responsibility for carrying out road engineering works rests with DRD. Responsibility for the educational aspect, getting the messages across and developing road safety strategies and schemes rests with the DOE. Therefore, it is a joint effort, although regulation enforcement is very clearly a task for the PSNI.

Mr P Ramsey: I also thank the Minister for bringing forward the road safety strategy publication. As chairperson of the all-party group on road safety, I thank the Minister and departmental officials for their help in highlighting and advocating good measures during this mandate. It is important to acknowledge the Minister's leadership role in reducing deaths on our roads by 50% last year. That is good, and it is because of his commitment and determination.

There have been three pedestrian deaths in my area over the past few days, one of whom was a close neighbour of mine. Will the Minister consider reducing the 30 mph speed limit as part of the road safety strategy initiative? We have clear evidence that one in five people is killed when hit at 30 mph, but that the figure

is one in 40 at 20 mph. Such a reduction in densely populated residential areas would give much greater comfort and peace of mind, especially to families with children.

The Minister of the Environment: Speed limits are an issue for DRD, but I do not think that the current speed limit system is the right one for road safety. For example, as a couple of Members said, there are 14 different changes in speed limits in the seven- or eight-mile journey from Carrickfergus to here. I would be content to look at and address a reduction in the speed limit within the urban footprint and, particularly, within highly pedestrianised zones. I would also be content to raise the speed limit on our motorways. Those speed limits were set in the 1960s and were appropriate when the cars on our roads were Ford Anglias, Hillman Imps, and so forth. Today's vehicles are not at all reflective of those vehicles. On many motorways outside Northern Ireland, cars travel at speeds considerably higher than 70 mph without causing a major risk to the people using them.

Speed limits should be set on the basis of risk assessment. A 30 mph speed limit is not appropriate for every urban footprint, and a 70 mph speed limit is not necessarily appropriate for our motorways. It is an issue for DRD to look at in the new mandate, and I trust that whoever is responsible will do so.

Mr Beggs: I thank the Minister for his statement and for launching the strategy. Research suggests that one in five new drivers crashes in the first six months. Therefore, I accept that more needs to be done to build on the progress that has already been made. However, does the Minister recognise the fact that a total night-time curfew would prevent new drivers, young and old, from taking up new forms of employment and that such a move would be hugely risky to the economy and people's search for work? I accept the fact that there is evidence that a new driver with a car full of passengers brings increased risks. The associated risks should be explored further.

The Minister of the Environment: Yes, I agree with the Member. That is why we are having a consultation, rather than putting forward a set of proposals to be introduced. We will consult on those ideas to determine what is achievable. I have absolutely no doubt that even a short night-time curfew from 1.00 am to 5.00 am would still come with difficulties and problems.

For example, there could be problems for young people who take up employment in jobs that require them to start very early in the morning, or those who work late into the night in the hospitality industry may not be able to do their jobs. I am fully cognisant of that, and that is why we have produced a consultation and discussion document that will help us to arrive at the best suite of policies to best meet road users' needs, from both a road safety point of view and for the practical necessities of daily living.

Mr Callaghan: Go raibh maith agat, a Cheann Comhairle. The Minister said that hard-hitting messages had helped to reduce the numbers of fatalities and serious injuries on our roads over the past several years. He will be aware that many of the hard-hitting images to which he referred were the result of joint North/South initiatives to address road safety problems. What consultation has the Minister engaged in with the Southern Government up to now in the development of the road safety strategy? How does he intend to move forward on the basis of co-operation and harmonisation with the new Administration in Dublin to enhance road safety throughout the island, especially along the border region?

The Minister of the Environment: We have worked very closely with the relevant Ministers on that issue. The departmental officials have worked closely with each other to develop strategies and to consider what is being done on joint advertising in other places, including the Republic of Ireland. Without there being any political connotation whatsoever, it is about getting the best value for money and the best delivery from the resources that we inject into those efforts.

There is a success story in the Republic of Ireland, in that the numbers of road deaths and serious injuries have fallen in that jurisdiction, as well as in our own. I am very happy to continue to work with others on those issues, whether they are in the rest of the United Kingdom or in the Republic of Ireland. Where drink-driving is concerned, we have worked very closely with the Republic of Ireland to reduce the number of milligrams of alcohol that would be allowed in the blood. Both jurisdictions are bringing forward proposals to lower those limits.

Proposed Discontinuance of Stranmillis University College and Merger with QUB

Mr Speaker: I have received notice from the Minister for Employment and Learning that he wishes to make a statement.

The Minister for Employment and Learning (Mr Kennedy): I welcome the opportunity to update the Assembly on the launch of a consultation on the proposed discontinuance of Stranmillis University College and its proposed merger with Queen's University Belfast to create a world-class centre of education on the Stranmillis site. Many Members will be aware of the significant and historic links between Stranmillis University College and the controlled sector. It is my intention and desire that those links will be maintained, and, in a few moments, I will set out how that can be achieved through appropriate legislation.

Members will recall the announcement that was made in April 2008 by the chairperson of the governing body of Stranmillis University College on its proposal, in principle, to merge with Queen's University. At the time, concerns were expressed that that was a done deal. However, the previous Minister for Employment and Learning, now Lord Empey of Shandon, gave an assurance that that was not the case and that any such merger could take place only after the completion of due process, including a public consultation and a full debate in the Assembly. The Minister also stressed that he would not seek any form of accelerated passage for the legislation that was needed to discontinue the college.

The decision that was taken, in principle, to merge, was not taken lightly, and it reflected the very challenging circumstances facing the college, as well as the desire to create a world-class centre of education at Stranmillis as part of a Russell Group university.

To appreciate the context in which the governing body took that decision, it is important to understand the provision of initial teacher education (ITE) in Northern Ireland.

11.30 am

There are currently five providers in the sector: Stranmillis and St Mary's university colleges, Queen's University, the University of Ulster and the Open University. The two university colleges differ significantly from the other three

institutions in that their primary business is teacher training. Any factors that may impact adversely on teacher training could, therefore, not be mitigated as easily as they could in the other three institutions.

The intake of initial teacher education places at all five institutions is set by the Department of Education each year in response to the demand for teachers. I understand that the Department of Education has a teacher demand model that informs its decision on numbers each year. However, the intake numbers have been affected by the falling number of schoolchildren overall and the declining number of schools, particularly in the primary sector. That has inevitably led to fewer job opportunities and a need for fewer teachers.

To help Stranmillis and St Mary's to remain financially viable as teacher training colleges, they have since 1998 been permitted to diversify into areas of provision other than teacher education. Stranmillis implemented a BA in early childhood studies and a BSc in health and leisure studies, and St Mary's developed a BA in liberal arts. However, to ensure that the colleges' primary role as teacher training institutions is preserved, the number of non-initial teacher education places at both colleges has been regulated. Those places currently account for approximately one third of the places at each college. That is in line with a recommendation previously made by the Committee for Employment and Learning, and I welcome the Committee's continuing interest in this important issue.

Stranmillis is an autonomous body, as are the other four institutions. It is responsible for its own governance and financial affairs. However, for academic purposes, Stranmillis is a college of the Queen's University of Belfast. The conferment of university college status by Privy Council was a direct consequence of academic integration and the unique relationship with Queen's. Academic integration means that Stranmillis has, in effect, operated as a school of the university since 1998, and that its quality procedures are those of Queen's. Its students are fully registered students of Queen's University. That is an important point, as the proposed merger could be viewed as the logical extension to the already existing academic integration. St Mary's University College is likewise academically integrated with Queen's.

The funding provided to all Northern Ireland higher education institutions by my Department is directly related to the number of students enrolled. The current level of funding per student at Stranmillis compares favourably to rates paid for similar provision across the higher education sectors in Northern Ireland and England. However, funding associated with the declining student numbers does not generate sufficient income to permit the college to maintain its estate in a fit-for-purpose condition.

One of its main buildings is not currently in use due to health and safety concerns. The college has estimated that the cost of putting its estate into a proper, fit condition would be in the region of £9 million. The scale of the problem can only be grasped when one considers that its recurrent annual funding from my Department is less than £6 million. In the current financial climate, it is unlikely that sufficient funding could be provided to the college to both fund its ongoing activities and address its infrastructure needs.

In 2007, the governing body engaged David Taylor, an education consultant and formerly director of inspection at Ofsted, to provide a report on the long-term strategic options for Stranmillis. It was following consideration of the options shortlisted in the Taylor report that the governing body took the decision in principle to merge with Queen's. I understand that our other university college, St Mary's, is also considering its future strategic options.

Legislation is not normally required to effect the merger of two independent higher education institutions. However, to transfer the property, rights and liabilities of the governing body of Stranmillis to Queen's requires that the college be formally discontinued by subordinate legislation, subject to the affirmative resolution of the Assembly. To take matters forward, the college was required to develop a full business case to relevant Treasury standards to support the proposal. That was submitted to my Department and, subsequently, to the Department of Finance and Personnel for consideration and was approved by both Departments. The college's governing body has also carried out a consultation on an equality impact assessment (EQIA) on the proposed merger. Having considered the responses that it received, the governing body concluded that there would be no adverse impacts on any of the section 75 categories or on good relations

generally as a result of the proposed merger. The equality impact assessment, along with the Taylor report and the business case, is already in the public domain.

Although the outcome of the equality impact assessment was satisfactory, the Department and the governing body have been aware of the concerns of some stakeholders around issues that relate to the ethos of the college and the protection of its estate in any post-merger situation. My predecessor and I have made it clear that we shared those concerns, particularly around ethos, and would not support any merger unless the newly merged entity can, through appropriate legislation, guarantee respect for the ethos of the controlled sector and the college. That has been discussed in some detail with Stranmillis, Queen's and the Transferor Representatives' Council, and legal advice has been sought. The resulting proposal is to provide for relevant key stakeholders, including the transferors and the wider controlled sector, to have a direct advisory role in the proposed Stranmillis school of education at Queen's. That would mean the establishment of a stakeholder forum on which interested parties will have guaranteed representation. The stakeholder forum would have an advisory and consultative role in the governance of the new school of education. The legislation to discontinue Stranmillis would require that of Queen's.

Furthermore, Queen's University has given an assurance that there will be no change to the teaching of the agreed religious education curriculum should the proposed merger take place. The programmes to ensure that all primary teachers in the controlled sector are prepared for their statutory duty to teach the religious education curriculum will continue post-merger. The legislation to discontinue Stranmillis will require that of Queen's. Likewise, the legislation will include safeguards to protect the Stranmillis estate in the public interest. That will cover the use to which the estate is put and any future disposal of all or part of it. As Members may be aware, the estate is a designated conservation area and is subject to a wide range of planning restrictions, which may further limit the feasibility of any disposal or change of future use.

In the business case, Queen's has undertaken to transfer its school of education to the Stranmillis site to form the Stranmillis school

of education of Queen's University Belfast. The university has also agreed to take over the existing maintenance backlog of £9.4 million on the Stranmillis estate and to invest an additional £7 million to develop the new school of education. As a result, that significant asset will be more fully used for the benefit of the wider educational community in Northern Ireland while maintaining the significance of Stranmillis for the controlled sector.

Having clarified the legal position regarding the ethos and estate issues, and subject to the outcome of a public consultation, I am fully supportive of the proposal to merge the two institutions. The governing bodies of Stranmillis and Queen's have a shared vision for the future merged entity, which is that the Stranmillis school of education at Queen's will be a world-leading centre for initial teacher education and for professional development and research in education.

At Stranmillis this afternoon, I intend to launch the consultation on the proposed merger, and I look forward to seeing the Stranmillis school of education become a reality. I have always recognised the importance of giving the Assembly and the public a say on significant issues. I remain committed to doing that through further engagement with Members and through the forthcoming public consultation process.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I thank the Minister for his statement. For the past three years, the Employment and Learning Committee has been considering the proposed merger of Stranmillis University College and Queen's University, including as part of its inquiry into teacher education. Members are very much aware of the arguments for and against the merger, and the Committee will welcome the opportunity for stakeholders and those with an interest to have their say on this important issue.

Did the Minister's officials make any attempt to assist Stranmillis in the development of plans for its continued viability as an independent university college, for example, by allowing it the flexibility to copy the extremely successful American model of small liberal arts colleges?

The Minister for Employment and Learning: I am grateful to the Committee Chairperson for her remarks. My Department and officials have been engaged in this process for a considerable

time, during which they discussed the best options in detail with the governing bodies of Stranmillis and Queen's. The option agreed and supported by the respective governing bodies — indeed, it has their unanimous support — is the proposed merger. We have sought to protect the ethos and other matters related to the Stranmillis estate, but in the prevailing circumstances, that represents the best possible option for the future of Stranmillis college and for Queen's University.

Mr Bell: I thank the Minister for his warm words of affection for Stranmillis, which will be shared. It was a college, to which I was accepted way back in 1988, that is known for its educational excellence, quality of teaching and quality of learning. Many of us have a strong view on the Christian ethos of Stranmillis college, particularly its references to our Protestant Reformed faith. Can the Minister advise the House that there will be no change in the status of Stranmillis college without legislation and, therefore, without the consent of the House?

The Minister for Employment and Learning: I am grateful for the question and I, also, acknowledge the significant teaching role and preparation for teachers performed and provided by Stranmillis college since it first opened in 1922. Members of my family have availed themselves of that teaching quality, which has always been excellent. The Member raised the important point of the continuing ethos of Stranmillis college and its importance in and to the controlled sector, particularly in delivering the RE curriculum. We are seized of the need to protect that ethos, have sought to do so and will continue to do so. In fact, it is only on that basis that, as Minister, I want to move forward. Therefore, protective measures will be in place to give voice and legal commitment to the historic position of Stranmillis in the controlled sector and in the religious education element of teaching, which is so important to it.

Ms S Ramsey: I thank the Minister for his statement, in which he said:

"concerns were expressed that that was a done deal."

The Chairperson of the Committee mentioned that we have been dealing with this for over three years.

The statement made it clear that the Department has supported the merger all along and that a waiting game has been played out to ensure that

we get to the point at which the Department can go ahead with it? How will the Minister and his officials ensure that the future of the other teaching college, St Mary's, will not be compromised by the proposed merger? Will he send out a clear message that Queen's will not eat up St Mary's at the same time?

11.45 am

The Minister for Employment and Learning:

I am grateful to the Member for her question. I assure her that, in my view, the original assertion that there was no done deal remains true today. It is true that, at an early stage, both governing bodies agreed to the merger in principle. However, significant details had to be worked out, including the protection of the ethos and, indeed, assurances concerning the future of the overall estate. Let me also say that I do not believe that the merger will impact adversely on the other university college, St Mary's, which is also an autonomous body.

Like Stranmillis, St Mary's University College is integrated academically with Queen's University. The Department of Education will continue to allocate teacher training places to St Mary's, and my Department will continue to fund those places. Presently, St Mary's is considering its strategic direction and examining its financial sustainability. I am not yet aware of what path St Mary's will take to ensure its continued sustainability. Initially, the decision is in the hands of its governing body. Nevertheless, I assure the Member that, as it has done in the past on such issues, my Department will continue to work closely with St Mary's.

Rev Dr Robert Coulter: I thank the Minister for his statement, and I congratulate him and his departmental officials for their work on this protracted issue. Does he agree that the controlled sector would benefit greatly from initial teacher education being delivered within a Russell Group university?

The Minister for Employment and Learning: I am grateful to the Member for his comments and his question. I am very much of the view that delivering the college within Queen's University, which is part of the Russell Group, will afford significant opportunities and benefits.

The Russell Group represents the 20 leading UK universities. It is committed to retaining the very best research, outstanding teaching and learning experiences and unrivalled links with

the business and public sectors. Therefore, having vocational teachers trained for the controlled sector in such an institution can only benefit future generations of schoolchildren taught by graduates of the Stranmillis school of education at Queen's. Stranmillis and Queen's share a vision of a high-quality, fully-integrated approach to teacher training that will benefit from world-class research in education. I see it as a unique opportunity for children and students who attend schools in the controlled sector in the years to come, and it is one that we should not miss.

Ms Lo: I thank the Minister for his statement. He is quite right to point out that we currently have five teacher training providers. Should we not be thinking about fundamental reform to bring the five providers together into one institution? That is one option in the Taylor report.

The Minister for Employment and Learning:

I am grateful to the Member for her question. She raises significant issues about attempting to unify all five colleges. Not least, we see them played out in the affairs of the Department of Education and the various sectors involved, including the controlled, maintained and integrated sectors.

I am conscious, however, of the condition of the Stranmillis College estate. I want progress to be made, and this is an opportunity for Stranmillis, in conjunction with Queen's University, to provide a world-class facility for teacher training that will enjoy a high reputation and to improve its estate. The college is in the Member's constituency, and she is aware of some of its failings. I am anxious that we move forward on the issue, particularly at this time.

Mr Weir: I thank the Minister for his statement. He identified that one of the key issues and sensitivities in any merger is the protection of ethos. Will the Minister provide more detail on the potential composition or structure of the proposed stakeholder forum? He said:

"The resulting proposal is to provide for relevant key stakeholders, including the transferors".

Will he assure Members that there will be positions, as of right, for the Transferor Representatives' Council on the stakeholder forum?

The Minister for Employment and Learning:

I am grateful to the Member for his question,

which goes to the very nerve of the protection of the ethos of the controlled sector, which is what we seek to achieve. In my view, and this has been accepted by Queen's University and Stranmillis, it will be essential that any key stakeholder group, including the Transferor Representatives' Council, have a place on the forum so that they can bring forward their views on the range of issues affecting the college in its new format. However, that role will itself be significant and, for the first time, enshrined in law. That is an important consideration. The Transferor Representatives' Council welcomes the proposals on which we seek public consultation. It is important, therefore, that they are given a meaningful place and role in discussions on the future. .

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle agus a Aire.

The Minister said that the proposal did not have an impact on St Mary's. I was glad to hear him say that the Department would continue to work closely with St Mary's. What was his Department's response to the consultation on an 81-page report produced by the PA Consulting Group, with the support of the Strategic Investment Board (SIB), which aims to set out a pathway to ensure the long-term sustainability of St Mary's University College?

The Minister for Employment and Learning: I am grateful to the Member for his question. As he may know, I visited St Mary's and have had regular contact with its principal, Professor Finn. I will seek to continue that contact. My Department and I will work constructively and positively with St Mary's on any proposals that it may have for its future. It is on that basis and in that spirit that I want that developing relationship to continue.

Mr S Anderson: I also thank the Minister for his statement. He is aware of the history of the proposed merger. One could say that it has caused controversy from the start and that it has been badly handled by the Stranmillis management. What is the Minister's current assessment of staff morale at the college in light of the proposed way forward?

The Minister for Employment and Learning: I thank the Minister. Sorry, I thank the Member for his question — I am not sure who is who today.

Over recent years, staff morale has been affected, particularly by the conditions in which

they work and the general condition of the overall estate. Through this proposal, it is clear to me that there is an opportunity to address that in a very significant and meaningful way.

As for the issue of staff morale, all staff, all public representatives and anyone with an interest in the future of Stranmillis University College and the proposed merger into Queen's University as a college of teacher training will now be given the opportunity to have an input as part of the 12-week public consultation period. I encourage people, whatever their view, to share it with me and my Department so that we can, hopefully, address any issues of staff morale that need to be looked at or, indeed, what is best for the future of Stranmillis.

Mr K Robinson: I had better declare an interest as a former student at Stranmillis Training College, as it was in those days. In fact, while I listened to the Minister, I worked out a little sum. I went into the college in 1960, so I have 50 years of long service there. I am looking for my medal at the end of this, Minister.

I am glad that the process has moved forward. I certainly would have liked Stranmillis to be able to stand on its own two feet, but the situation has moved on, and the demographics and the building are against it. It was all right when I left it; I do not know what has happened in the intervening period. Can the Minister perhaps provide more details on the investment package that Queen's is liable to put into the Stranmillis college of education should this all proceed?

The Minister for Employment and Learning: I am grateful to the Member for his question and also for his lifelong commitment to education. It is appropriate, as we come near to the end of this Assembly session, that we formally record the huge contribution that Ken Robinson has made to education, not only as a practitioner through his role as a teacher, but also through his interest and abiding commitment to education in his public role.

The interesting and important thing about the proposal is how it can improve significantly the present condition of Stranmillis University College. As I have said, there is a maintenance backlog valued at about £9 million. I understand from the business case prepared by the college that Queen's is willing to take over that backlog and to address the existing maintenance issues. I also believe that Queen's has indicated that it plans to invest a further £7 million in the

new Stranmillis school of education at Queen's University after the merger has taken place. That is a significant investment and a significant proposal that will be warmly welcomed by anyone connected with Stranmillis, either former students or, indeed, those who served on the staff. There is a positive future available for Stranmillis as part of Queen's for a considerable time.

Mr P Ramsey: I also welcome the Minister's statement, within which there are clearly two areas. The legislation will include safeguards to protect the land bank in south Belfast, and it is clear and obvious that there are concerns about that, particularly in conservation areas. Also, I acknowledge the assurance from Queen's University that the faith-based education ethos in Stranmillis will continue as a priority, and it important to acknowledge that from the Minister's perspective as well.

However, I will follow on from other Members' comments about St Mary's. We received a briefing from St Mary's at a recent Committee meeting, and that college clearly wants to make itself much more sustainable as it enters the next four years. However, there are concerns that the merger will compromise that safety. Can the Minister outline to the House any departmental efforts that there have been and will be to ensure that St Mary's will get that comfort from the Department and will be sustainable for the future?

The Minister for Employment and Learning: I am grateful to the Member for his question, and I accept the points that he raises. I have tried to deal this morning with my commitment to an open-door policy for St Mary's. I am keen to work with St Mary's at all levels to bring forward any proposals that it may have and to address any concerns that it may have.

I do not think that there are adverse implications for it from this announcement. I hope that it will see this as a good opportunity for Stranmillis to further develop and enhance its facilities, notwithstanding the desire of St Mary's University College to continue to produce excellence. My officials and I are at the disposal of St Mary's to work together on all those issues.

12.00 noon

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I, as other Members have done,

register my concerns about the future viability of St Mary's if the merger goes ahead. I was heartened to hear the Minister say that the Department continues to work with St Mary's. If the merger goes ahead, when will it be in place?

The Minister for Employment and Learning: I am grateful to the Member for her question. I hope that she has taken some comfort from my answers on my commitment and that of my Department to working with St Mary's.

The consultation for the proposal is for 12 weeks, so it will run until the middle of June. Whoever is Minister then will have responsibility for assessing the responses. If there is agreement on and widespread support for the proposal — I hope and expect that to be the case — the appropriate legislation will be brought to the House. The House will have to pass subordinate legislation having fully debated it. My view is that we should hold with the view that was held by my predecessor, Lord Empey, and not seek accelerated passage but bring the legislation through all the proper procedures of the House. That way, it would be properly debated, fully assessed and brought to its logical conclusion.

Mr Spratt: I thank the Minister for his statement. As a former Deputy Chairperson of the Committee for Employment and Learning, I have to say that the Minister has not convinced me that the merger was not always a done deal between his Department and the board of governors. Indeed, the board of governors has treated the staff disgracefully.

The Minister acknowledged that there are real concerns about the open space in the Stranmillis complex. What safeguards will be put in place in legislation to protect the Stranmillis estate in the public interest and, indeed, to ensure that it will not become another building site in south Belfast? That is the last thing that people need.

The Minister for Employment and Learning: I am grateful to the Member for his contribution, and I acknowledge his concern. The legislation to discontinue Stranmillis will include safeguards to protect the Stranmillis estate in the public interest. As he knows as a representative for South Belfast, the Stranmillis estate is subject to a wide range of planning restrictions that may impact on the viability of any alternative use, whether by the existing governing body or, indeed, by Queen's University. In particular, he will know

that the estate is within the Stranmillis conservation area. Such a designation introduces controls on the demolition of unlisted buildings, provides automatic protection for trees and introduces certain additional limitations on the exercise of permitted development rights.

Many of the buildings in the Stranmillis estate are listed by the Northern Ireland Environment Agency as being of architectural or historical interest, and any development proposals that affected those buildings would be subject to the relevant Department of the Environment Planning Service policies. Such policies may place restrictions on changes of use, extensions, alterations or demolition, even where changes to listed buildings are not proposed.

Developments that would adversely affect the setting of a listed building may be subject to restriction. Under the draft Belfast metropolitan area plan, the college grounds are used as a historic park, garden and demesne, which, again, places potential restrictions on any development. Significantly, the estate is protected for use for educational purposes. That is an important factor in any plans that Queen's University or any governing body may have for future usage.

Mr Gardiner: I join other Members in expressing gratitude to the Minister for his statement. Does he agree that it is essential to acknowledge the transferors' role in initial teacher training in the controlled sector?

The Minister for Employment and Learning: I am grateful to the Member for his question. I very much agree that, over many years, the transferors have played and continue to play an important role in the education of teachers for the controlled sector. Their input and influence has helped to shape the sector and give it its unique ethos. Therefore, it is essential that the transferors are given a voice in new arrangements for the proposed Stranmillis school of education at Queen's University. In fact, I would not be prepared to support the closure of Stranmillis and its merger with Queen's University if the role of the transferors were not to be recognised. That is why my predecessor and I have insisted that the transferors are given a role and that they have guaranteed representation on the proposed stakeholder forum in the new school.

Executive Committee Business

High Hedges Bill: Final Stage

The Minister of the Environment (Mr Poots): I beg to move

That the High Hedges Bill [NIA 15/09] do now pass.

As Members are aware, immediately after I took office, I stated my intention to bring forward high hedges legislation as a matter of urgency. I am delighted that the High Hedges Bill has reached Final Stage. On 26 April 2010, the Bill was introduced in the Assembly. On 16 December 2010, the Committee agreed its draft report. I want to take the opportunity to thank the Chairperson of the Committee for the Environment and other members for their detailed scrutiny of the Bill. In addition, I thank Members for their contribution to debates on the Bill throughout its passage and officials in my Department and the Committee office for their efforts.

I am certain that the Bill will help many people throughout Northern Ireland who have suffered for so long because of problems associated with evergreen or semi-evergreen high hedges. It will give the owners of domestic properties a means to compel their neighbours to manage their hedges, so that they can both reasonably enjoy the benefits of their home and garden. It establishes a system that will be regulated by councils and will ensure that all parties to the dispute are treated fairly. The legislation will not mean that all hedges that are above a certain height will need to be cut down, nor will council permission be needed to grow or retain a hedge along the boundary of a property. Councils would intervene only in circumstances where a complaint is made and it can be shown that other efforts to resolve the dispute have failed. Even then, cases will be determined on their own merits.

The Bill will make an owner of an evergreen or semi-evergreen hedge that is over 2 m in height maintain that hedge in a responsible and reasonable manner, taking account of their neighbours' needs, or face the prospect of being legally obliged to do so. I hope that the very existence of the legislation will encourage neighbours to work together to resolve their disputes and avoid the need to involve councils. Councils will have discretionary power to charge

a complaints fee. That should help to deter people from making frivolous or vexatious complaints while ensuring that account is taken of ability to pay. To ensure fairness and in line with the polluter pays principle, when a remedial notice issued by a council takes effect, the council will refund to the complainant any fee that was charged. The council will then be able to recover the fee from the hedge owner.

In order to maintain this fair process, the development of the fee transfer mechanism will be the subject of public consultation and will be brought to the Assembly for approval. My Department is working closely with NILGA and local councils to produce detailed guidance, provide training and seek views on appropriate complaints fees.

Although subordinate legislation must be made before the Bill becomes operational — I trust that whoever is in this ministerial role will do that as soon as they come into post after the May election — I am convinced that it moves Northern Ireland a significant step closer to providing a means to solve many high hedge disputes, and I therefore commend the High Hedges Bill to the House.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. Ar son an Choiste Comhshaoil, ba mhaith liom fáilte a chur roimh Chéim Deiridh den Bhille um Fálta Arda. On behalf of the Environment Committee, I welcome the Final Stage of the High Hedges Bill. As is traditional, on behalf of the Committee, I once again thank the departmental officials and the Minister for the close working relationship that we maintained throughout the passage of the Bill. That helped to ensure that the Committee scrutinised the Bill thoroughly and was able to agree proposed amendments with the Department. I take this opportunity also to thank once again the Committee staff who worked on the legislation and the Bill Office.

The High Hedges Bill may have a small number of clauses, but, as we witnessed at Further Consideration Stage, it generated plenty of debate. The Committee's detailed scrutiny of the Bill led to recommendations for amendments in relation to the inclusion of single evergreen and semi-evergreen trees and for fees to be refunded to a complainant in the event of a complaint being upheld.

I do not intend to rehash the debate about single trees. Suffice it to say that I was glad to hear the Minister state at Further Consideration Stage that a review of the legislation would happen further down the line. If the review finds that there are significant problems with evergreen and semi-evergreen trees, I hope that a future Minister will introduce the necessary legislation to address those.

I was glad to see that, at Consideration Stage, the House supported the Committee's recommended amendments on fees. The amendments are in the interests of fairness and will prevent vexatious complaints. I welcome the agreement of the Department's further amendments at Further Consideration Stage, as they take account of human rights and public consultation requirements. I believe, as does the Committee, that we now have a stronger Bill as a result of the co-operation between the Department and the Committee, and, on behalf of the Committee, I am pleased to support the Bill.

I would now like to say a few words on behalf of Sinn Féin. Funnily enough, I watched a television interview last night in which people talked about rushing legislation through at this time. The Department of the Environment and the Committee have pushed through nine or 10 Bills during this mandate. That has been good, progressive work, and I commend all those associated with it.

This Bill highlighted that there is an issue with single trees. I hope that a future Minister and the Department will look at that. On behalf of Sinn Féin, I hope that that will be taken on board because it was an issue that we definitely could not have dealt with in this mandate. On that note, I support the Bill on behalf of Sinn Féin.

Mr Weir: I welcome the passage of the Bill. I commend not only the officials but the Minister for his strong personal commitment to getting this Bill through the Assembly. I think that it will be important to people. It is unsurprising, from a media point of view, that we in the Chamber often concentrate on big set-piece occasions. Last week, for example, we debated very important issues around the Budget, and there was clearly a lot of focus on and controversy around that. That is not altogether surprising. However, it is also important to note that, sometimes, the things that do not get the same media attention, such as this legislation, are vital to many people. I believe that this Bill

will make a positive impact on people's lives. If everyone behaved entirely responsibly and acted as a good neighbour, it could be argued that there would be no need for this legislation. There would be little need for the legislation if people acted with a degree of social responsibility, but, unfortunately, that is not the world in which we live.

12.15 pm

Mention has been made of the number of Bills that have gone through. I suppose that this legislation is particularly welcome, because it relates to something on which, I suspect, Members from all sides of the House have been lobbied for years. There was a degree of frustration about the fact that legislation on high hedges had been put in place in England yet it had taken some time for similar legislation to appear in Northern Ireland. The legislation that we have got shows the merits of devolution. It was achieved not simply by way of the co-operation between the Department and the Committee, which, I think, helped refine the Bill in the best possible way, but through the great care that was taken to get something that is right for Northern Ireland.

One thing that arose from the legislation in England was that the legislators there got a number of things wrong and there were unforeseen circumstances. As a result, decisions have been taken here that will benefit our legislation. For instance, we have ensured that there is a fees cap here. Hopefully, that will help us avoid the situation that pertained in England, where there were massive variations and people did not have access to the same services.

We have also taken a position that tries to differentiate between unmerited and vexatious applications and situations in which an individual is genuinely suffering as a result of the ill-considered behaviour of a neighbour. We have followed the polluter pays principle or costs-follow-the-event view. At the moment, we take the view that the legislation should be restricted to hedges and groups of trees. For the time being, it does not include single trees. All those decisions have been right. Broadly speaking, we have the right legislation.

As the Minister indicated, it is also important that, in moving forward, we have something that is cost-neutral to councils and is implemented in a proper fashion. That being the case and as the Minister also indicated, it is important

that time and care be taken to ensure that the detail of the implementation is got right in the work that departmental officials, NILGA and local councils will do. At this juncture, it would be remiss of me not to declare an interest as a member of North Down Borough Council. There are a few high hedges dotted around North Down, so the Bill will be particularly welcomed in my constituency. It is important that that time and care be taken to ensure that the detail of implementation is got right.

Even given the very wise figures on all sides of the Chamber, I cannot guarantee that we have a monopoly on wisdom. Some Members, present or absent, may be keen to claim a monopoly on wisdom, but, thinking about it objectively, I do not think that we can guarantee that we have a monopoly on wisdom. However, we have taken a degree of care in the legislation to get it right for Northern Ireland. Time and the full implementation of the Bill will tell whether everything is right. It has been indicated that there will be a review of how the Bill is operating following its implementation. At that stage, we will see whether further tweaks need to be made, and that is to be welcomed.

This will be welcome legislation for many people up and down the country. It will lead to an improvement in the quality of people's lives. It may well lead to the ending of several long-running sores in society and, in particular, neighbourhood disputes that, in many cases, have rumbled on for years. The issues have been fairly well covered at the various legislative stages. This is good legislation for Northern Ireland, and I commend it to the House.

Mr Kinahan: Everyone here can welcome the Bill, even if there is a chance that councils will have to touch on that little bit of wisdom of Solomon as they sort out some matters. Every council and every MLA will be pleased to see that this mechanism to resolve disputes has at last been put in place.

At Consideration Stage, I mentioned one person whom I was trying to help. She was shaking in fury with her neighbour. Not everyone has the ease of being able to deal with a neighbour. Here, we are putting in place a very necessary mechanism to resolve disputes. Those of us who are on councils will probably be surprised at the build-up of the queue of people who have hedge disputes that they want resolved. I welcome the fact that, at this juncture, we have

not included the single-tree problem, although we really need to take that issue on board, and I welcome the Minister's comment that that will be reviewed.

I should have started by congratulating the Department, the Committee and the Minister on working well together to get the Bill through. I also welcome the fees cap in the Bill and the variation of fines, refunds and provision for multiple owners that will be possible. A lot of good thought was put into the Bill and, as was said, a lot of wisdom put together as we improved on the English and the Welsh system. I hope that it turns out to be cost-neutral for councils. I look forward to seeing the guidance from the Minister and the Department. We warmly welcome the Bill, which is a great addition to the legislation that we have passed.

Mr Dallat: I also welcome the Bill. It was certainly an enjoyable aspect of the Committee's work, bringing us to lots of exotic places, like Carrickfergus, where we had a meeting in Carrickfergus Castle. I was most impressed by the fortifications there. There were certainly no evergreens, but loads of walls that had stood the test of time for hundreds of years. I take this opportunity to encourage anyone who has not been to that castle to go and see it. It is a wonderful example of Norman Irish history.

While we were at Carrickfergus Castle, we got a lot of helpful advice from the officers of the local council on how the Bill should be shaped. We certainly came face to face with many of the difficulties that would arise. The public have been asking for a high hedges Bill for many years and, of course, such legislation has existed in a different form in other islands close to here for at least eight years. Like other Bills, this Bill is certainly very useful, but it will not meet the expectations of everyone. Speaking as a member of the SDLP, I am disappointed that the single trees issue was not accommodated, although I can understand the difficulties. There is also some concern about the costs involved. In most cases, I accept that people have genuine concerns, and those can, hopefully, be resolved by mediation and so on. However, there will be times when individuals will perhaps use the Bill as an opportunity to sort out their next-door neighbour.

If I have any advice for anyone about trees or hedges, it is to give serious thought before planting the things. I have personal experience

of that. My late mother presented us with a small leylandii when we moved into our new house, and I planted it in the middle of the lawn. That was 30 years ago. It is still there but, some day, someone will have to make an important decision about what to do with it. My colleague will probably cover all the environmental aspects of what to do with trees when they have reached the end of their life. Do you leave them standing or cut them down with those horrible chainsaws?

All in all, the Bill is useful. The Minister is to be congratulated on pursuing it and, hopefully, the 26 councils dotted around Northern Ireland will not be inundated with grudging neighbours who just want to sort each other out. It will, in fact, offer daylight to people who have been denied it, perhaps for years.

Mr Lyttle: I join my colleagues in wholeheartedly welcoming the legislation, and I thank the Minister for its progression through the House. I welcome the power that will be given to councils to enforce appropriate maintenance of high hedges and share the Minister's hope that the very existence of the legislation will encourage voluntary maintenance of high hedges.

I have placed on record my regret that the Minister was unable to include provisions for appropriate and neighbourly maintenance of single trees in the Bill. I sincerely regret that the Minister, who is a self-professed man of integrity, sought, if we are to be honest, to misrepresent my position on the issue. He said that I was attempting to get single trees removed, which is not the case. My party and I have done extensive work in my constituency and across Northern Ireland to preserve historic trees.

Mr Weir: I thank the Member for giving way. Would the Member, therefore, take responsibility for John Dallat's leylandii? Is there an appropriate place to shove it in east Belfast?

Mr Speaker: Order. I should perhaps remind the House that the Bill is at Final Stage. Members should discuss only what is in the Bill now and not what they think should have been in it.

Mr Lyttle: Thank you, Mr Speaker. I welcome the commitment to re-examine that problem, and, if I am returned to the House, I will work with anyone on the issue.

Many local people, particularly in my constituency, have suffered a loss of enjoyment

of their property and a significant negative impact on their quality of life because of poorly maintained high hedges. I am particularly glad for those people that the Assembly has intervened in a positive way to tackle the problem. I look forward to local council officers restoring that enjoyment of property and quality of life through the Bill.

Mr Humphrey: I support the Bill. All Members will have dealt with constituents who have issues with gardens and, more particularly, trees, hedges and bushes in their neighbours' gardens that have caused them stress. I declare an interest as a member of Belfast City Council. I know through my work with the council that its environmental health service is hugely frustrated when it attempts to address those issues, as it does not have the power to deal with them. I was speaking to a constituent in church on Sunday who has been dealing with a problem with a neighbour who can no longer look after trees that are now encroaching on his property. When council officers went out, they did not have the power to do anything about it. The public do not understand the demarcation lines between councils and the DOE, and they feel frustrated when the work is not carried out.

I welcome the cap on fees. It is a common-sense approach that will lead to the Bill delivering for people out there by addressing the issue and their concerns. I also welcome the co-operation between the Minister, the Committee for the Environment and the Department in securing a Bill that is a significant step forward for the public.

Perhaps all Members who are keen on gardening should take some advice so that we do not run into the situation in which Mr Dallat found himself. They should, therefore, attend the reception in the Long Gallery to celebrate community gardens and allotments, which begins in the next few minutes.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I also welcome the Final Stage of the High Hedges Bill. I want to thank staff from the Department, the Assembly's Research and Library Service, the Bill Office, the Committee and Committee members. I particularly thank the Minister for bringing forward the legislation very quickly after taking office. The Minister must have been inundated with these issues in his constituency.

The Bill is good legislation that will make a real difference to people's lives. As Peter Weir said, the Bill may not get the media attention, but it will make a huge difference to people's quality of life. I will touch on the negatives. The media and some Members criticised the Bill for coming forward too quickly. However, we are here to progress legislation as quickly as possible, and people elect us to create good legislation, such as this Bill, to improve their lives.

As an elected representative, I am acutely aware of the problems that high hedges can cause, and I have been involved with a number of cases in my constituency. They can lead to a complete breakdown of neighbour relations, and local authorities and elected representatives have tried to mediate without any tools to do the job. Some may think that the issue is light-hearted, but they fail to understand that it affects people's mental and physical health and well-being.

I still say that mediation, which I think the Minister touched on, would be the first option. A mediation process will now carry extra weight; that is the difference. We have the tools in the box to deal with the issue. An alleged offender will have to pay the complainant's fees as well as the costs involved in reducing the height of the hedge. That is good leverage to get a resolution to the problem.

Devolution is working, and this Bill proves that it is working.

12.30 pm

Mr Savage: I declare an interest as a member of Craigavon Borough Council. The progression of the Bill represents a working, textbook example of how the House took a Province-wide problem and found an acceptable solution. It is important legislation, which has attracted the interest of many households across Northern Ireland, especially in my constituency, where it will have a great impact, particularly on those who have issues with neighbours and their high hedges.

The Bill introduces a system whereby hedge difficulties and disagreements between neighbours can be resolved through discussion and mediation. Should that fail, there remains the facility for a formal complaint to be lodged with the local council. The council effectively acts as an independent third party and will make a decision based on the merits of the

case presented to it. The Bill represents real progress on a troublesome issue and will be welcomed by householders across Northern Ireland. However, many issues remain, including the single tree issue. That will probably be on the agenda for the new Assembly.

I pay tribute to all those who brought the Bill to where it is today. I commend my colleagues on the Environment Committee. I also pay tribute to the Committee staff, who do a sterling job and are sometimes taken for granted. It would be remiss of me not to thank the key stakeholders for their interest in bringing the Bill about. I support the Bill and congratulate the Minister.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. I will be brief because much has already been said, although I remember the last night I said that I was going to be brief and maybe it did not turn out that way.

I welcome the legislation. Although high hedges may not be as contentious in some rural areas, they can intrude on people's amenities and privacy and affect the light going into homes in urban areas. Hopefully, the legislation will make a difference to people's lives and alleviate some of their burdens in trying to address issues with high hedges.

I will add a wee caveat. I hope that my colleagues on councils will not now see an avalanche of issues portrayed as council responsibilities that are, in fact, neighbour disputes and will lead to all sorts of contentious issues coming down the line at them now that they have been empowered with those responsibilities. There will probably be a role for mediation along the line.

The issue of single trees proved to be vexatious. I ask one point of the Minister. The debate that we had the last night became a wee bit surreal. However, there is a serious aspect to that debate, namely, whether a tree is dying or dead and the scientific basis for retaining a tree that has been proved scientifically to have a biodiversity benefit and to be of much use in the overall scheme of things scientifically. So, I ask that the Minister commits to more research into that matter with a view to having it reviewed down the line, so that we do not treat that vexatious issue as dismissively as in the past. There are good grounds — maybe I should say good roots, but I will not go there either — for that argument.

I thank the Committee staff because they, as the Chairperson kindly said, were shoe-to-the-floor on the raft of legislation that came before the Committee in assisting members to get to the point of making decisions and helping us on every occasion. And with that, complementarity was offered by the Department.

Seeing well-briefed staff from the Department is refreshing for those of us who sit on the Committee. Sometimes they are not so well briefed, but that did not apply in this case. It is good to see complementarity of accountability with democracy work in the interests of the community, which, I hope, the Bill will do. I thank the Minister for bringing the legislation before us.

The Minister of the Environment: I am delighted that we are at the Final Stage of the Bill. I would like to have reached this stage sooner, because I might have been able to introduce the subordinate legislation as well, but we are where we are.

A few issues were raised by Members. In the earlier part of his speech, Mr McGlone made a strong argument against including provision for single trees, when he talked about the potential for an avalanche of complaints and the vexation that such a provision could result in. We will implement the provisions of the High Hedges Bill and see how they pan out. I know that a limited number of cases involve single trees. However, it is important that we do not get to a situation where someone, for the sake of complaining, wants to cut down their neighbour's monkey puzzle tree and the council feels duty-bound to ensure that that happens.

I regret that Mr Lyttle felt a little offended on the last occasion, but this is a debating Chamber, and one should realise that in debating Chambers there can sometimes be a fair degree of cut and thrust. He was keen to cut down some of the single trees and therefore got referred to as "Chopper". The next day, the Alliance Party submitted an amendment to the Planning Bill for dead and dying trees to be kept. So, one day it wanted to cut down healthy monkey puzzle trees, and the following day it wanted to keep dead trees. One can understand why we do not always take the advice of the Alliance Party, although it does get it right on occasions.

Mr McGlone was referring to the Planning Bill when he spoke about dead and dying trees. We will deal with that issue in due course in the Planning Bill rather than today.

This is a good news story. I was committed to the Bill some time ago; when I was a Back-Bencher I wanted to see it brought forward. On too many occasions, I have spent time in the back gardens of people who have no light in their back garden as a consequence of other people's behaviours. I was with senior citizens who were heartbroken that they could not enjoy their property in the way that they wanted to because other people did not look after their properties. Ultimately, we are doing something that is good for ordinary people. It may not be headline-grabbing, but it will make a real difference to the quality of life of hundreds of people across Northern Ireland over the next number of years. That is what this Assembly is about. As Peter Weir said, it is not always the big things that improve people's lives; sometimes it is the small, incremental things. That is why it is good that we can come together as representatives of the people of Northern Ireland. A direct rule Minister may not have been remotely interested in a subject like this and may not have wanted the hassle of taking this legislation through Westminster. We can get our teeth into legislation like this, which will make a real difference to the lives of ordinary individuals whom we represent.

I am delighted that the Bill has reached its Final Stage, and I look forward to Her Majesty putting her stamp of Royal Assent on it, which will allow us to proceed.

Question put and agreed to.

Resolved:

That the High Hedges Bill [NIA 15/09] do now pass.

Mr Speaker: The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The sitting was suspended at 12.40 pm.

2.00 pm

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

Oral Answers to Questions

Agriculture and Rural Development

Mr Deputy Speaker: Questions 1 and 11 have been withdrawn, and written responses are required. Question 3 has been transferred.

Forests

2. **Mr Molloy** asked the Minister of Agriculture and Rural Development to outline what action she has taken to expand forest cover. (AQO 1283/11)

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh míle maith agat, a LeasCheann Comhairle. To encourage more farmers and landowners to create their own woodlands, I announced increases in grant rates of up to 30% in November 2009. Since then, there has been an increase in applications for the woodland grant scheme. In addition, woodland creation has been encouraged through implementing beneficial changes to the single farm payment scheme (SFP), allowing farmers to continue to receive their SFP, as well as forestry grant payments, on land converted to woodland.

We are engaging with a wide range of landowning bodies, such as local councils and other central government Departments, encouraging them to consider woodland as a viable economic alternative to their current land use. We are engaging with afforestation stakeholders to identify barriers to woodland creation and possible solutions. We are extending the funding of the short rotation coppice scheme until the end of the current rural development programme in 2013, and we are publicising the woodland grant scheme through the Balmoral Show and other shows. We are talking to interested groups and having press articles, open days and targeted mail drops. In addition to the woodland grant scheme, participants in agrienvironment schemes may avail themselves of funding for planting small areas of native trees on farmland and managing existing woodland. Those schemes

include the countryside management scheme and the environmentally sensitive area scheme.

Mr Molloy: The new forestry Act will help. Are there any plans to create training for people who are going into forest farming to develop linkages between good land that is being used for farming, which could be diversified into forestry in the future?

The Minister of Agriculture and Rural

Development: I do not think that a lot of training is required. A lot of landowners often bring in contractors to plant the trees, and they will advise on an ongoing basis as and when necessary. There is not a great deal of training available, because, by dint of the subject that we are talking about, most of the time, once the trees are planted, a small bit of maintenance is as much as is needed.

Mr Kinahan: I thank the Minister for her answer. Can she give an update on sudden oak death disease and whether any compensation has been organised as yet?

The Minister of Agriculture and Rural

Development: There has been quite a bit of concern about sudden oak death in parts of Britain, but we do not have as big a problem with it as other parts of these islands. The big issue for us at the moment in terms of tree diseases is phytophthora ramorum in Japanese larch. That is exercising us a lot in the current scheme. However, I am aware that sudden oak death is an issue, particularly in the south of England, and I will keep a close eye on what happens there.

Common Agricultural Policy

4. **Mr McQuillan** asked the Minister of Agriculture and Rural Development for an update on her recent meeting with the Secretary of State regarding the reform of the CAP post 2013. (AQO 1285/11)

The Minister of Agriculture and Rural

Development: The meeting with Owen Paterson took place on 20 February, and it provided me with another opportunity to continue making the case, on behalf of the agriculture industry and rural communities in the North, for the continuation of common agricultural policy support. During that meeting, I pressed four key issues. First, I stressed the importance of CAP to the viability of our agriculture industry for the foreseeable future. Secondly, I pointed out the

need for the British Government to take a more pragmatic approach to CAP budget issues. We need the Department for Environment, Food and Rural Affairs (DEFRA) to focus its efforts on securing a fair and proportionate share of the budget, rather than pursuing issues that are not even in the remit of the agriculture council. Thirdly, DEFRA needs to take on board and reflect properly the views of the devolved Administrations in its dealings with Brussels.

Finally, I stressed the need for regional flexibility to be built into the CAP settlement. Overall, the meeting was cordial. Although there has been a very small shift in the British Government's position following the formation of the coalition Government, in that it is now calling for a gradual, rather than an immediate, removal of direct payments, it is still a position to which I will not be subscribing.

Mr McQuillan: I thank the Minister for her answer. Did the farm modernisation scheme come up during the meeting? Will the Minister agree that there is a built-in religious bias in the way in which the farm modernisation programme is being administered?

The Minister of Agriculture and Rural

Development: I absolutely do not agree with the Member, and that will be proven in the coming weeks. I want to use this opportunity to make a point, because I did not finish my original answer. I assure the House that I will personally be presenting my submission to the EU Commission on CAP reform post-2013. I will make that submission publicly available, and it will be informed by the views presented to me by stakeholders in recent weeks. I convey my thanks to everybody who responded to the consultation.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. In some ways, both the question and the previous answer touched on what I am going to ask. Are there essential differences between the stance of the Department of Agriculture and Rural Development (DARD) and that of the British Government as we move beyond 2013?

The Minister of Agriculture and Rural

Development: There are a number of very obvious differences between the two positions. First, the British Government argue for a substantial cut to the CAP budget. Secondly, I support fully the continuation of the single farm payment, where they do not. Although they are no longer calling for an immediate end to the

SFP, I cannot see how those payments can be phased out in the foreseeable future. Thirdly, I support the continuation of existing market mechanisms, such as intervention and aids to private storage, while the British Government want to see those rolled back. Given the important role that such mechanisms have played during the recent dairy crisis, I could not support their removal.

Mr Deputy Speaker: Jonathan Craig is not in his place to ask question 5.

Single Farm Payments

6. **Mr Gibson** asked the Minister of Agriculture and Rural Development for an update on the legal action her Department is taking against the European Commission's decision to levy disallowances in relation to single farm payments. (AQO 1287/11)

The Minister of Agriculture and Rural

Development: In my statement to the Assembly last autumn, I advised that the Department had lodged a challenge with the European Court. The Commission has now responded to that and has presented a plea for inadmissibility. We believe that our case is admissible and have replied accordingly. This is an important procedural test, as we are seeking to establish our standing and right to bring a challenge before the court. Although I am confident that we will be able to satisfy the court that we have standing, the problem would not have arisen had DEFRA taken the case from the outset. Consequently, the secondary issue has now become an important principle in itself, in that a paying agency in a devolved Administration should be able to challenge a Commission decision that unfairly affects it. The process moves slowly, and I understand that it is unlikely that the European Court will make a decision on that point much before the end of this year.

Mr Gibson: I thank the Minister for her reply. Will she inform the House of the cost incurred so far in pursuing the legal action?

The Minister of Agriculture and Rural

Development: I do not have the exact figures, but the cost is quite minimal at this early stage. Although we have a costing of around £100,000 over the entire court case, I believe that it is money well spent. In the current case, we can potentially save £9 million on current

disallowance and also save money in the future. It is a risk worth taking.

I am most anxious that, throughout the process, it is obvious that English interests in the EU supersede those of the devolved Administrations and our framers. I question the British Government's ability to represent properly our views at EU level.

Mr Gardiner: Will the Minister provide an update on the farm mapping process and indicate to the House when she expects the process to be completed.

The Minister of Agriculture and Rural

Development: Again, those things tend to move extremely slowly. There will be some update by the end of 2011, but it could be 2012 before the case is heard.

Just to clarify the point that I made to Mr Gibson: the cost of the case, which is in the region of £150,000, will be met by DARD. I hope that that clarifies the issue.

Mr Gallagher: Why does the Minister's Department disallow single farm payment claims for hedgerows that are more than 4 m wide? Does she accept that that is unfair and, indeed, contrasts very sharply with the Republic of Ireland, where all hedgerows, regardless of width, are regarded as an environmental enhancement? Will she tell us why she does not apply an all-Ireland policy on the matter?

The Minister of Agriculture and Rural

Development: I think that the Member is all too aware of where I stand on such issues and of my feeling that the current application of EU rules is, at times, unfair and very difficult. However, we have had the very real experience of payments being disallowed because the interpretation of EU rules in Europe is different from the interpretation here. Indeed, my Department has been criticised for being too lenient with farmers on that issue.

We recognise the importance of single farm payments to the economy here; we could not do without them. At the same time, application can lead to difficulties for farmers, and I will continue to do all I can in my role to press for a fair and equitable solution. However, it is certainly difficult when a change is applied retrospectively, and we end up with a significant disallowance on the back of that.

Farm Mapping

7. **Mr O'Loan** asked the Minister of Agriculture and Rural Development for her assessment of whether there will be any significant problems when the new farm mapping exercise is completed. (AQO 1288/11)

The Minister of Agriculture and Rural

Development: Although I am not anticipating any major problems with the land parcel identification system (LPIS) after the mapping project is completed, the process is not straightforward. The mapping project will be carried out in two phases. Phase 1, which will be substantially completed by early 2012, will deal with the issues that are of most concern to the EU auditors and will remove areas from fields that are ineligible to receive area-based payments. It is essential that farmers check their new maps carefully to tell us about any changes. If they do so, the risk of their facing penalties and our facing further disallowance will hopefully be substantially reduced. Phase 2, which will be completed in early 2013, will amend the DARD farm maps to align them with GPS technology. If farmers carefully check their maps again, the risk of disallowance should be further reduced.

We are all in this together. My Department will provide an updated map, but farmers are responsible for ensuring that the maps are correct and that they claim for eligible land only. Given the dynamic nature of maps, we cannot become complacent. After the mapping exercise is completed, farmers will need to tell us about any changes to their maps in the future. My Department will continue to improve the maps and, to that end, is developing long-term linkages with Land and Property Services (LPS). That will include provisions for LPS and DARD to share information on mapping changes, which will help to synchronise both sets of maps and to keep them up to date as far as practical. Although we hope that that minimises the risk of farmers' penalties and further disallowance related to the LPIS project, that ultimately depends on the EU Commission being satisfied that we have the required controls in place.

Mr O'Loan: I thank the Minister for her answer. Has she ensured that an independent quality control mechanism is used for the mapping exercise? I ask that question advisedly because I have seen the operation being carried out and believe that there are distinct limitations to it.

However, that is not a criticism of the LPS staff who are involved in it.

The Minister of Agriculture and Rural

Development: I certainly feel that we need to keep a very careful eye on that and to ensure that proper monitoring is in place. We have received significant investment for that through invest to save. We need to ensure that it is done right. However, the best mechanism of quality control is basically farmers telling us when the maps do not correlate with a feature on their land.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Just for clarity, will the Minister indicate whether the mapping exercise is on target for completion?

The Minister of Agriculture and Rural

Development: As I said, our aim is to reduce the risk of disallowance as far as possible by the start of the 2012 single farm payment scheme year, and we are on target to achieve that.

Phase 1, which corrects the main issues in the maps, will be substantially complete by that stage. Phase 2, which aims to bring the maps into line with GPS technologies, will not finish until early 2013. However, we anticipate that the effects of that at farm level will be generally small. Therefore, it represents a much lower risk of disallowance.

2.15 pm

Mr T Clarke: Is the Minister satisfied that those maps, in comparison with the previous maps that her Department spent many thousands of pounds setting out, will be more accurate?

The Minister of Agriculture and Rural

Development: As I have said in the House before, technology changes all the time. I expect that the maps will be of a better quality and will show more. As technology increases, we have to get better with it. However, I expect that there will be some changes to people's maps. What would be the point in carrying out another costly exercise if we are going to reproduce the same maps?

Mr T Clarke: They were your fault anyway.

The Minister of Agriculture and Rural

Development: No, they were not.

Mrs D Kelly: As some Members will be aware, across council chambers, the SDLP has been committed to the promotion and retention of

the use of townland names. Will the Minister confirm that townland names will be used in the mapping exercise for the townlands and fields on which farm holdings are located?

The Minister of Agriculture and Rural

Development: Absolutely. In every area of work, we will do all that we can to promote the use of townland names.

It is interesting that the Member should ask that supplementary question. I had a visit last night from someone on behalf of the census team, who was insisting on getting my road number. I was equally insistent that I do not use a road number and that I use my townland. It was a wee bit difficult to persuade that person that my townland was a genuine way of identifying my address.

I hope that other Departments are as proactive on that as we are.

Single Farm Payments

8. **Mr Moutray** asked the Minister of Agriculture and Rural Development how many single farm payments are outstanding in relation to applications that were submitted in 2010. (AQO 1289/11)

The Minister of Agriculture and Rural

Development: As of 10 March 2011, my Department had finalised 94.7% of 2010 claims and paid out over £250 million to farmers. That means that 36,150 claims have been paid and that 1,915 claims have not yet been finalised. There are a variety of reasons for that, including queries on the claim that need to be completed, the processing of on-farm inspection reports, challenges by others of the right to claim the land and the need to await probate. It should be noted that, because of the application of penalties under scheme rules, not all remaining claims will necessarily be due a payment.

We have met our 2010 published targets, but I appreciate the difficulties that are experienced by many of those claimants who have not yet been paid. Although my Department is working to clear those cases, they tend to be more complex and, by necessity, take longer to work through. In recognition of that, I have arranged for additional staff to move to the single farm payment branch to accelerate the payment of the remaining claims.

Looking ahead, I hope that the remapping exercise will reduce many of the errors that are currently being found in on-farm inspections. That exercise will speed up the inspection process. Over and above that, I have asked officials to begin the process of a review of the entire inspection and payment procedure to see how it can be improved.

Mr Moutray: I thank the Minister for her response. It is encouraging to hear that approximately 95% of single farm payment claims have been sorted out. However, that still leaves 5%. Will the Minister give an assurance that the outstanding single farm payments will be dealt with expediently and that there will be no delay on behalf of her Department? Many farm families are suffering financial hardship as a result of the delay.

The Minister of Agriculture and Rural

Development: Absolutely. In common with the Committee Chairman, I have pointed out that 1,915 claims are still outstanding. It is great to get 95% of claims paid, but we need to concentrate now on getting that 5% over the line.

One reason for our not being able to process farmers' money is that we have moved to a system whereby all transactions are done under BACS, that is, automatic account transaction, and some farmers have still not shared their account details with us. We would like everybody to give us that information. Their accounts do not have to be in a bank; they could be in a credit union. We encourage farmers to give us that information. I want to pay out that money as quickly as I possibly can. The review will be very important, in that we can look at all the issues on the timing of inspections, the use of satellite imagery and everything else to try to pay those people quicker.

Mr Beggs: I understand that some other EU countries provide advance part-payment. Will the Minister indicate why that has not happened here? If there are delays attributable to her departmental officials, will she indicate whether an interest repayment will accompany the final payment? That will ensure clear accountability where undue delays have been caused by departmental officials.

The Minister of Agriculture and Rural

Development: Again, I assure the House that, as part of the review, I will look at the fact that some other member states make 50:50 payments and consider that as a mechanism for

the future. If we decide to go down that route, we will have to follow all the rest of the inspection procedures and everything else. That is why a review of the process is important. We must try to build in the ability to allow us to be flexible. The vast majority of farmers were paid before Christmas. However, we are now into the spring, and some have still not been paid. We want to pay those farmers as quickly as possible. Everything is on the table to ensure that the process is as painless as possible for farmers.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to the fact that a number of inspections are outstanding. Will she elaborate on that and outline whether those inspections have to be completed before payments are made?

The Minister of Agriculture and Rural

Development: Yes; unfortunately, that is one of the difficulties. In line with EU legislation, we have to finalise all verification checks, including land eligibility inspections, before we can make payments.

Mr P J Bradley: We have often heard that delays in payments can be caused by the farming community omitting information, giving incorrect information or making errors. Will the Minister give an assurance that no mistakes in her Department, including Orchard House, led to any delays in payments being made?

The Minister of Agriculture and Rural

Development: A dedicated team works out of Orchard House and has a great deal of experience in this matter. I commend those people for the way in which they process the claims. However, the Member raises a welcome point. Mistakes can occur when the forms are completed on paper, and it can take more time to iron out those mistakes. We encourage the use of online application forms and, in fact, online application forms will be mandatory by 2015. The reason for that is that the online forms are self-correcting. If someone makes a mistake on an online application, that person is told that that is not the answer that should have been given.

We want to reduce the amount of mistakes, and we want to pay farmers. I would love to be able to pay 100% of farmers as soon as that payment window opens. The more farmers who work online, the better it will be for them, as it will reduce the number of mistakes.

Rural White Paper

9. **Mr O'Dowd** asked the Minister of Agriculture and Rural Development to outline the progress made on the rural White Paper. (AQO 1290/11)

The Minister of Agriculture and Rural

Development: I am pleased to be able to report to the House that work is developing on the rural White Paper. It is now at an advanced stage, and I hope to publish a draft rural White Paper action plan for consultation on 21 March. I expect the consultation document to contain a wide range of actions aimed at improving the well-being of rural communities, such as addressing difficulties in accessing services, public transport, broadband quality and speed, and the development of effective community development structures.

The rural White Paper has been developed to provide a strategic rural policy framework for the next 10 years and will help to guide the work of the Executive in that significant and challenging area. Our rural areas face particular challenges as regards growth, jobs, infrastructure provision and access to services. The provision of good communication infrastructure and connectivity is vital to the sustainability of our rural areas and important in providing the isolated and vulnerable in our community with much-needed access.

The rural White Paper shows that our rural areas and people are important; that they have rights that must be respected; that they provide enormous value and untapped potential; and that government will do what it can to help recognise those rights, support that potential and address the real challenges that exist in our rural communities. It will provide an opportunity to look at what we do to support our rural areas and to think innovatively about how we target our limited resources for the betterment of our rural communities. It is an initiative that is close to my heart, not only as a rural elected representative but as a rural dweller who understands the challenges that living in rural areas can and does bring.

Mr O'Dowd: I welcome the progress thus far on the rural White Paper and the policy. As part of the policy development, will the Minister hold public consultation events in which rural communities will be able to feed into the policy development?

The Minister of Agriculture and Rural

Development: Absolutely. The public consultation will last for 12 weeks, during which my officials plan to hold a number of consultation events in rural areas throughout the North. My officials will work with rural representatives to ensure that there is full engagement with rural communities and a good geographical spread of events. Everyone with an interest in rural issues is welcome to attend. I ask them to come along and give us their feedback and their opinions and make sure that the document is as good as it possibly can be.

Mr I McCrea: The Minister will be aware that rural proofing, which she has highlighted and brought forward, is something that needs to be addressed. Have her officials raised the issue of Libraries NI with their counterparts in the Department of Culture, Arts and Leisure to ensure that rural proofing of Libraries NI is taken into consideration during the consultation?

The Minister of Agriculture and Rural

Development: I wrote to Minister McCausland for clarification on that issue and asked whether the decision to close a number of libraries, including some in both our constituencies, had been rural-proofed. A lot of people in rural communities do not have broadband at home and rely on the library for Internet access, for example, as well as for borrowing books and using the valuable resources that a library can provide. I am hopeful that the consultation, along with the additional money that has been made available for libraries, will save a number of libraries that have been earmarked for closure.

Mr McDevitt: I am sure that the Minister will want to join me in paying tribute to P J Bradley, who is attending his last agriculture Question Time as an MLA, and who has served the SDLP for the past decade in that portfolio.

Can the Minister assure the farming community that the rural White Paper is also about understanding and maximising the potential role that farming will continue to play in rural communities as an economic, social and environmental driver?

The Minister of Agriculture and Rural

Development: Absolutely. I believe that the agrifood sector has weathered the worst of the storm, but, as I said in my original answer, I believe that there is still untapped potential for rural communities and for farmers. I would

like to take the opportunity to thank P J Bradley for his helpful and constructive critique of my performance over the past four years. It is the last agriculture Question Time for us all, so I thank the Committee and the House for their support over that period. I wish P J well in whatever he decides to do in the future.

Agritourism

10. **Mr Neeson** asked the Minister of Agriculture and Rural Development to outline the action she is taking to develop agritourism.
(AQO 1291/11)

The Minister of Agriculture and Rural

Development: Unfortunately, under axis 3 of the rural development programme, we cannot fund anything that is associated with agricultural production. However, under measure 3.1 of the rural development programme, farm diversification, farm families who wish to diversify into tourism can avail themselves of funding to develop non-production-related infrastructure such as, for example, self-catering units or activity-based tourism, and, in doing so, provide activities and accommodation that could complement a wider tourism project.

As I said previously in the House, the work that is ongoing through the rural development programme is delivering the tourism infrastructure that will help rural communities to provide a better tourism offering in the future. Agritourism and social farming are innovative ways of increasing the farm family income. My officials are examining whether those farming innovations could be supported by my Department and how it can do so.

Mr Neeson: The Minister will be delighted to hear that I have just left my farewell lunch to be here to ask my question. *[Laughter.]* To what extent does her Department work with the Northern Ireland Tourist Board to promote agritourism in Northern Ireland?

The Minister of Agriculture and Rural

Development: We work with all agencies. I have attended a number of North/South Ministerial Council meetings at which Tourism Ireland has highlighted how rural agritourism and the better use of forests and our rural communities have the potential to attract visitors to this island. We will work with all and any organisations, not just the tourist bodies, but local government with private partners, to determine how we can

better develop agritourism. I welcome the fact that the Member left his farewell lunch to be here. He can go back to it now. *[Laughter.]*

Mr Deputy Speaker: That concludes questions to the Minister of Agriculture and Rural Development for the last time.

2.30 pm

Finance and Personnel

Mr Deputy Speaker: Question No 6 has been transferred, and question No 9 has been withdrawn and a written response is required.

Altnagelvin Area Hospital: Radiotherapy Unit

1. **Ms M Anderson** asked the Minister of Finance and Personnel whether he has corresponded with the Minister of Health, Social Services and Public Safety in relation to advancing the business case for the proposed radiotherapy unit at Altnagelvin Hospital.
(AQO 1297/11)

8. **Mr P Ramsey** asked the Minister of Finance and Personnel for an update on the business case for the proposed radiotherapy centre of excellence at Altnagelvin Hospital.
(AQO 1304/11)

The Minister of Finance and Personnel (Mr S Wilson): As this is also my last Question Time, I thank all the Members who have interrogated me and sought to trip me up as well as those who have come for enlightenment. I hope that they found it during Question Time.

With your permission, Mr Deputy Speaker, I will answer questions 1 and 8 together, as they are similar. I have had no correspondence from the Minister of Health on the issue. However, my officials have looked at the business plan that was submitted by the Department. They asked questions about the plan on 7 January 2011 and only in recent days have we had a partial response from the Department of Health.

Ms M Anderson: Go raibh míle maith agat. I thank the Minister for that answer. It is news that at least part of the questions have been answered. Were the questions that his officials asked too complicated to allow stage one of the business case to proceed? Does the Minister feel that the Health Minister is playing politics

with the most vulnerable in our society — cancer patients? As he will appreciate, the radiotherapy unit at Altnagelvin is needed for patients across the north-west, and there is a lot of cross-community and cross-party support. It is absolutely unforgivable that we are at this stage —

Mr Deputy Speaker: Question, please.

Ms M Anderson: — and a number of questions have not yet been answered.

The Minister of Finance and Personnel: First, the Department of Finance does not ask complicated questions; it asks simple questions and always gives simple, clear answers.

We asked a number of very straightforward questions. The first related to what commitment had been given by the Irish Republic for its input into the Altnagelvin scheme. As Members know, one third of that scheme was to be funded by the Government in the Republic, and we wanted to find out the level of commitment and how the Department of Health in Northern Ireland had sought to nail that down. The second question was whether the capital project could be afforded if the Department of Health in the Republic decided not to pursue the project in collaboration with DHSSPS in Northern Ireland. The third question was about comments made by the Minister. The capital cost was funded in what was then the draft Budget, and the Member will be aware that the Minister said he could not afford to run the unit. Therefore, the question of money being available from the Department of Health, Social Services and Public Safety in Northern Ireland was raised with him.

The project was meant to be top priority. In fact, when the Minister visited Londonderry, he said that it was a priority. It surprised us that, suddenly, funding has not been made available, and the only conclusion that one can draw is that this was yet another attempt to create a crisis that would be used as leverage to get more money into the Health budget.

Mr P Ramsey: I thank my colleague from Foyle for asking the original question. I acknowledge the Minister for meeting all MLAs from the city some weeks ago, and he has agreed to meet us again. This is the most important subject to affect not just the people of the north-west but ultimately the provision of healthcare across Northern Ireland. We are aware that the cancer unit in Belfast is at capacity —

Mr Deputy Speaker: Question, please.

Mr P Ramsey: As regards the business case, has there been any indication from the Health Department, for example, that the project is not affordable?

The Minister of Finance and Personnel: I thank the Member for that important question. The argument has been that the Department of Health, Social Services and Public Safety does not have the money to fund the project. It was asked whether the unit could be run and funded solely by the Department here in Northern Ireland, if the Republic dropped out. On 16 December — after the draft Budget — DHSSPS officials wrote to my officials and said that, if the Republic of Ireland funding did not materialise, the project would still be required, as the Member pointed out, and would still be affordable. Even without the funding from the Republic of Ireland and knowing the amount of money in the draft Budget — to which another £89 million has since been added — the Health Department said on 16 December that that was affordable. I have met Members from Londonderry from all parties. What is happening in relation to that very important facility is nothing short of scandalous. There has been a bit of political footbaling.

Mr Kinahan: I am appalled by the way in which the Minister has answered the questions and has used the issue as a political football. Is the Minister looking to find extra funds to help the Health Minister run Altnagelvin Area Hospital?

The Minister of Finance and Personnel: That is an amazing question from the Member for South Antrim. He asked whether I was looking for ways of helping the health budget. The whole Executive and the whole Assembly — at least, those who voted for the Budget — have sought to help the Health Minister, despite the fact that he has not been prepared to help himself or his Department. Over the past year, he has been excluded from £30 million worth of savings that were imposed by the Government that that party encouraged the people of Northern Ireland to vote for. The Health Minister was excluded from £30 million worth of savings. In addition, during the monitoring rounds over the year, an extra £70 million was made available to the Health Minister. In the Budget, from the draft stage to the Final Stage, another £189 million was found for the health budget.

The Member asks me what we are doing to help the Health Minister. One of the things that his party could have done to help the Health Minister in the first place was not to advocate voting for a party that took £4,000 million out of the Northern Ireland Budget.

Lord Morrow: My question has been partially answered. Yesterday, when I asked the Minister for Regional Development what liaison he had had with the Minister of the Environment on a major road scheme, he said that he had not had any direct liaison. That is not the first time that we have heard that in the House. Does the Minister agree that it is time that Ministers put their heads together and that there should be some strategic and joined-up thinking on major schemes, not least the one that we are discussing?

The Minister of Finance and Personnel: When we look at the Budget collectively, we are looking to see what the priorities for each Department should be and what the overall strategic priority should be. However, as I am sure the Member will appreciate, when it comes to spending and being responsible for the budget of a Department, it has to be the individual Minister who takes responsibility. I do not think that anyone would want it otherwise, as you would then find that Ministers would simply shelter behind somebody else's decision rather than make the decisions themselves. Unfortunately, there are a fair number who would be prepared to do that.

Government: Joint Services

2. **Mr Molloy asked** the Minister of Finance and Personnel for his assessment of whether joint planning and shared spending between Departments in Northern Ireland and the Republic of Ireland in areas such as education, health, agriculture, tourism and transport would help address the economic difficulties that both Administrations are facing.
(AQO 1298/11)

The Minister of Finance and Personnel: There are many examples around the world of border regions co-operating to reduce duplication and to exploit economies of scale. As we have already seen, there is potential for such savings between Northern Ireland and the Irish Republic. Indeed, we already have wide co-operation. I have discussed at macro level with the Minister for Finance in Dublin where we could co-operate

to help both jurisdictions with the economic consequences and challenges that we must face in the years ahead.

Let me make it plain to the Member, to his party and to the party on the Benches to his left that, although I believe in economic co-operation when it makes good sense, in allocating resources and saving money for the public purse in each jurisdiction, sometimes the case for doing that is not helped by the political overlay that some people in Sinn Féin and the SDLP try to put on such co-operation. Co-operation would come about more naturally if it were seen to be divorced from a political agenda.

Mr Molloy: I thank the Minister for his answer. He knows that I would not put a political connotation on it at all.

The Minister accepts the fact, which I welcome, that cross-border co-operation can be managed to the benefit of both communities, particularly where services are duplicated, such as after-hours doctors, ambulances and other services. Some facilities will be in the South, others in the North, but how do we get harmonisation and co-operation? How do we work together for economic reasons?

The Minister of Finance and Personnel: The Member almost said what he said with a straight face; unfortunately, it broke towards the end. Nevertheless, he made an important point. In the next four years, we, in Northern Ireland, face the challenges of having to live with budgetary constraints, and the Irish Republic faces exactly the same problems. Of course, where there are opportunities for co-operation, we should take them. In fact, it would be remiss of us not to, because we would be failing not just people in border regions but those, in general, who depend on the public purse.

I know that I spoke light-heartedly, but there is often a suspicion that, regardless of whether it makes economic sense, reduces bureaucracy or costs and so on, co-operation and collaboration is done only for political reasons. This party will very clearly oppose co-operation done for purely political reasons, because we do not believe that our future lies in a political joining with the Irish Republic. However, it is up to individual Ministers to look for opportunities to co-operate. As I did with the previous Minister for Finance in the Republic, I am happy to commit to looking for general areas in which co-operation may be sustainable and helpful. It will then come down

to teasing out the details at ministerial level. The previous question illustrated that, even where there are good examples, such as where one third of the capital cost and the best use of a hospital or a radiotherapy unit —

Mr Deputy Speaker: The Minister is coming up to the time permitted for his answer.

The Minister of Finance and Personnel: — could have been jointly undertaken, Ministers have not pursued the matter.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister share many people's frustration that securing better service outcomes and better value for money is frustrated by political posturing from his and other parties? Does he agree that it is time to take off the blinkers and set every Minister in the Executive the task of exploring possible savings and better outcomes in every Department, rather than leaving it up to each Minister? That has been the failed approach over the past four years, and it is time to stop losing such opportunities.

The Minister of Finance and Personnel: When it comes to political posturing, the questioner is a master. We have seen the political posturing in which he and his party engaged over the past three weeks during the Budget discussions. All I can say is that, as the Member will know well, the detailed co-operation between one Department and another comes down to work that individual Ministers have to undertake.

My record on this is good. I have made it clear that, where there are opportunities to be explored, I want to see them explored. I will encourage that and, during the Budget process, I encouraged Ministers to look at different, better and more efficient ways of carrying out and delivering services. If doing that includes North/South co-operation, I am happy to see it.

2.45 pm

Mr Gardiner: Would the Minister not be better to try the exercise that the question proposes with countries in the same legal jurisdiction — the United Kingdom — and talk to Scotland and Wales? Surely that would be less complicated.

The Minister of Finance and Personnel: First, we have a land boundary with the Irish Republic, so there are cross-border problems that have to be addressed. For example, when I was Minister for the Environment, we had a problem with

illegal waste from the Republic being dumped and polluting rivers and bogs in Northern Ireland. That problem had to be addressed, and I am sure that the Member would have thought me irresponsible if I had not dealt with that and a range of other things. Of course, I meet just as frequently with Ministers from Scotland and Wales to look at east-west co-operation, because, especially when it comes to our dealings with the Westminster Government, there are things that we need to do. Indeed, just this week, I have been in touch with Scottish and Welsh Ministers about dormant accounts, on which, we believe, a joint approach from the three jurisdictions, with Westminster, could be beneficial to us.

Finance Ministers

3. **Mr McCartney** asked the Minister of Finance and Personnel whether he intends to meet with the new Irish Minister for Finance to build on the progress that had already been made as a result of his meeting with the previous Irish Minister for Finance.
(AQO 1299/11)

The Minister of Finance and Personnel: I hope that that can be arranged as soon as practicably possible. Over the past two years, I met the previous Finance Minister, Brian Lenihan, on a number of key issues that were relevant to both economies. I am confident that I can build an effective working relationship with the new Irish Finance Minister. As I said, I see that as essential in dealing with cross-border issues. Of course, the Finance Ministers from both jurisdictions will continue to meet in the North/South Ministerial Council, which is of particular importance to me because of the Special EU Programmes Body.

Mr McCartney: Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer and for his commitment to seek a meeting as early as possible. I hope that high on the agenda will be the House's need for reassurance that the commitment to the A5 road scheme will continue unabated and that, in line with a previous question, money for the radiotherapy unit at Altnagelvin is secure.

The Minister of Finance and Personnel: The issue was raised in Armagh, in January, at the last North/South Ministerial Council meeting. If the Government of the Irish Republic decide that they do not want to continue funding some

of the cross-border schemes, it is important that we know early, because that would have implications for our Budget, and some of our spending priorities would have to be looked at again. Obviously, therefore, it will be an important issue when I or whoever takes over from me can meet the Finance Minister.

Mr I McCrea: Given the Minister's love of technology and in light of issues around carbon footprints, is he considering using videoconferencing in his meetings with Ministers from other jurisdictions?

The Minister of Finance and Personnel: I think that the Member is trying to taunt me into commenting on some of the climate change nonsense that we have to listen to from time to time in the House and elsewhere.

I support the use of videoconferencing. Indeed, we have encouraged its use in Departments. When it can be used, I prefer to use it, because not only is there a saving in travel time but there is a saving in my time if I do not have to travel long distances and waste time travelling. It is ironic that the first time that I suggested using videoconferencing was with the Green Minister in the Republic of Ireland, when I was Environment Minister. I suggested that he might wish to reduce his carbon footprint by talking to me by television, but he preferred that I travel the whole way down to Dublin, emitting I do not know how many tons of CO₂ in the process. That was his choice. Of course, I am always happy to bring a little northern sunshine to the grey, gloomy skies of the Irish Republic.

Mr McDevitt: Will the Minister of Finance clarify for the House which of the two Finance Ministers in the Republic — Noonan or Howlin — he anticipates having the closer working relationship with? Is the Minister concerned that NAMA may be obliged to offload its Northern Ireland portfolio early? Does he accept that, given the continuing slump in the market here, should a situation like that occur, it will have grave consequences for our property market? Will he assure the House that he will continue to raise that matter with whichever of the two Finance Ministers he feels it would be more appropriate to raise it with in the months ahead?

The Minister of Finance and Personnel: I am sure that I will get on with either of them. I know neither of them, therefore it will be a learning curve for me.

The Member raises an important issue. Indeed, on Monday of last week, the First Minister, the deputy First Minister and I met the chief executive and three other members of NAMA to discuss the very issue about which the Member has spoken. We are greatly concerned that, with £3.2 billion worth of assets held by NAMA in Northern Ireland and a target of realising 25% of them in the next two years, there could be a huge impact. Let us not forget that we in the Executive also want to offload assets as part of the budgetary process and non-NAMA banks also want to offload assets. Some co-ordination on that is needed.

In conversations that I have had with Minister Lenihan in the past and with the NAMA representatives on a number of occasions, I have welcomed their assurances that, even though there is a target of realising 25% of assets, they will look for markets where there is demand and liquidity and will not seek simply to get a quota in each of the areas. They, too, realise the dangers. One of the important concessions that we won in early discussions with Minister Lenihan is that we now have two Northern Ireland members of the NAMA Northern Ireland Advisory Committee advising the NAMA board. That gives us some input and the Executive some assurance that there will not be a destabilising of the market in Northern Ireland.

Finance Ministers

4. **Mr O'Loan** asked the Minister of Finance and Personnel if, since taking up office, he has had any contact or has held discussions with the former Irish Minister for Finance.
(AQO 1300/11)

The Minister of Finance and Personnel: I have probably answered the question, as the Member well knows. I am a bit surprised at the question. I have made statements in the House on this on a number of occasions, and I have referred to meetings that I have had with Minister Lenihan in the past. I do not think that I need to elaborate on that.

Mr O'Loan: Let me return to the question of NAMA. Some £350 million of the NAMA loans relating to Northern Ireland property relate to buildings or projects that are in the course of construction. NAMA has said that it may be prepared to give loans so that those projects may be finished, if it makes financial sense to do so. Has the Minister raised that matter with NAMA representatives, and does he have

an assurance that they will do so equally in Northern Ireland?

The Minister of Finance and Personnel: I am glad that the Member raised that issue. I should perhaps have said something in reference to that in my last answer. Yes, we did; it was one of the issues that we discussed with NAMA representatives last week. They indicated to us that they have £7 billion — perhaps it is £5 billion, I cannot remember offhand — to provide as working capital for projects. The building that Google bought in the middle of Dublin is an example of where working capital was put in to allow a project to be finished. NAMA has given us assurances. We will make representations where projects are identified in Northern Ireland as being able to add value if some working capital is made available for them. We will be in constant contact with officials in NAMA to ensure that that happens. No indication has been given that there will be an allocation to each jurisdiction. It will depend where opportunities arise to add a bit of value, offload an asset and realise some money from it.

Mr Humphrey: Does the Minister agree that there is irony in the Member asking that question? Perhaps if the Member had had more contact with the Minister for Social Development — his Minister, the stay-away Minister in last week's debate on the Budget — that Minister could have advised the Finance Minister and his other colleagues of his decision to announce the housing at Girdwood, which he did without Executive approval.

The Minister of Finance and Personnel: I am sure that the Minister for Social Development, when making an announcement about housing in north Belfast, was well aware that it was an opportunity to present a good picture coming up to the election. I expect that we will find that many other Ministers want to do the same. I just hope that, when they make those announcements, they all have the money to deliver on them because, as Finance Minister, I am concerned about whether those things are deliverable or are simply promises floated before an election that will lead to disappointment for people after it.

Low Carbon Homes Schemes

5. **Mr Storey** asked the Minister of Finance and Personnel for his assessment of the low carbon homes scheme. (AQO 1301/11)

The Minister of Finance and Personnel: The Member will be aware that the Executive agreed to close the energy efficiency homes scheme and the low carbon homes scheme from the end of this month. Although the aim is to improve the energy efficiency of the local housing stock, the take-up so far has been disappointing. There are only three low-carbon properties, none of which has qualified as a zero-carbon property. I want to make it clear that the savings associated with the schemes will not be taken out of the Budget altogether but will be transferred to the green new deal project. It was felt that that was a much more appropriate way of cutting down the heating bills of a large number of houses. For that reason, the Executive and the Committee gave their approval to move forward with that.

Mr Storey: I thank the Minister for his answer and for the recent clarity about the extension to the scheme. He announced that, rather than coming to an end on 31 March, the scheme will be extended to 2012. However, could the Minister advise the House about the ending of the zero-carbon scheme and about the green new deal? How can we encourage a far better uptake of those schemes? The Minister has clearly indicated today that the uptake of the previous scheme was poor.

The Minister of Finance and Personnel: The improvement will be threefold. First, the administrative costs of the scheme outweighed the actual benefits to householders. There is no point in us spending money simply on administration if we want to cut down the heating bills of homes. Secondly, especially with the low-carbon homes, the benefits very often went to people who could afford to build very high-spec houses. To a certain extent, I believe that those houses will be built anyway because the people can afford to do so. Thirdly, if we put the money into the green new deal, a far greater number of homes will be covered by insulation and other heat-saving approaches, and we will get to people who might not have been able to benefit from the other scheme.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. The Minister outlined some of the useful benefits of the green new deal, not least its potential to create jobs. In light of the withdrawal of the previous scheme, does he agree that, for the reasons he outlined, the green new deal requires greater investment?

The Minister of Finance and Personnel: We made it clear that the amount of money being put into the green new deal project was only a start and that, as we found efficiencies during the four-year Budget period, we would put more money into it because, first, it would help to lever down even more money; secondly, as the Member said, there is job potential; and, thirdly and most importantly, especially with rising fuel bills, it will help to combat fuel poverty.

Ministerial Statement

Higher Education: Tuition Fees and Student Finance

Mr Deputy Speaker: I have received notice from the Minister for Employment and Learning that he wishes to make a statement.

The Minister for Employment and Learning (Mr Kennedy): I welcome the opportunity to update the Assembly on the latest developments in our work on future policy on higher education tuition fees and student finance arrangements. In particular, I advise Members that I am today launching a public consultation document on future policy on higher education tuition fees and student finance arrangements in Northern Ireland, which I am immediately making available on the Department for Employment and Learning website, along with an associated equality impact assessment.

3.00 pm

As Members will recall, on 8 February 2011, I made a statement in the Assembly to advise of the publication of the update to the independent review of variable fees and future student finance arrangements in Northern Ireland, which was carried out by Joanne Stuart, and to set out its findings. I have now fully considered the updated review, as well as developments in other regions of the United Kingdom and the Republic of Ireland, and taken into account costing and modelling by departmental officials and the final Budget settlement for my Department. Consequently, I have set out a range of options in the consultation document, and I am seeking views on those.

Before outlining those options, it is important to set out the key factors that have influenced my thinking on the whole area of student finance arrangements. Ultimately, I want to ensure that, once the public have had their say, we develop a “made in Northern Ireland” model that strikes an appropriate balance between maintaining access and continuing our proud record of having the best higher education participation rates in the United Kingdom for those from socially disadvantaged backgrounds; promoting excellence in our higher education institutions and allowing them to remain internationally competitive; and being affordable to the public purse as well as to the students and graduates.

Northern Ireland’s higher education sector makes an essential contribution to the economy and wider society. Our higher education institutions are well respected and compare favourably against their counterparts throughout the world. Yet, in common with all United Kingdom universities, they are required to compete in a global market for the best staff and students so that they can maintain those high standards. Their success is critical to the performance of the local economy. Often regarded as the engine of research and innovation, their activities support wider initiatives to attract inward investment and create high quality, sustainable jobs. Over the years, they have produced most of the graduates on whom our businesses, professions and services rely. They have been particularly successful in widening participation for those from lower-income families to the extent that Northern Ireland has now, by some margin, higher participation rates than England, Scotland or Wales. That is a record of which we should be rightly proud.

A range of challenges lie ahead for higher education, including the financing of the sector. Given the current financial climate and the public expenditure challenges faced by the Executive, it is right that we look at options around the possible level of tuition fees and how much government contributes to the sector. Before giving some detail on each of the options, I make it clear that no student will have to pay upfront fees. That is a very important principle to which I am committed.

I now turn to the five options that are set out in the consultation paper to illustrate the potential implications and key considerations associated with each of them in turn. The first option that is identified is the abolition of fees. That option would require additional resources of some £120 million per annum from the Northern Ireland block to make up lost revenue for the higher education institutions from tuition fees and the consequences of the Budget settlement. In giving consideration to that option, it is very important to stress that it could be delivered only at the expense of other government programmes.

However, it is worthy of note that, although the current arrangements provide for fees of £3,290, the research that was conducted to inform the Stuart review indicated that that level of fee did not inhibit access to higher

education by Northern Ireland students. Indeed, as I indicated earlier, Northern Ireland has the highest participation rates in the UK by some margin. Therefore, the case for abolition would rest solely on a judgement that higher education should be made freely available to those who can benefit from it. Paradoxically, that would mean that all taxpayers, many of whom earn less than graduates, would bear the full cost of tertiary education. That would not be fair. Finally, that option would also mean that higher education institutions would be wholly dependent on the public purse for financing their teaching activities and the quality of the student experience. History shows that the Government have found it difficult to find the resources necessary to finance the increasing number of students participating in higher education at a level consistent with sustaining the quality of teaching and research necessary to maintain the sector's international reputation. That is one of the key considerations for the introduction of fees in the first place.

The second option is to maintain the status quo. That option would provide for fees to be capped at the current level of £3,290 per annum and subject only to inflation-linked increases. Maintenance grants and loans would also be maintained at current levels. Over the past two years, there have been significant changes in the economic and financial environment. The Executive face a challenging budgetary position. The impact of the Barnett consequential and the post-Brown context mean that, throughout the United Kingdom, a reduction in support for the higher education sector is unavoidable. Indeed, after meeting efficiency savings of some £28 million and other inescapable pressures, a funding requirement of £40 million by 2014-15 remains in my Department's budget for higher education. If current participation rates, the quality of teaching and research and the levels of student support are to be maintained, additional income for the sector would have to be found. Under that option, that income would have to be found from the public purse through reductions in other services. I strongly believe that that would have serious implications for the level of support provided to people who are unemployed or who wish to access further education or training opportunities. The alternative would be a significant reduction in higher education capacity, which would undermine not only our achievements in widening participation but the

quality and international reputation of the higher education system. Indeed, the financial viability and sustainability of the system would be threatened, with serious consequences for the local economy. Those issues must be taken into account when considering that option.

I realise that some Members may ask why higher education institutions cannot release more money. All of the evidence shows that universities work largely within, but at the lower end of, the expected norms of financial performance. Clearly, no super-profits are being made. There is no cushion to absorb, on an ongoing basis, a reduction in annual funding of a further £40 million from 2014-15. In addition, the reserves held by universities are lower than those of institutions in Great Britain and are already largely committed.

We are all aware of the difficult public spending context that faces the Executive and the competing and significant public spending priorities that must be met. That being the case, I cannot, in good conscience, recommend a top-slicing of Departments to cover the shortfall in the higher education budget. Such an approach would require us to cut budgets for the vulnerable, marginalised and sick to pay for higher education, and it would not represent a sustainable approach to funding higher education. Northern Ireland's excellent universities cannot be expected to plan on the basis of top-slicing departmental budgets, mindful that other pressures and changing political circumstances could easily lead to that decision being overturned. The demands of social justice and the need to secure sustainable funding for universities require a more considered and fairer approach.

The third option recommends an increase of tuition fees to £4,500 and an increase in the threshold of the maintenance grant. Under that option, the increase in tuition fees would generate additional income of some £30 million by 2014-15, which would largely address the financial pressures associated with the budget settlement, to which I referred earlier. It is important to stress that, as is the case now, no student would be required to pay tuition fees upfront. Instead, loans would be available to meet the cost. It would be the intention that those loans would not become repayable until an individual is earning £21,000 a year compared with £15,000 under the current arrangements.

In comparison with England, the public commitment to financing higher education would be significantly higher. The teaching grant in Northern Ireland would be reduced by only some 20% compared with 80% in England and 35% in Wales. Very importantly, that option would also provide for an expansion of the income threshold for full grant support from £19,000 to £25,000, meaning that almost 3,000 more students would qualify for full support, and none would have his or her grant reduced. I believe that that would help to maintain Northern Ireland's position of having the highest participation rate in the United Kingdom of those from lower income backgrounds. It is also worthy of note that, notwithstanding the proposed fee increase, that option would retain a significant majority public contribution towards the cost of higher education teaching, which recognises the public benefit of such teaching.

Importantly, it would also provide for a fair and progressive loan and repayment system that is more generous than the current one and a maintenance grant system that would provide a higher level of support than that available in England. After efficiency savings are taken into account, the impact of the proposals would be broadly neutral for higher education institutions, as the income surrendered from the teaching grant would be replaced by fee income from students.

Option 4 recommends increasing fees to between £5,000 and £5,750, increasing the threshold for the maximum maintenance grant and increasing the amount of maximum grant payable. That, in effect, is the option preferred by Joanne Stuart in her updated independent review. Under that option, the proposed increase in tuition fees would generate additional fee income of some £40 million to £60 million. That would be sufficient to address the financial pressure associated with the Budget settlement for my Department.

As with the previous option, no student would be required to finance upfront fees, as loans would be available to meet that cost. Again, it would be the intention that those loans would not become repayable until an individual is earning £21,000 compared with £15,000 under the current arrangements. Under that option, the reduction of the teaching grant for universities would be around 33% compared with 80% in England and 35% in Wales. That option, therefore, would also maintain a significant

public contribution to teaching. Again, similarly to option 3, option 4 would provide for an expansion of the income threshold for full grant support from £19,000 to £25,000, providing for almost 3,000 more students to receive full grant. No one would have their grant reduced. The additional fees would enable grant support to be increased by some £275, thus reinstating the current £500 differential between grant support here and in England. That would benefit more than 15,000 students, and the increase in maintenance grant should help to promote and sustain access to higher education for those from lower socio-economic groups. As with the previous option, after efficiency savings are taken into account, the proposal would be broadly neutral for higher education institutions, as the reduction in income from the teaching grant would be replaced by tuition fee income.

My final observation on option 4 is that, although it is quite similar to option 3, it shifts the burden of cost more to the student than options 2 and 3. It may also be less attractive to students, given the additional loan they may be required to take out.

The final option recommends increasing fees to between £6,000 and £9,000, increasing the level of maintenance grant and the lower threshold for entitlement and increasing maintenance loans.

3.15 pm

That option is similar to the arrangements in England, and would constitute a significant departure from the current policy, under which the teaching element of the higher education system is largely funded by the public purse. Net additional income in excess of some £100 million per annum would be generated. That would address the financial pressures associated with the proposed budget settlement by some margin. It would also provide for additional grant support in line with the previous option, allowing for a £500 differential between grant support here and in England. In addition, maintenance loan support would be increased from £4,840 to £5,500, which is the proposed rate for England. However, it is important to point out that, notwithstanding the substantial increase in the student support arrangements, this option would pass a significant proportion of the costs of teaching to graduates. As with England, teaching grants would be reduced by some 80%.

In addition to releasing funding to allow for enhanced grant and loan provision, this option also has the potential to release existing public resources that could be deployed elsewhere. However, I think that it is important to balance that against the fact that this option would represent a major change in policy direction in relation to the balance of public and private funding of higher education and would shift the burden of cost in a significant way to graduates. I do not agree with such a shift in the burden of cost. This proposal may have the potential to have a detrimental impact on Northern Ireland's position of having the highest participation rate in the UK of those from lower income backgrounds.

It is widely acknowledged, and I am well aware, that tuition fees are a contentious issue. I would like to stress that it is very important not to consider the level of fees in isolation but to recognise all of the elements of the student support package, including maintenance grants, loans and repayment arrangements. I make no apology for reiterating that the underlying principle in bringing forward options in this consultation is that access to higher education is based on the ability to learn, not the ability to pay.

Should, following this consultation, the new mandate of the Assembly decide that tuition fees should be increased, the whole area of repayment will be a critical one that we need to ensure that students, their families and others fully understand. Students do not need to pay upfront to participate in higher education, and I intend to ensure that that continues. They can defer payment of their tuition fees through a tuition fee loan, which is repayable only after they leave higher education and are earning above a certain income. Even then, the repayment is not based on the amount that they owe, but on the amount they earn.

That is a critical point, and I am convinced that if young people and parents, particularly those on lower incomes, are provided with the right messages on the issue, both by this consultation paper and, dare I say it, by their political representatives, no one should be deterred from entering higher education, with all of the benefits that it can confer on the individual and on society as a whole. Therefore I reiterate to Members the importance of a mature and responsible debate on these issues, which will allow a consensus to emerge on proposals that are affordable for government

and for students and graduates; protect and maintain our widening participation record; and secure appropriate investment in higher education institutions.

In conclusion, I thank Joanne Stuart for her work in producing the independent review of variable tuition fees and student finance arrangements and its subsequent update. In addition, I acknowledge the contributions of the people concerned by those changes, whose views and expertise have informed our thinking as the Department developed the proposals contained in this public consultation document. I also thank and pay tribute to my officials for producing the work.

Finally, it is my strong view that we now need to let all those interested in this important issue to have their say through a public consultation so that we can develop a "made in Northern Ireland" model, which, as I have said before, strikes the right balance between maintaining access to higher education for those from lower-income backgrounds, securing the excellence of our institutions and ensuring that affordability is guaranteed.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I

thank the Minister for what is a very significant statement on the future of higher education, particularly for our young people in the North. The Committee has heard a number of briefings from several stakeholders in recent months and, no doubt, will do so again after the election.

However, I am sure that the Minister will acknowledge the fact that, to encourage them to take up opportunities for higher education, society entered into a social contract with young people: if they get a good degree, at the other end there will be a job for them. That contract has been broken, because we know that many young people have left university with a degree but no job and high levels of debt. At a public meeting recently, a young graduate spoke very emotionally about coming out of university with debt alongside her, hopefully, husband-to-be. They have a cumulative debt that will make life difficult for them when they want to get married and start a family.

With that in mind, I heard what the Minister said about the role of elected representatives in getting the message out, but it is still a widespread view that the costs will deter people from going to university if we increase them any more. If

the consultation is to be meaningful, what guarantees can the Minister give to the respondents that there will be a move by the Executive to put the economy at the heart of the Executive and provide the funding that is required for further education so that it is open to all?

The Minister for Employment and Learning: I am grateful to Mrs Kelly for her contribution as Chairperson of the Committee for Employment and Learning. I listened carefully to the points that she raised. In launching the consultation today, I ask everyone to look at the document in all seriousness, to study the options outlined in it, and to focus on what we require and what we will want to do for higher education provision for our students in Northern Ireland.

I think that we can bring forward a Northern Ireland-based model. There are severe financial implications contained in the document, and parties, politicians and everyone concerned should understand those and reflect on them so that we can continue to have a system based not on the ability to pay but the ability to learn; that we protect the widening participation record that we have; and that we keep higher education at affordable levels. Importantly, I stress that we need to protect and maintain the worldwide and richly deserved reputation of our local universities. That is a very tall order and is a challenge. I want to move the debate forward by consensus on that basis in the hope that the new Executive and new Assembly, which will ultimately decide on the issues, will bring forward that Northern Ireland-based model.

Mr Bell: Given that the Minister and I share the twin aim of having students go to university on their ability to learn, not their ability to pay, and having those universities properly resourced, and given my personal opposition to this, as a working-class boy who went to university, surely the obvious answer is not to raise student fees but to top-slice that £40 million from other Departments. Was that option ever put to the Executive, and, if so, will the Minister tell the House what his response was?

The Minister for Employment and Learning: I am grateful to the Member for his interest in and long-term commitment to further and higher education. However, he is attempting to bring me back to what is almost a political question. In my statement, I made it clear that that approach to funding, whereby the funding of other Departments is top-sliced, is

an unsatisfactory way to do business for any Executive, Administration or government. In the statement, I confirmed my opposition to that method. That is why I did not pursue it in my discussions with Executive colleagues. I firmly believe that all the political parties should address the issue in a mature and responsible manner, and to simply top-slice other Departments' resources would cut funding to essential services for other Ministers who are already facing stringent cutbacks. Therefore, it is not a real solution to the issue. The Member may disagree with that, but that is my position, and it is the one that I relayed to my Executive colleagues.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I agree with the comments that the Minister made in his statement about how we need to maintain access to higher education. I also agree with the sentiments that are in almost every statement that he makes to the House. Those sentiments are that access to higher education should be on the ability to learn and not on the ability to pay. It is up to us to deliver that concept.

Considering that we must have students' involvement and that we are moving towards the end of this Assembly and into the summer period, how long will the consultation period last? At one time or another, every party in the Assembly has opposed student fees and an increase in student fees. How does the Minister aim to get any proposal that will increase student fees through the Executive when Sinn Féin is totally opposed to that concept?

The Minister for Employment and Learning: I accept the Member's point. It was slightly depressing, in advance of the public consultation being issued and of the statement being made to the House, to read the comments that were attributed to the Member in today's edition of 'The Irish News' and that expressed her party's view. She is perfectly entitled to do that, but I will say that this is an important decision that must be taken with due consideration and in a mature and responsible way. That is what I sought to do as I wrestled with this enormously difficult question.

I accept that if most of the political parties were given the luxury of having either no charges or no increase in charges, they would take it. However, that is not the reality of the situation that confronts the Department, the Executive

or me as the Minister. I hope that the 12-week public consultation period will serve as an opportunity for those who are interested. I expect that many people will share their views, and I encourage them to do so in the public consultation.

I have tried to reflect fairly the situation that we are all in. I ask that parties do not seek to use the issue as a political football or for political gain in the forthcoming election campaign, however tempting that might be. Rather, I hope that they will reflect on the realities of what is best for our students, our universities and for bringing forward a Northern Ireland model.

Mr K Robinson: I welcome the presentation of the consultation document today. As we heard from Members, this is a complex and emotive issue, and it is one that will have long-lasting effects on institutions, on the individuals who seek to move into higher education, and on those individuals' families.

The Minister set the tone. He set out a demanding challenge for the Assembly and Executive: how will we fund higher education? There is not enough money to go around. He set out realistic options, and I hope that the public and anyone else with an interest in higher education and this economy will take the 12-week opportunity to respond and respond positively to the consultation. Perhaps we will find ideas over and above the options that the Minister has brought to the House today.

Does the Minister agree — I think that he will — that there is a weighty responsibility on all parties to build a fair and realistic consensus on the issue? It is an issue that will not go away, and it is central to education and to the welfare of this community.

3.30 pm

The Minister for Employment and Learning:

I thank the Member for his observations and for his point about the need for mature reflection from us all. That is what I attempted to do in my dealings with this complex issue. I appreciate that we could launch full-scale into this issue during the election campaign, but I know because of the abiding interest that most people have in the matter that there is a real desire to come together and bring forward a Northern Ireland-based solution that we can all accept and move forward on, even in the present difficult financial circumstances. That is

the approach that I as Minister will take. I hope that whoever will be Minister for Employment and Learning after the election will take a similar approach and that a similar tone will be adopted by all parties.

Mr Lyttle: I thank the Minister for his statement. I agree with my colleague Mr Robinson that finding funding for higher education is a significant challenge for the Assembly, not only on the grounds of social justice but on the grounds of economic development for the region.

I do not agree that the only way to maintain the current arrangement for higher education financing is to reduce other services or increase fees. I also do not agree that the options put forward in the paper are realistic in their entirety. The Minister said that in options 4 and 5 there is a shift in the burden from the public purse to the private individual. He did not see fit to note that in option 3, which recommends raising student fees to £4,500. Why did the Minister do that?

The Minister for Employment and Learning: I hope that the Member will study not only the Hansard report of the debate but the detail of the consultation document, which indicates that option 3 is just about affordable within the current expenditure envelope that was given. That is slightly different from options 4 and 5. I have tried to set that out fairly, in a non-partisan way and without indicating any preferred option. That is the basis of the document. When the Member gets an opportunity to study the consultation document, it will become clear why it is set out in that way.

Mr Weir: I thank the Minister for his statement. Members will have different views on the options and will find some unacceptable. I will ask a question on behalf of a group that is oft neglected and rarely mentioned in the House: middle-income families. Above all, people want financial certainty, particularly those who will be applying for university. The Minister mentioned a 12-week consultation period. What is the timescale for decisions to be taken? It is vital that that is done before people fill out prospectuses and look at their options this autumn.

The Minister for Employment and Learning: I am grateful to the Member for his question. He raises an important point. The 12-week consultation starts immediately and will run until almost the middle of June. At that point, whoever is the incumbent of the office that I currently have will

have to reflect on the consultation responses and prepare for decisions to be made and clarity and certainty to be given. The Member is absolutely right: clarity and certainty are required not only for students who are considering higher education as an option and their families but for universities as they publish their prospectuses. I imagine that, by late June or early July — certainly, I anticipate, before the new House rises for the summer recess — a decision that gives clarity, direction and purpose on the issue will be required.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. Universities receive £200 million through public funding and £300 million through other avenues. Would it not be more appropriate for the universities and the Department to be more creative and raise more money through other avenues instead of taking the easy option by increasing student fees? I am not electioneering; it is about doing the right thing by students and by our constituents.

The Minister for Employment and Learning:

I hear the point that the Member makes. However, it would not be good public policy for me, as Minister for Employment and Learning, to effectively strip bare our world-class and internationally regarded universities. I do not see the logic of doing that at all.

Let me assure the Member that we have tested with some rigour the financial background of both our universities, and the present Budget settlement confirms that they have had to bear the brunt of the efficiency savings that I, as Minister, and my Department have brought forward. So, universities will not be given an easy ride.

We must remember that one of the prime reasons why the First Minister and deputy First Minister, who are currently en route to Washington, are able to promote Northern Ireland as a centre of excellence is the status of our universities. Therefore, we need to ensure that they have proper funding arrangements in place. The issue is finding the balance between affordability, widening participation and maintaining the status of those universities. That is the challenge for all of us — not just for Danny Kennedy, not just for my political party but for every party in the House and every party in the Executive.

Mr S Anderson: I thank the Minister for his statement. The Minister is consulting on this

important matter, and he has presented us with five options. I do not wish to pre-empt the outcome of that consultation, but, if it turns out that the majority of consultees are in favour of the option that abolishes fees, would his Department be in a position to adopt that approach? Is option 1 not really an option at all?

The Minister for Employment and Learning: The Member raises an important question. Option 1, if it is to be supported either politically or through the consultation process, is not a cost-free zone. In fact, it is a very expensive solution that will cost up to £120 million a year. In my view, it is, therefore, unrealistic to expect that outcome. I have also said that option 5 — the Browne option, which would increase fees to up to £9,000 a year — is, for Northern Ireland students and Northern Ireland families, an unrealistic expectation. I have not set out a preferred option. I genuinely want people to study the consultation document and make considered comments. However, I issue a health warning, particularly with regard to options 1 and 5.

Mr Gardiner: I thank the Minister for bringing his consolation — I mean, consultation — document before the House this afternoon. Does he accept that it is essential to Northern Ireland's economic and social well-being that the Assembly and the Executive secure sustainable funding for our first-rate universities?

The Minister for Employment and Learning: I am grateful to the Member for his consolation on the consultation.

I agree with the point that the Member makes, and I think that I indicated that in my statement. Northern Ireland's higher education sector makes an essential contribution to the economy and to wider society. Our higher education institutions are well respected and compare favourably with their counterparts throughout the world, and I believe that their success is critical to the performance of the local economy. Their activities support wider initiatives to attract inward investment and create high-quality, sustainable jobs. Therefore, it is imperative that the Assembly and the Executive find a way to ensure sustainable and fair funding arrangements for our universities.

Mr P Ramsey: I welcome the commencement of the consultation on student fees. It is a hugely challenging task, and, from the SDLP's perspective, we will find it difficult to decide on a course of action other than one that keeps fees

as they are. Fees will increase significantly in England, which will have an impact on students in Northern Ireland when they are deciding whether to go there. Furthermore, a cap exists in Northern Ireland, and we have the smallest higher education base per head of population in all these islands. That will be a barrier to widening access to education for a lot of young people because of the fear of debt and being unable to go to England and Wales. Therefore, does the Minister not believe that it is time to relax and raise the MaSN cap? We know about the high numbers of young people who have wanted to get into higher education over the years, but increasing numbers across Northern Ireland will want to get into it now. I say that to the Minister quite deliberately, knowing that, under the CSR, he and the previous Minister, Lord Empey, tabled the MaSN cap increase for Magee and the main campus of the University of Ulster. Does he not believe that it is time to relax the MaSN cap, given the high numbers of young people who want to go into higher education and will not have access to it unless the cap is relaxed?

The Minister for Employment and Learning: I am grateful to the Member for the point that he makes. In his unique and customary style, he brought it back to his own constituency, and I congratulate him on the ingenious way that he manages to do that every time.

I understand the point that the Member makes. He will know that there is another consultation in place in the form of the higher education strategy. It will examine the MaSN cap, which he referred to, and it will look at the flexibility of provision and greater part-time access.

As part of the development of the higher education strategy, we wish to explore whether, within the Budget settlement, there will be scope to expand the level of higher education in the north-west.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. The Minister has given us an unusually humble presentation of his views today, but is it not the case that every molecule of his political DNA is telling him that it is politically acceptable to have student fees and to raise those fees? If you approach an equation with that mindset and if you are in charge of the Department at the end of it, the outcome of the consultation will be an increase in student fees, regardless of what

the public consultation brings forward or tells the Department over the coming weeks.

3.45 pm

The Minister for Employment and Learning: I am slightly curious about the Member's unique powers to get right inside my mind. I will let him speak to my wife.

I thank the Member for the tribute of modesty that he afforded to me. What Danny Kennedy thinks, either as Minister or as a Member of the Assembly, is not that crucial. However, it is crucial that we set before us realistic options for the future funding of tuition fees and higher education. I simply want to honestly set before the House, the political parties, the wider public, including the many parents and students, and the leaders of our universities how we can move forward on a Northern Ireland-based common approach that is mature and will deal with the questions before us.

Mr McDevitt: I thank the Minister for his statement. I am sure that the Minister will accept that many thousands of families will read the statement and wonder whether there is a secret desire to opt for option 3 hidden in it. That is certainly my reading of it. Will the Minister confirm to the House whether he presented a preferred option to the Executive and whether that was option 3?

The Minister for Employment and Learning: I am grateful to the Member. One Member can get inside my head, and another can read between the lines of my statement. We have a very talented House.

I am not breaking Executive confidence by stating that my preferred position and that of my party is to maintain fees as they are. Unfortunately, due to the budgetary settlement, that is not the position that I find myself in, and, therefore, it would be irresponsible of me, following the outcome of the Budget debate and the confirmed budget for my Department, to continue to use that as a preferred option. I have not sought to do that today. I have sought to lay out, in fair proportion, the options available to the House — or the House as it will be in the next mandate of the Northern Ireland Assembly — and, presumably, the next Executive. Therefore, I want people to consider the statement on that basis and not on the basis that decisions have already been made.

Ms Lo: I thank the Minister for his comprehensive statement. I appreciate that he has a difficult job in trying to balance competing demands. Even though he said that there was little more money to be made from universities to help with funding, can we not think about giving universities more flexibility? For example, some degrees could be shortened from four years to three, and others from three years to two. For community development, some universities allow students to work throughout the summer to shorten their degree. That may help some students.

The Minister for Employment and Learning: I thank the Member for her initial comments and her question. Her point is slightly different to that of student tuition fees. It strikes more at the strategy, and, as I have outlined, work is under way on the future of higher education and how it operates in Northern Ireland. I, of course, encourage her, along with others, to contribute to the consultation. There may be ways to achieve a better working-out of the education systems in Northern Ireland. The Member's suggestion certainly merits some consideration, and I hope that she will take the opportunity to submit that to the consultation.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. The Minister spoke favourably about option 3, which I think is the least that we can say. He said that that option, which brings with it a tuition fee burden of £4,500 per annum, would largely address the financial pressures associated with the Budget settlement. Does the Minister acknowledge the concerns of young people and their parents — they have been expressed to me and, I am sure, to other Members over recent weeks — that an option such as option 3 would place tremendous budgetary pressure on them as they set out on their life journey after finishing college, buying their first car, getting a deposit to buy their first home and starting a family. Will he assure the House that those very real budget pressures on young people and new families will be borne in mind when any decision is taken in the future?

The Minister for Employment and Learning: I am grateful to the Member for his question and the point that he made. I cannot identify one single option that is economically pain-free either for Departments and agencies connected with the Executive or for the House or for parents and students. There is no option here

that will not involve cost. Abolition would cost any future Executive £120 million per annum, which is money that they clearly do not have at the moment, so that is not cost-free. Nor is option 5 cost-free, given that it proposes to increase fees to up to £9,000. I just do not think that parents or, indeed, students in Northern Ireland could afford that.

The consultation document is a serious attempt to focus minds on difficult territory. I think that together we can reach some kind of consensus that delivers a Northern Ireland model that is based on ability to learn and not ability to pay, protects widening participation, keeps university education affordable and maintains the status of universities. That is the challenge for us all.

Mr McCallister: I welcome the Minister's statement. I am relieved that he, not Jonathan Bell, is the Minister.

The Minister outlined the high cost of abolishing fees at £120 million a year. Does he agree that the parties that propose that course of action have a duty to tell us how they would fund that?

The Minister for Employment and Learning: I agree with the Member's point. The challenge of finding £120 million a year would certainly be a significant one. I can think of horses that will be flogged at Cheltenham this week that would have a greater chance of finding that. If some individuals or parties want to adopt that stance, we will see the detail of it. I encourage everyone to read the consultation document, to look carefully at the options and to respond accordingly.

Executive Committee Business

Justice Bill: Final Stage

Mr Deputy Speaker: The Speaker ruled this morning on the arrangements that will apply to the Justice Bill. Members will know that the Final Stage will not go ahead today. However, I am still required to call the Minister of Justice.

The Minister of Justice (Mr Ford): Thank you very much, Mr Deputy Speaker. If I may beg your indulgence for a few moments, I wish to record my thanks to the Speaker and the officials in this place for their help in ensuring that the unfortunate addition of the clause introduced at the late stage of Further Consideration Stage and the problems that that created are now being addressed properly. On that basis, the Final Stage of the Justice Bill is not moved.

Motion not moved.

Private Members' Business

Autism Bill: Final Stage

Mr D Bradley: I beg to move

That the Autism Bill [NIA 2/10] do now pass.

Go raibh maith agat, a LeasCheann Comhairle. Tá an-áthas orm tús a chur leis an díospóireacht seo ar an Chéim Deiridh den Bhille Uathais. I dtús báire, ba mhaith liom moladh a thabhairt do mo iar-chomhghleacaí Seán Ó Fiaich, a bhí ina Chomhalta Tionóil don lúir agus Ard Mhacha. Ba é an chéad duine é a leag rún faoi bhráid an Tionóil ar an ábhar áirithe seo sa bhliain 2002.

I pay tribute to my former colleague the late John Fee, an SDLP MLA for Newry and Armagh, who was the first to introduce a motion on autism in the Assembly, back in 2002. I see today's debate as the culmination of the work begun by John Fee. I hope that his two young sons will at some stage in the future read the report of today's proceedings and feel proud of their father's role in the progress of the Bill.

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

The Bill as amended on 23 February 2011 and 7 March 2011 now consists of six clauses. The first clause is an amendment to schedule 1(4) to the Disability Discrimination Act 1995 (DDA) and inserts:

"(i) taking part in normal social interaction; or

(j) forming social relationships".

The clause was amended as recommended at Committee Stage, as it was believed that the terms "mental" and "physical" in the DDA were all-encompassing and any change might be restrictive rather than expansive.

The second amendment at Consideration Stage removed the original clause 3(5), which placed a duty on the Department to set out the steps it proposed to take to ensure that Northern Ireland Civil Service staff who dealt directly with the public in the course of their duties be given autism training. I was satisfied that clause 3(4), which places a duty on the Department to set out proposals for promoting an autism awareness campaign would obviously contain an element of staff training. It is my contention that the autism strategy outlined in detail in the Bill also implies an element of staff training. In that respect, I was happy to leave a certain degree of

flexibility to the Department. I also wish to avoid unnecessary duplication in the Bill. The level and extent of training will, therefore, be for the Department to decide, within the parameters of the prevalence of autism in the population of Northern Ireland.

On 7 March 2011, at Further Consideration Stage, the original clause 5 was removed, as it contained redundant references to Orders, and the remaining elements of the clause were included under clause 3, as subsections (6) and (7).

The main clauses, clauses 2 and 3, deal with the autism strategy, the role of the lead Department — the Department of Health, Social Services and Public Safety — and how the other Northern Ireland Departments relate to it. The strategy is a framework of development and allows the lead Department a certain degree of flexibility to fulfil the requirements of the Bill.

Other changes were, of course, made to the Bill before it came to the House, the main one being the removal of the office of autism commissioner.

It was removed in light of the current financial situation and replaced with an accountability requirement on the Department to report to the Assembly triennially.

4.00 pm

The Health Committee, of course, has the power to call departmental officials to give evidence on the strategy at any time. The strategy is not age specific and, therefore, covers the lifelong health, education and social needs of people with autism. It must also address the needs of families and carers and promote an autism awareness programme. It gives the Health Department the power to make regulations on the contents of the autism strategy.

In evidence to the Health Committee, some Departments said that legislation was not needed to devise an autism strategy. If that is the case, why has a strategy not been devised heretofore? There are the makings of an autism strategy in the Department of Education and an action plan in the Department of Health, Social Services and Public Safety, but where are the links between those? What about the other Departments? What have they done? If a cross-departmental autism strategy could have been established without legislation, surely one would exist. As we know, a strategy does not exist and,

in all likelihood, would not exist in the future without the Bill. We need an Autism Bill to make that happen.

Autism has been the Cinderella of disorders and is only now beginning to get the recognition and response that it requires. The Bill will give greater impetus to that response across a wider range of Departments. As we know, Departments do not like to act as one, but the Bill challenges them to do just that.

As well as having widespread support, the Bill has its detractors. Not least among those detractors are some Departments, which argued that the Bill would lead to a hierarchy of disabilities. That argument was made by the Department of Education and the Department of Health, Social Services and Public Safety, but their own actions rebut that argument. The Department of Education initiated a task force on autism, opened a centre of excellence for autism and is devising a strategy for autism. The Department of Health, Social Services and Public Safety (DHSSPS) devised an action plan on autism. It could be argued that those actions create a hierarchy of disability, but I do not believe that they do. The Bill is mainly about establishing a cross-departmental strategy. It does not seek to place autism above any other disorder or disability; it seeks only to ensure that people who have autism get the support and services to which they are entitled. Nothing in the Bill states anything other than that.

The Department of Education also argued that the Bill may conflict with SENDO (Special Educational Needs and Disability (Northern Ireland) Order 2005). As I said, the Bill is about devising a strategy for autism, which the Department of Education is already doing. Presumably, its strategy does not conflict with special needs legislation. The interdepartmental strategy that the Bill proposes will probably encompass the Department of Education's strategy. Therefore, it is not true to say that the Bill conflicts with special needs legislation. The Autism Bill's amendment to the Disability Discrimination Act is intended to emphasise the inclusion of autism spectrum disorder in that legislation by adding two autism-related daily descriptors to the existing list. Its only effect on special needs legislation will be to help to clarify the definition of a disabled person.

The Department of Health, Social Services and Public Safety argued against the Bill on the

grounds that it was not human rights compliant. At Second Stage, the Minister said that he would refer the Bill to the Office of the Attorney General and report back to the House. He has not yet done so, and he did not speak at Consideration Stage or Further Consideration Stage. I can conclude from that only that the Attorney General did not raise any objections. Indeed, why should he have done so, given that the Northern Ireland Human Rights Commission raised no such concerns in its evidence to the Health Committee?

The Bill provides for the establishment of a cross-departmental strategy. No Department, I am sure, will have in its contribution to that strategy anything that creates a hierarchy of disability or which is not human-rights compliant. Neither of those arguments against the Bill stand up to scrutiny, and both can be dismissed as groundless. They are merely the dying groans from silos that have been challenged to work in joined-up government.

In sharp contrast to the glass half-empty attitude adopted by some Departments, the Bill has already united the autism community as never before. The autistic spectrum disorder (ASD) voluntary sector in Northern Ireland was created by parents in reaction to the failure of government to provide information, training, support and services. The creation of the sector was a response to specific needs, which sometimes compete and overlap vigorously. Given that history, it is amazing that six out of seven ASD voluntary agencies have declared in favour of the Bill.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

The Member knows that the Committee for Health, Social Services and Public Safety supports his Bill, but, to be fair to all concerned, I say that the autism groups were deeply divided on the issue. There were those autism groups that gave the Bill very strong support, those who were neither for nor against it, and those who were bitterly opposed to it. To be absolutely accurate, it is wrong to say that the Bill has united the autism community; it certainly has not.

Mr D Bradley: I thank the Chairperson of the Health Committee for his contribution, but I have with me a copy of the report on the Autism Bill, which, as you can see, Mr Deputy Speaker, is well thumbled. I have read through the evidence carefully, and, as I say, six out of seven of the

voluntary advocacy groups for autism are in favour of the Bill. Therefore, I contend that, to contradict the Chairperson of the Health Committee, the Bill has not split the autism community. On the contrary, it has largely united it.

I am aware that Autism Northern Ireland has successfully lobbied with the National Autistic Society at UK level, as well as with Parents' Education as Autism Therapists (PEAT), adding to the existing support from Autism Initiatives, the Centre for Early Autism Treatment (CEAT) and Special Provision for the Education of Autistic Children (SPEAC) to achieve a historic unity in the autism community on the legislation. I have with me some 15,000 signatures from across Northern Ireland, all representing a voice for equality for autism and a vote for recognition of a long-ignored and misrepresented disorder.

The autism community should be justly proud that its campaign for justice has garnered support and understanding from a range of organisations such as the Human Rights Commission and the Equality Commission, which are aware that the impact of the Bill will be to plug a gap in our current outdated understanding of disability by providing clarity and a position for autism in the forthcoming work of the Office of the First Minister and deputy First Minister (OFMDFM) on compliance with the United Nations Convention on the Rights of Persons with Disabilities. The Bill will provide firm foundations for future development year on year.

Families have learned not to expect overnight answers or solutions. However, the Bill brings autism in from the cold. The autism awareness campaign will increase public knowledge, understanding and tolerance of that invisible disability. The cross-departmental requirement to collect and share data will improve the potential to accurately project future need for planning of services and will help to reduce duplication, and, therefore, reduce costs. The cross-departmental strategy will minimise duplication at a time of fiscal restraint, while improving effectiveness through shared resources. The cross-departmental strategy will help to implement the new DDA recognition of autism, with which all Departments will have to comply anyway. The Bill, by implementing the new DDA recognition of autism, clarifies the definition of disability that is being used to make decisions on entitlement to benefits,

such as disability living allowance (DLA) and employment and support allowance (ESA).

Autism will no longer be assessed by the measures of another disability. By implementing the new DDA recognition of autism, the Bill will remove the IQ score of 70 as a barrier to the gateway to services. The Bill will remove discrimination against individuals with autism in respect of their limited access to services.

Autism must at last be understood and addressed as a full intellectual-range disability. For families and individuals with autism, the Bill will bring the era of official denial to a close. Affected families pay an emotional, physical and mental cost. That cost has been calculated and researched and forms the basis of the lobby for this Bill. By passing the Bill, we will shift that burden to government. It is time for government to calculate and plan holistically and realistically for future need. The time for sticking plaster fixes, with fragmented planning and short-term funding, is over.

The Assembly Research and Library Service document 'Improving Services for People with Autistic Spectrum Disorder' predicted the need for this legislation. As it remains the only truly independent document on the issue to date, I will conclude with an excerpt from it. "To circumvent this constraint", which is the silo mentality, legislation:

"may be a more direct method of providing departmental buy-in for improving services".

Molaim an Bille seo. Go raibh maith agat.

I commend the Bill to the House.

The Chairperson of the Committee for Health, Social Services and Public Safety: The Health Committee welcomes the Final Stage of the Bill and believes that it is a much needed step forward in supporting those who are affected by autism and ASD. Speaking on behalf of the Committee, I recognise and commend the commitment of those working in the voluntary sector, the health and social care sector, and other statutory agencies that have a role in treating individuals with autism and ASD and supporting families living with the condition.

Autistic spectrum disorder is a lifelong developmental condition that affects those who live with it in a number of different ways. Essentially, it affects the way in which a person communicates with and relates to other people.

The condition has a significant impact not only on individuals, but on families and carers. Bearing that impact in mind, it is vital that autism is addressed from a holistic perspective. In the past, autism has been primarily considered to be a health issue, but other Departments including those of Education, Employment and Learning, Social Development and Justice, also have a crucial role to play. The Bill legislates for a cross-departmental strategy on autism.

The Bill has been significantly improved and strengthened because of the amendments that the Health Committee persuaded its sponsor, Mr Bradley, to make. The Committee's detailed scrutiny led to its recommending that the sponsor make two amendments. I thank Mr Bradley for his co-operative approach and for taking on board the Committee's recommendations. I will recap briefly on the substance of the two amendments.

Originally, the Bill proposed to amend the definition of disability in the Disability Discrimination Act 1995 by making reference to a "physical, mental or social" communication impairment. However, when the Committee reviewed the evidence, it became clear that the term "physical or mental" impairment had intended to be all-encompassing when the DDA was introduced, and that to change that definition of disability could narrow the scope of people who fell within the protection of that Act. Mr Bradley concurred with the Committee's views and the Bill was amended accordingly.

The second amendment to the Bill related to the requirement for autism awareness training for civil servants who deal directly with the public. Concerns were expressed by stakeholders, including the Department of Health and the Department of Finance, that that would have a significant cost. Again, Mr Bradley took those concerns on board and was prepared to address the issue by leaving that clause out of the Bill.

The Committee notes the Final Stage of the Bill. I also want to clarify that these comments are those of the Committee, not my personal views.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I declare an interest as a member of the all-party group on autism. On behalf of Sinn Féin, I welcome the Final Stage of the Autism Bill.

During the various stages of the Bill, we discussed at length autism, its effects and definition, and the impacts and effects that it has on those

who are on the autistic spectrum and their entire families. I am delighted that we have eventually arrived at the Bill's Final Stage.

4.15 pm

Since the Bill's First Stage, the proposed legislation has changed. What we are discussing today is a result of the Committee Stage and some amendments being put forward and being taken forward by the proposer. What we have now is an amended Bill. There were those who feared that the Bill, as originally drafted, would have diluted the Disability Discrimination Act 1995. We listened intently to those arguments, and I am delighted that the issue was resolved and that the Bill was amended accordingly. There was never any intention to weaken disability discrimination legislation. It is very important that we send out the message loud and clear to the public that there is absolutely no danger of the Bill having any kind of negative effect on the lives of those with a disability.

Some concerns were also raised around special educational needs provision and any impact that the Bill might have on that legislation. Special educational needs provision meets the needs of the child; it does not meet a definition. Therefore, we are absolutely sure that we are in no danger of having any kind of negative impact on special educational needs legislation.

What we have now is a Bill that creates a legislative framework to provide a cross-departmental strategy. What we have ongoing in the various Departments at present, especially around health, is the RASDN, which is the regional autistic spectrum disorder network. I commend that good work that is already going on and also the development of a strategy that has been started in the Department of Education. However, we also want to encompass the impact of the work that is done in the Department for Social Development (DSD) and the Department for Employment and Learning (DEL). The Bill merely creates a legislative framework that allows all of that work to be done under one umbrella and allows a very positive, much-needed cross-departmental approach for all those who live with autism and who are on the autistic spectrum.

I commend all the autism charities for their work and for their input into the Bill. I particularly put on record my thanks to Cecilia and Anne from the mid-Ulster branch, who made sure that I was kept abreast of all developments. I also put

on record my appreciation to Arlene Cassidy of Autism NI. She is recovering from surgery, but I see that she has hobbled along and has made it here to the Gallery for the Bill's Final Stage.

In conclusion, it is a good day for those who are on the autistic spectrum. It is a good day because the Assembly has sent out a clear message that we are interested in improving the lives of all those who live with a disability. The work does not finish here. We are at the Final Stage of the Bill today, but there is much work to be done in developing a strategy. We will have to get into more detail around what is in the strategy. We have that to look forward to in the term of the next Assembly. Go raibh maith agat.

Mr McCallister: My concerns, and those of the Ulster Unionist Party, about the legislation are well documented in various debates and throughout the Committee Stage. It is important to stress that whatever side various people have taken over this Bill, I am in no doubt about the commitment of everyone in the House to doing their very best for children, families and adults with autism. It is important to get that message out. There is a commitment from the Health Department, the current Health Minister, the Minister for Social Development and the Minister of Education to do what has been lacking for some time and start to work with people like Lord Maginnis and his group to see what can be put in place and what action plan can be implemented. It is important that there is a real commitment to face up to this subject and the debate. It looks likely that the House will pass the Bill. Without getting into the debate on that, there is a commitment in the House to do our very best for people and families who are on the spectrum. That is an important message to send out.

I certainly agree with Mr Wells's intervention, not as the Chairperson of the Committee but as a Member for South Down. When we took evidence in Committee, there were very clear divisions among autism groups about the Bill.

I certainly think that, when the Bill is passed — hopefully, in a number of minutes' time — there will be a duty to make sure that Mr Bradley and those who support him in Autism NI and PAL do all that they can to heal some of those divisions in the autism community and to ensure that the focus is on making this legislation work to meet everyone's needs.

Mr D Bradley: I thank the Member for giving way. He referred to certain divisions in the autism community. There may be divisions within that community, as there are in many communities. Does the Member not accept that those divisions existed before the Bill was even drafted?

Mr McCallister: I accept that, yes, there are divisions when it comes to how to move forward. However, the point that I make to Mr Bradley is that it is more important to realise that many of those divisions were even more starkly highlighted during the debate about the Bill. Now that the legislation looks certain to pass, there is a duty to try to move past that and to move such issues forward in a way that brings some of those groups in. We must work with everyone in the autism community to make the legislation effective and to help people to feel that they all have a part to play in it, so that the Bill lives up to the expectations on which it was perhaps sold to some people.

My reservations about the Bill and those of my party are well documented. However, to get a private Member's Bill passed by the Assembly is a difficult business. I congratulate Mr Bradley for guiding his Bill to Final Stage. To Autism NI and PAL, I say thank you.

Mr McCarthy: I welcome the Final Stage of the Autism Bill. As we come to the end of this mandate, let no one say that the Northern Ireland Assembly is useless, just a talking shop or an expensive luxury that sits on the hill at Ballymiscaw, Stormont. Today, that myth has been exposed. Today, we will agree legislation in Northern Ireland that will improve the lives of everyone, young and old, who has been diagnosed with autism. We have come a long way along a sometimes tortuous road to get to this Final Stage.

I and other Members have served on the all-party Assembly group on autism and worked with various voluntary autism groups with the aim of making the lives of people with autism better, as of right. We give our 100% support to families who care for people with autism. I have said previously that it is unfortunate that Northern Ireland is experiencing an increase in the incidence of autism among youngsters who will grow to become adults and seniors. The Assembly must accept what is happening and make the necessary arrangements to ensure that everyone with autism has exactly the same rights and expectations as everyone else.

Unfortunately, more often than not, people with autism and their parents or guardians have to fight for everything when it comes to healthcare, education, social development and so on. Why should that be? Like the rest of us, people with autism have normal everyday needs and ambitions. We need the Autism Bill so that there is a statutory requirement that everyone will receive their entitlement. It is outrageous that, at present, parents and guardians who have to do so much caring and watching must spend much of their valuable time getting what should be theirs as of right.

As was said, evidence presented in the all-party Assembly group on autism briefing paper overwhelmingly favoured progressing the Bill. As was also said, a petition of support signed by thousands of campaigners was presented to all political parties in Northern Ireland.

Indeed, the Northern Ireland Local Government Association (NILGA), and, as far as I am aware, all 26 councils, supported positive motions in favour of an Autism Bill. Most of the political parties signed up to support the Bill, and we are all grateful for that. Many families at the coalface of the autism spectrum also supported the Bill.

I thank all members of the all-party group on autism, and I pay tribute to our chairperson, Dominic Bradley, for his determination and hard work, particularly that which he did with Arlene Cassidy and the staff of Autism NI, in getting us to Final Stage. Although there is real work ahead, this is a vital first step. Families will need to know their rights under the law and the real impact that that will have.

The battle for the Bill was not won easily or overnight. It succeeded, despite massive ignorance and a reluctance to recognise the major problems for people with autism. The work to activate the potential for the new law will be just as vital, and I have no doubt that Autism Northern Ireland and others will once more be at the forefront of ensuring that people in Northern Ireland with autism, as well as their families, no longer get second-rate consideration.

In conclusion, all concerned are to be congratulated for their dedicated work in bringing this vital new legislation to Northern Ireland through the Assembly. I certainly support and welcome the Final Stage of the Autism Bill.

Mr Givan: On behalf of the DUP, I welcome the Final Stage of the Autism Bill, and I commend the Member for Newry and Mourne for the work that he has done to take us to this point. I am particularly pleased that my party has been able to support him in bringing the Bill to Final Stage. I also thank my party leader, Peter Robinson, who took an enthusiastic interest in ensuring that the legislation went through the Assembly.

When I replaced Jeffrey Donaldson, my maiden speech to the House contained the commitment that one of my main priorities would be to support those in our society who are disadvantaged, particularly those with a learning disability. Therefore, I have a particular sense of pride that the Assembly will be able to vote through this piece of legislation. Other Members indicated that the legislation will draw together a cross-departmental strategy to ensure that all Departments tackle the issue.

I previously gave the House one example from my experience. That example was the I CAN centre in Ballynahinch, which dealt with young people with speech and language difficulties. The unit was established and funded jointly by the Department of Health, Social Services and Public Safety and the Department of Education. That excellent facility ensured that both Departments worked collectively and in a co-ordinated fashion to address an issue for young people who had difficulties communicating with other people. Sadly, the funding did not continue, so the unit had to close. That was particularly regrettable and should not have happened. Had there been legislation relating to speech and learning difficulties such as that that we are now putting through for autism, I believe that the unit would not have closed. When I met the commissioners from the South Eastern Education and Library Board, parents came along and made a very cogent and emotional case as to why the existing expertise in the unit meant that it should be retained. However, funding was not found to do that. I know that the Health Minister was keen to ensure that his Department's funding would continue, and it was wrong that the facility had to close.

That unit is an example of how funding should be organised on a cross-departmental basis and of how, having initially established something that was very good and then not sustaining it, government should learn from experience.

For those who have autism, this legislation will go towards developing a strategy that will ensure that all the relevant Departments work together properly and help those who suffer from it.

4.30 pm

It is important that, in dealing with autism and other difficulties experienced by young people, early intervention and identification are always key. It is vital that the health professionals fully understand that. I recognise that it is a complex issue. I am certainly not a medical expert, and I could not be an authoritative guide on this issue. However, families have indicated to me that, at times, they feel that health professionals do not fully understand this very complex issue. At times, some interventions have not been appropriate and have caused harm rather than helped. It is vital that that support is put in place for those working not just in health but in education, so that they can identify this issue early on and make appropriate interventions.

That said, I want to commend those in the autism community who have taken this forward. They can take immense pride in having the Assembly pass this legislation. In my area, I thank the Lisburn branch of Autism NI, which has kept me informed of progress. I have received numerous letters about this. Indeed, when I have been out on the doorsteps, people have raised this issue with me, asked for my views and asked how I would vote on it. It is an issue that they have definitely brought to the public's attention, and we as political representatives have responded well to that. I commend the Autism Bill to the House, and my party will give it full support.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. Let me begin by apologising for missing the last couple of minutes of the debate. I was giving an interview on student fees.

Today is truly a historic day in the Assembly. Members must recognise the part that not only parents but professionals have played in getting the Bill to this point. It has been a battle. Political leaders over the past 10 years of the Assembly have said that there will be a battle a day up here. They did not necessarily mean that in the political context. It takes a battle a day to change the mindsets of some of the officials who have been involved in the Departments. We should give special mention to parents and

those involved in the sector. They have beavered and battled away and sometimes come up against more closed doors than they expected. Special mention needs to go to those in the Public Gallery who did that.

During my time in public office, I sat on Lisburn Borough Council for two terms. I came across a number of parents whose children had autism. They asked for no special treatment, only to be treated with respect and equality. They asked to be recognised within the health and education sectors, DSD, play and leisure, but they only asked for that treatment.

We need to recognise the work of the all-party group on autism, which Dominic Bradley chairs, in getting us to this point. There have been ups and downs. I sit on the Health Committee, which scrutinised the Bill. The maturity shown by the people involved not just in the Health Committee but in the all-party group, including Dominic, and in the work on this Bill has been second to none. We knew that, at certain points, there was a possibility of the House dividing on the Bill, and we came through that. I appreciate that some people still have difficulties with the legislation but will not push it or force a Division. That needs to be recognised, too.

All Departments have a role and a responsibility in this type of work, some more so than others. However, the message that parents and children want to hear is that all Departments are taking the issue seriously.

Michelle O'Neill mentioned to me before I was due to speak that, although we have now got to this point and not to put a damper on it, the work starts today. We have seen how easy it is to put legislation, strategies or commitments under a pile of paperwork. So, although we all commit to ensuring equal recognition for people who suffer from autism — whether from a young age or for those aged 16 to 19, 19 to 25 or older — we need to ensure that we keep an eye on this. We cannot leave here today and assume that somebody else will lift it and move on. The Assembly and individual Members in it can give that commitment.

When we mention individuals by name, we sometimes forget other people. So, while I commend the whole group involved in this, it is important to give special mention to Anne Marie, who has probably tortured me and Jennifer McCann more than anyone. One thing I like about being a political representative is

that, in general, people in our community and our constituency are not shy in coming forward. I am not saying that they are rude or ignorant, but they stop me in the street and approach me when I am doing my groceries and so on. Anne Marie is one of those people — she tortures you. She ensured that autism was the first thing on our mind morning, noon and night. Jennifer will probably say the same thing.

Other people have played their part too, and Sharon has tortured me on the social networking site. Fair play to her; she has probably tortured other people here too. Eileen Bell, in her former life as a political representative in this place, needs a special mention too. On top of that, Arlene, David and others should be mentioned because they ensured that autism was taken from people's front rooms and brought into the political arena. We need to ensure that, now that it is in the political arena, we make a change in people's front rooms. So, those are the good things.

I commend all the work that has been done. We need to ensure that the Departments have a joined-up and cross-departmental approach to autism, and, as I said, we should leave here today with a commitment to now take that ball and run with it and ensure that autism cuts across all strategies in all Departments. In ending, I will repeat: today is a truly historic day for families and children out there in the autism world.

Mr I McCrea: As I have said before, I am an unapologetic supporter of the Autism Bill. Words cannot express my delight in seeing the Bill reach Final Stage today. I welcome the fact that no one has stated that there will be a Division. That is a good thing. As the previous Member who spoke said, although some Members have reservations, there will be agreement across the House that the Bill is a good thing, and I look forward to it coming into play.

I have worked for some time with the autism group in my constituency, and you, Mr Deputy Speaker, will be more than aware of the ability of members of that group. I do not like to name people, but Cecilia O'Hagan has been very good at her job of lobbying and ensuring — through text messages, e-mails, direct phone calls or, indeed, when you meet her and others in the street — that the representatives of Mid Ulster are more than aware and are fully supportive

of every stage of the Bill. It is good that that is happening.

We all have a personal interest in certain issues in the House. However, anyone who has met or knows anyone who suffers from autism or ASD will know only too well that they have every right to get to this stage and to have a Bill in their name. I recall, not long after I was elected to the House, standing in the Long Gallery when the then First Minister, Dr Paisley, spoke to the Members present about the need for an Autism Bill. He hoped that such a Bill would be passed by the end of this mandate, and it is good that that will become a reality.

At the Bill's various stages, a lot of issues were rehearsed by people who supported it and people who did not support it on what they saw as its good and bad aspects. I do not wish to make a personal attack, but, in that vein, some comments were made by people who have been put in the position of representing autism on the regional autistic spectrum disorder network that gave many people concerns. Lord Maginnis made wrongful personal comments about people who support and are involved with Autism NI; those comments should be withdrawn and an apology given. I know from my dealings with anyone who is in Autism NI or, indeed, PAL that they acted with honour and showed 100% support for the need for an Autism Bill and for the needs of people who suffer from autism. I make no apology for comments that I have made about Lord Maginnis, and I ask him to withdraw his comments about some of the members of those groups.

I do not wish to rehearse a lot of what has been said. This is a good day for autism, and I am proud. I will not go as far as Mr McCarthy in praising all the good work of the Assembly, but a lot of good work has been done. I believe 100% that this is a very good day for autism, and I support the Bill.

Mr P Ramsey: Along with other Members, I am delighted and honoured to stand here to support the Final Stage and the passing of the Autism Bill. I welcome the fact that some of the families are present for the debate. As Kieran McCarthy rightly said, they want to see the benefit of the legislation in the big house that is Parliament Buildings. I pay particular tribute to all those families for their resilience, patience and determination in seeing this through over many decades. They include men and mothers

whose children have now become adults. I also pay particular tribute to my colleague Dominic Bradley for his determination alongside the all-party group on autism, which other Members mentioned.

The Bill is immensely important and is now at Final Stage. As Sue Ramsey rightly said, this is one historic day for so many families, carers and parents across Northern Ireland. Thank God, we are at this stage for them. I am so delighted at all Dominic Bradley's hard work, and he should be very proud of his achievement in getting the Bill to this stage. John McCallister got his Caravans Bill through, and that was the first private Member's Bill to be passed since around the 1940s. Dominic Bradley will be the first SDLP Member ever to have delivered a private Member's Bill. Well done to him.

Mr I McCrea: I agree 100% with the Member, but he will know that behind every good man is a good woman. Will the Member agree that, behind Mr Bradley as chairman of the all-party group on autism, he has had a number of good colleagues who have given him the support that he has needed?

Mr P Ramsey: I concur with that. I did mention Dominic Bradley and the all-party group on autism, and everyone has mentioned that group. There is no doubt that consensus was reached.

As John McCallister said, there was some resistance from the Department of Health, Social Services and Public Safety. Thank God that we wore it down, at the very least. It is very disappointing that the Minister of Health, Social Services and Public Safety is not in the Chamber. He has not been present during any of the legislative stages. I want to place on record my disappointment.

4.45 pm

The Bill is long overdue. We will now see the equality that so many people have sought for their loved ones enshrined in law. The long battle against complacency, lack of services and answers will soon be over. The often complex needs of autistic members of the community will be addressed in a way that should always have been the very least that the system provided. As other Members have said, a cross-departmental, universal approach has to be taken in the system to ensure that provisions are targeted on where they are badly needed on the ground.

Let me make it clear: the Bill is not the end, nor the beginning, nor even the beginning of the end of the fight to ensure that more vulnerable people are provided for in a way of which our entire society can be proud. I have sought to champion that during my entire political life. I will continue to do so if re-elected to the Assembly.

I want to refer, as other Members have done, to Autism Northern Ireland. That organisation does amazing work with all members of society who are on the autistic spectrum. It has provided and, I am sure, will continue to provide invaluable support to families and carers. It has been a driving force behind the Bill. In particular, I wish to name its chairperson, David Heatley, and Arlene Cassidy, whom other Members have mentioned. She is recovering at present. I hope that her health continues to improve. My office staff have met David on a number of occasions. I am sure that the families who are present will agree that his guidance, advice and enthusiasm have helped to grease the wheels of a sometimes arduous legislative process.

People from throughout Northern Ireland are present in the Public Gallery. They are most welcome. Many more would have been present. The reason why they are not here is that they are carers in their own right and have to look after their children and, sometimes, adults. If it were not for those challenges, many more people from my constituency in Derry would have been present. I thank the parents in Derry who came to my office, went through the Bill with me and made sure that I understood the complexity not only of the Bill but of trying to bring up a child with autism and the awfulness of trying to get through the system to ensure that that child gets effective early years treatment.

In particular, I want to mention Maire O'Kane from Derry, who contacted me today. She has always encouraged me to step up to the plate for autism in Derry. I want to thank her. She is extremely disappointed that she cannot be here. I am sure that she is watching the debate live.

I hope that, in coming months, Autism Northern Ireland's expertise and network of families will be at the forefront in assisting with the creation of the autism strategy. I know that that is the wish of many families here and throughout the region. It is the wish of many Members who have already contributed to the debate. It will be the responsibility of the Minister of Health,

Social Services and Public Safety, whoever he or she may be in the new mandate, to deliver that strategy and to ensure that parents are properly consulted on it.

Given the fiscal position on which the Executive go forward, it is also important to state that the Bill's provisions should be a high priority for all relevant Departments. Should the Assembly pass the Bill, Ministers and Departments cannot shirk their responsibilities simply by saying that money is the issue. We cannot and will not tolerate that. The aspirations of families who have waited for the Bill to be passed must be at the forefront of the considerations of those in the Civil Service who will help to create and implement an autism strategy.

As regards the Bill's content, it is vital that clause 3(5), which states that

"The Department may make regulations as regards the content of the autism strategy",

be taken on board by the Department in the spirit of the Bill and that the Department ensure that the torch handed to it by families is not taken in bad faith. I trust that officials in the Department will recognise the gravity of this issue and will fulfil their role in a professional and timely manner.

It has been a privilege to be involved in this process, albeit on the fringes, and to provide encouragement to Dominic when there were difficulties. The aspirations of families the length and breadth of this region will, I hope, be met by the implementation of this Bill across many Departments.

Finally, I understand that across Northern Ireland there are 30,000 people who have autism, but many of them do not get the support that they should. Hopefully, they will now get the support and provision that they need. This means that children and adults with autism will be able to reach their full potential. Again, early years intervention is so important. The proposals in what will be known, for ever and amen, as the Bradley Bill will remove the many important barriers and obstacles that exclude people with autism from services and provisions. The Bradley Bill will afford many autism sufferers, their families and carers the proper cross-departmental services that they have been denied for so long. The Bill will be a major step forward for people with autism, who have long suffered a service deficit in Northern Ireland.

Other Members have alluded to this, but people come to my constituency office seeking help and guidance. They want to know who they should talk to or who they should ring in the Health Department or the Education Department to get answers to their many queries. I have met so many families and carers who have been absolutely burnt out as a result of years and decades of caring for children and who suffer from stress and mental difficulties themselves due to the ongoing pressure. I am delighted to finish by saying that this Bill is so important for so many people across Northern Ireland, and I am delighted that an SDLP Member is behind it.

Mr Easton: I support the Bill and welcome its Final Stage. I reiterate what my party colleague said about my party's full support for this Bill as well as expressing my personal support for it. This Bill has been a long time coming, and I thank all those who lobbied on its behalf, especially the all-party autism group in the Assembly. I also thank Dominic Bradley for introducing this private Member's Bill. That is no mean feat. Well done to you, and I do not say that lightly, especially to the SDLP.

That wee issue aside, I thank Autism Northern Ireland, in particular David Heatley, who is a member of a model railway club in north Down, so he is not too far away from me. He is also a big fan of Facebook; he seems to be on it more than I am, and that is saying something. I also thank Arlene Cassidy for her support and advice and Eileen Bell, who is a constituent of mine and makes that fact well known.

Of all the legislation that the Assembly has passed, this Bill means most to me. It is the one that I will probably remember best from the past four years, and I hope that I have helped to play a small part in moving it forward. If anyone still has doubts about the Autism Bill, it may be worth refreshing a few Members' memories about some of the issues. Between 5,000 and 10,000 schoolchildren across Northern Ireland have autism. Some 30,000 adults and children have autism, and, every year in Northern Ireland, 300 children are born who will be diagnosed with ASD. The number of children with ASD has increased by 500% in the past seven years, and that is staggering.

Autism is not a rare disability; it is the fastest growing developmental disability. The number of individuals with autism now exceeds the combined number of those with Down's

syndrome, Parkinson's disease and multiple sclerosis. The prevalence rate that I mentioned reflects the previously accepted rate of 1:100, but the rate is now 1:50. If you have ASD and an IQ of 70, as an adult you are not entitled to any services.

Autism affects four times more males than females. Approximately 25% of people with ASD have a learning disability, and approximately 75% of people with ASD fall outside the DHSSPS programme of care model. Individuals with autism find transitions particularly distressing. Some 50% of parents with autistic children are on long-term medication; 65% report illnesses linked to caring; 80% of families report feeling overwhelmed and helpless; and 57% report acute anxiety and panic attacks. Furthermore, 90% of parents experience sleep difficulties, exhaustion and fatigue as a result of trying to deal with the issue; 70% of parents report feeling isolated in their home; and 85% report a lack of understanding from the community. Mothers of children with ASD show higher levels of stress than mothers of children with other disabilities.

Some 75% of adults with autism rely on their family for financial support, and 13% of adults with autism live independently. Ninety per cent of the public do not know how common autism is. Although 87% of the public have heard of autism, only 40% have heard of Asperger's syndrome. Sixty-two per cent of the public interviewed believe that people with autism have special abilities, such as in maths and art. If those are not reasons for an Autism Bill, I do not know what is.

Autism is not a physical or mental condition, as reflected by the amendment that the Bill makes to the Disability Discrimination Act, which, at present, does not cover those suffering from autism. The Bill will amend the definition of disability in the DDA to include social communication, which includes the inability to take part in normal social interaction or form social relationships.

The second aspect of the Bill requires the Department of Health, Social Services and Public Safety to publish an autism strategy within two years of the passing of the Bill. It also requires all Departments to have strategies in place. That will force Departments to work together, which is something that is sadly lacking at the moment. In fact, it is one of the

main reasons why I supported the Bill. To date, parents and sufferers have been sold a weak and incoherent strategy that has not put those in the sector in control of their future. They have been dictated to, not assisted. In my view, the Autism Bill, as I repeatedly told Mr Bradley, does not go far enough. However, it is a useful tool that will, hopefully, develop over time. I, therefore, welcome that aspect of the Bill, commend it to the House and hope that it can be progressed further in future.

Mr Girvan: The Bill has my personal support and that of my party. At the outset, I put on record a word of thanks to Dominic Bradley for introducing his private Member's Bill. I appreciate that the Bill came about through lobbying from support groups associated with autism. They must be congratulated on the way in which they pursued their goal, the reason for which is obvious: as the condition was not being recognised, they had identified a definite need.

I appreciate that the Department of Health, Social Services and Public Safety has a strategy to deal with autism, but it is not cross-departmental. That is part of the issue that had to be addressed. We need to go forward. It is good that, this afternoon, there is a sense of unanimity in the Chamber as we deal with a trying condition with which some families and carers have to live. The only way forward was the pursuance of the Bill.

I was not present at every evidence session, as I joined the Health Committee relatively late in the day. During those sessions, there was evidence of reluctance on the part of the Department of Health, Social Services and Public Safety to go down this route. It was imperative that the Committee viewed the issue objectively rather than looking at it in isolation.

Mr Easton: Does the Member agree that the Health Department tried every trick in the book to scupper the Bill?

5.00 pm

Mr Girvan: I agree. All sorts of human rights legislation aspects were thrown up, which were probably going to be in relation to the Disability Discrimination Act 1995, as obstacles to the Bill progressing to the next stage. I am happy that Mr Bradley and the support groups were willing to accept amendments to allow the Bill to progress. Rather than create division, it was important to get that forward.

There are other aspects that we need to consider, such as how the Bill will affect other Departments. I appreciate that the Department of Education works with children with autism and has put together programmes to deal with the issue. The Bill will only strengthen the support given to families that are affected.

I support the Bill, although I had a very small part to play in it. Many people whom I met in my time as an elected representative and councillor, and in my work for Dr McCrea, told me what they have to live with from a family point of view. They have been neglected because some Departments do not wish to recognise them. Now that we have the autism spectrum and all the conditions associated with it, they will have some protection under the law to ensure that they get care and provision.

Reference was made to the costs associated with the Bill; however, according to the explanatory and financial memorandum, costs are minimal. There will be training, but only some. It does not mean that every civil servant will have to be trained in how to deal with those with autism. People with autism speak of their frustration when accessing benefits only to find that those they are dealing with do not seem to want to recognise autism as a problem. That must end. There must be advocates able to deal with problems in those areas.

This has been a momentous day for the Northern Ireland Assembly. It has brought forward a piece of legislation that will help many families in this Province. I support the Bill and put on record my thanks to Dominic Bradley for introducing it.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. As an Irish-language teacher, Mr Bradley will be aware of the terse maxim: *tús maith leath na hoibre* — a good start is half the work. That comes to my mind today in relation to the Bill.

Ba mhaith liom mo chomhghairdeas a dhéanamh le Dominic Ó Brollacháin agus le gach aon duine a ghlac páirt i gcúrsaí an Bhille.

I congratulate Dominic, the all-party autism group, the people from Autism NI — including Arlene, David and their colleagues — and the families and individuals around the North who have played a role in advocating this change in our law towards the Bradley Bill.

The Bill comprises two main legislative parts. The first is the broadening of the Disability Discrimination Act 1995 to give more people more assurance of protection in our anti-discrimination law; and, secondly, to deliver better co-ordination of services for people on the autistic spectrum through the statutory duty on Departments to co-operate and co-ordinate in devising and rolling out a strategy.

I would not often imagine myself quoting this individual in support of something that I was arguing for, but, in a previous debate, Lord Morrow talked about the need for more Ministers to have their heads knocked together so that they would work together. If he did not use that exact expression, he used words to that effect. We need more examples in the House of legislators and the community working together to deliver more joined-up outcomes, and the Bill is exactly that sort of example.

On a number of occasions, the phrase "hierarchy of disability" was bandied about in the Chamber, and, more particularly, in Committee, where witnesses who were mainly from those Departments with primary responsibility for dealing with people with autism used that phrase. I became a Member of the House and member of the Committee for Health, Social Services and Public Safety in November, and the one thing that has struck me, especially about this debate, is that I have never seen any evidence or heard any testimony to back up that assertion. Indeed, when people were challenged to substantiate that claim, they failed to produce any substantive evidence. Not only was it not proven but we had the ruse of people running to the Attorney General in an attempt to deflect or scupper the Bill and its objectives. Most, if not all, Members are pleased that that came to naught.

I cannot comprehend how realising the rights of a certain group of disabled people in our community would create a hierarchy of disability, and I think that most Members share that view. As Mr Bradley pointed out at the top of the debate, Departments have recognised that people with autism have particular and bespoke needs that must be addressed through tailored governmental actions. We saw that through the various task forces that have been created over the years, the various strategies that have been rolled out and the different centres that have been developed and all the rest.

When I reflect on some of the things that I heard during the deliberations on the Bill, not least in the Committee, I realise that there is a more worrying point. The disability law in this part of the island is based on the understanding that not all disabled people are the same. They need different protection in our law. That protection is dependent on their particular requirements and circumstances, and the whole legal principle of reasonable accommodation in the Disability Discrimination Act 1995 is founded on that understanding. When I think back to some of the testimony that was provided to the Health Committee, it strikes me as a little worrying that Committee members were lectured by civil servants about the creation of a hierarchy of disability. That is especially the case, given that those civil servants are responsible for upholding that law in its various guises. It seems to me that the Department of Health, Social Services and Public Safety and other Departments do not have proper institutional cognisance of what our disability law is about. If nothing else, I hope that the debates on the Bill in the Chamber and elsewhere will help to reinforce some of the principles that may have been forgotten or set to one side in the mindsets of some of our Departments. To that extent, I hope that we have brought a little bit of sense to sensory services here by providing an opportunity for better co-ordination and more joined-up thinking.

As Mr Bradley also pointed out at the start of the debate, the Bill will provide for the Disability Discrimination Act 1995 to be broader in its application here. Instead of creating a hierarchy, we will get rid of hurdles that are in the way of protection for those who need it. Therefore, we will remove barriers to better services.

From the point of view of the public purse, and from the point of view of the Assembly, which is charged with getting better value from how we spend the public pound, the Bill will deliver better and more joined-up services, which should result in better value for money for the House, government and the taxpayer, as well as providing a more appropriate spectrum of services for people on the ASD range.

With regard to the Civil Service again, something that strikes me when we talk about hierarchies of disability is that in some ways this Bill should never have had to come before the House. Since 1998 we have had a law, section 75 of the Northern Ireland Act 1998, that

charges Departments with a statutory duty to promote equality of opportunity for people with disabilities. If the various Departments, not just the Department of Health, had really stepped up to the mark in terms of the challenge laid down by that duty, people would not have felt the need to lobby for better and more appropriate services. Nor would they have felt that they were treated as though they were the first family that ever had an autistic child.

The story that I have had relayed to me over and over is that many families felt that they were waiting for a service to reinvent the wheel, as though no other child had ever had autism and no other parents or parent had ever had the stresses and strains that they had been through. Maybe all Ministers should reflect on the point about section 75. However, credit to Dominic and his colleagues on the group for stepping up to the challenge and filling that void in our law.

Obviously, not every Member is on the Health Committee, so they did not hear all the arguments and testimony put forward to us. One thing that struck me, particularly as a new Member, was the institutional resistance, particularly from the Department of Health but also from other Departments. The Department of Education was not very far behind it in wanting the Bill to go off the rails. Never have I seen so many grown men and women so terrified of three pages of legislation.

There is a bigger lesson here for the House, where it goes and how it interacts with the Civil Service in this region. I hope that civil servants, not just those who came before the Health Committee but other civil servants who appear before other Committees, draw some lessons from this experience. I hope that they consider more carefully what they say to a Committee, ponder more fully and comprehensively the position that a Department adopts, and bear more in mind the views and opinions of people out on the streets and roads of the North.

I also hope that they come to Committees with better arguments than some of those that were brought before us, stand up a little better to scrutiny and challenge, and stay engaged once they give their evidence. That goes right up the line to ministerial level. I concur with my colleague Mr Ramsey that it is disappointing that the Minister of Health has not seen fit to be here for the Final Stage. If he is not the Minister

of Health after the election, I very much hope that his successor sends out a firm message early on that he or she wants his or her officials to engage robustly and fully to fulfil the promise that the Bill holds for the strategy.

My experience of the testimony of public servants with regard to the Bill, and some of the written evidence presented, is that if they put in half the effort in implementing the Bill and the strategy that emanates from it as they did in conjuring up arguments against it then the people in the Public Gallery, those at home fortunate enough to watch the debate on the Internet or by some other means, and those who do not have that dubious privilege, will be well served by that capacity and energy being deployed in that way.

I concur with some of what was said by Members on the opposite Benches. In some ways, I would go as far as to say that, for autism services, today is the end of direct rule in this region. We said that we were going to do things differently and have devolution make a difference. The days when civil servants could provide a briefing to a Minister who flew in and out of here in a helicopter and perhaps did not have an awful lot of time or inclination to read up on the particular interests of people here are now over. People need to get accustomed to that new reality.

5.15 pm

It has been a very long road. After my short time on that journey, I express gratitude to and admiration for my colleagues on the Health Committee, who approached their task with diligence and determination. The Bill is one example of the naysayers who claim that nothing good can come from this place being proved wrong. We can work together and come up with good solutions when we set our minds to that task. Tá mé fíor-bhuíoch mo thacaíocht a thabhairt don Bhille seo, agus do Dominic, ina Chéim Deiridh sa Tionól inniu. Today is a day for celebration. Autism is no longer the Cinderella of the disability sector, and, tonight, it can go to the ball.

Mr G Robinson: I apologise for not being in the House for the beginning of the debate. I give my full support to the Autism Bill, and I am delighted to see it finally coming to fruition in the Assembly. I give my full support to the Committee and the sponsor of the Bill for their diligence and hard work in getting it to its

Final Stage. I say a sincere “well done” to all involved, and I mean “well done”.

Autism affects the way in which a person communicates with and relates to other people, and it is, I stress, a lifelong condition. It is a serious condition that has a significant impact not only on individuals but on their families and carers. It is therefore important that all of us in the Assembly give the Bill the support that it so richly deserves on behalf of all the sufferers.

The central and most important element that I fully support is the strategy to address autism. That is long overdue and will hopefully ensure that every individual sufferer gets the help that they so richly deserve. I also welcome that the Disability Discrimination Act 1995 will be clarified to resolve any vagueness as to whether the term “disability” applies to autistic spectrum conditions. Those two points will result in real and significant changes for the better for sufferers and their families.

Autism is a rapidly increasing neuro-developmental disability in modern society. The Assembly already knows that neurology services have been cut, so it was important that we ensured that autism got a fair deal in funding. I acknowledge that this is a difficult economic climate for all Departments but, with the Autism Bill, we are giving some of the most vulnerable in society proper protection and ensuring that there is a credible strategy to get each individual whatever help they richly deserve. That must be a welcome and positive change.

I accept that the Bill has not been unanimously welcomed across the board, as was mentioned by some of my colleagues, but I welcome the fact that moves are being made to address the distressing condition. Those are the reasons why I fully support this very worthwhile and much needed Bill.

Mrs D Kelly: As citizens, people need to feel connected to this place. They need to know that we, as elected representatives, are listening and responding to their needs. This Bill is proof of that.

I congratulate my colleague Dominic Bradley and the all-party Assembly group on autism on bringing the Bill to this stage. They could not have done so without the advocates and the assistance of the wider autism family and their supporters. I was a former member of the Committee for Health, Social Services and Public Safety and had the opportunity to

meet and listen to many of those individuals and groups as they raised their concerns and challenged us as elected representatives to create legislation and a framework for the care and treatment of people who suffer from autism.

I am sure that some Members will recall the film ‘Rain Man’. It was only after the release of that film that many people learnt about autism. I am sure that many Members here this afternoon are, like me, inundated with families and carers of children and young people with autism as they struggle against the establishment and the system. Although I acknowledge the role that many fathers have in championing and working for their children and young people, the caregivers are, predominantly, the mothers. They fight like lionesses for the protection, improvement and well-being of their young. I commend them all, and I hope that the legislation will go a long way towards easing their struggle as they seek out a better future for those for whom they care.

Mr Craig: Thank you, Mr Deputy Speaker. You will be pleased to hear that I am the last Member to speak on the subject. We are getting closer and closer to the Bill becoming law.

I want to speak not only about the Autism Bill but about those who suffer from autism and how important this day is for them. Although we can all promote our own self-importance as regards the issue, the Bill brings much-needed recognition for parents and, more importantly, to those who suffer from autism. It has been a struggle for decades for those individuals and their families to get some form of recognition for what their children are suffering from.

For many in the House, that journey began with the experience of individuals, and I am no different to many other Members in that respect. I wish to put on record the name of the individual who brought the subject of autism into my life, an important person called Jacqueline McGill, whose son William suffers from autism. Members may wonder why that individual is so important to me. She is a critical person in my life because she is my childminder. Without her, I would be in severe difficulties, especially in this type of employment. As you can understand, Mr Deputy Speaker, the hours are not exactly normal working hours.

Jacqueline’s son suffers from autism, and I used to hear my children talk about some of the issues that she had with her son. On many

occasions, I took the opportunity to speak to her about autism, and we had many a tearful conversation about the difficulties that she was having with education and getting proper treatment for her child. That led to me choosing autism as my charity when I was mayor of Lisburn five years ago, and one of my former council colleagues mentioned that issue. It is unfortunate that she was not there the year that autism was centre stage in Lisburn City Council.

That year was used to raise funds for Autism NI, and we were reasonably successful in doing so, as we raised almost £40,000 for the charity. I did not go as far as some people did in raising money. My colleague Michelle informed me that she climbed Ben Nevis to raise money for autism. I have to be honest, Mr Deputy Speaker: I did many a thing for the charity that year, but I did not climb a mountain.

Mrs Foster: Shame.

Mr Craig: Shame, indeed. I have no head for heights. Had I got up there, I probably would have rolled back down because of exhaustion.

However, more importantly, that year was used to raise the whole profile of autism in our society.

Mrs Foster: Does the Member agree that the advantages of the legislation, which I support — I congratulate Mr Bradley for bringing it to the Floor of the House — are that it raises the level of consciousness about autism and means that areas such as the one that I represent, which has the worst record for autism services, will have to now provide those services for children and young adults in need? That is and will be the real success of the legislation.

Mr Craig: I thank the Minister for raising those issues.

Mrs Foster: I was not speaking as Minister.

Mr Craig: She may be sitting on the Back Benches, but I will still call her “Minister”, and I agree with her on those issues.

We succeeded to a degree in raising the whole profile of autism at that time. I want to pay a personal tribute to individuals who play their part locally in the Lisburn branch of Autism NI. First and foremost, I pay tribute to Dr Claire Hughes, who was the chairperson at that stage, and to her assistant Anne Hayward, who is the current chairperson. They work diligently for families on a day-to-day basis. They assist other

families whose children have been diagnosed with autism and help them to get through the difficulties that they, too, had to fight. As both women know, even in my role as an elected representative, I referred a number of families to them so that they, too, could avail themselves of that help.

That leads me on to my role as a member of the all-party group that looked at bringing this legislation to the House. I pay tribute to all of those who took part in that group. I heard other Members referring to the ‘Bradley Bill’, but I take that with a pinch of salt. I agree that — there is no getting away from it — Dominic has played a predominant role in the development of the legislation. I thank him for that and for the work and effort that he has put in. However, many other members of that group also assisted. We all played our part in ensuring that the legislation got to where it is, and we need to pay tribute to all the members from all the parties who worked on that.

More importantly, I pay tribute to Arlene Cassidy from Autism NI for forcing that group forward. I have Arlene’s number on speed dial now, and I can recall several occasions when I actually thought that the phone was going to go into meltdown because the conversation was that long. That is what happens when someone gets involved in and becomes passionate about moving a cause forward. Arlene is passionate about this cause, and the very fact that she is here today even though she is ill and recovering from an illness speaks volumes about her passion.

5.30 pm

Other Members have referred to how Arlene as an individual was maligned by others. I ask other parties in the House to reflect on how some of their Members referred to that individual and to Autism NI. It did not help the debate and it did not move the cause of autism forward one inch. In many respects, it caused deep division within the autism sector, and it is regrettable that that happened.

Despite all that, and despite the cajoling that had to take place within certain Departments, today we have reached a goalpost. I suppose we all wondered whether we would ever get here before this Assembly finished. It is good for autism and, more importantly, good for autism sufferers and their families that we have reached this day. Eventually, we reached a day on which equality of treatment will be

recognised for those in Northern Ireland who suffer from autism. Equality is what the Bill is all about; it is about equal treatment for those who suffer from autism.

As an elected representative, I could never understand, and to this day cannot understand, why some Departments refused to recognise what is recognised elsewhere and what is as clear as the end of your nose, the suffering of children from autism. Today, we have reached the point where that excuse melts into the background, hopefully forever, in Northern Ireland. We have put on statute that autism is a recognised disability.

I thank all members of the all-party group on autism, and its chairman, for bringing this to the House and getting us to this stage. I commend the Bill.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. I begin by thanking all Members who took part in the debate today. It was a very positive debate. The Bill is the product of the work of many people throughout Northern Ireland; those with autism, their families and those who care for them. Many of those people have come in person to our constituency offices or through the advocacy groups that represent them to ask us for the type of provision that the Bill, hopefully, has the potential to deliver. I am confident that the Bill will deliver for them.

As Sue Ramsey said, today is the end of one phase of our work and the beginning of the next. If the electorate is well enough disposed towards us to return us to this House, it will be our duty to ensure that the measures in the Bill are fully and properly implemented and enacted.

I thank all those who helped bring the Bill to this stage. I thank the members of the all-party Assembly group on autism, some of whom Members heard speak very eloquently today: John McCallister, Ian McCrea, the deputy chairperson Michelle O'Neill, Kieran McCarthy, Jonathan Craig and Alex Easton. All members of the group believed passionately in ensuring that the services needed by people with autism, their families and their carers were provided for by the work of the Assembly. The group was explicitly established to advance the case for autism legislation. Today is testament to the work of the group during the mandate of this Assembly. Once again, I thank all Members.

I also thank the officials from the Bill Office, especially Eilis Haughey, who was always available to advise us on the formal aspects of legislation.

I thank in particular the autism charities in Northern Ireland, which very much encouraged us along the way; Autism Northern Ireland, the National Autistic Society, PEAT, CEAT and SPEAC. I especially thank Autism Northern Ireland; its chief executive, Arlene Cassidy; its adviser Eileen Bell; and its chairperson David Heatley. I also thank the Health Committee, which scrutinised the Bill and came forward with positive suggestions for amendments. The Bill is the result of positive collaboration between the voluntary and community sector and the Assembly. It is an example of what we, in the House, can achieve through positive co-operation.

The National Autistic Society launched its 'You Need To Know' document in the Long Gallery last week. It contains nine recommendations, one or two of which I will read out to give an example of the gaps in services:

"We recommend more training for educational professionals such as teachers and classroom assistants to enable them to implement strategies and create an ethos of understanding which will benefit children with autism. We recommend that the ASD strategy being developed by the Department of Education includes protocols to facilitate joint working between children and adolescent mental health services and schools. We recommend that the RASDN identifies a CAHMS work stream to reform the provision of mental health services for children with autism."

The document is an indication that the Bill is needed, that the strategy is needed, and that we need to continue this work.

I express my admiration for the work of the Department of Health and the Department of Education. We have the foundation of the strategy for which the Bill makes provision. We need those Departments' work to be linked, co-ordinated and joined by the work of other relevant Departments.

In commenting on the contributions to today's debate, I will try to include most Members who spoke. The Chairperson of the Health Committee was the first to speak. He outlined the Bill's progress through the Health Committee and detailed the amendments that it recommended. Michelle O'Neill, the

Deputy Chairperson of the Health Committee, emphasised the fact that the Bill will not have a negative impact on the rights of people with other disabilities or those with special needs.

Mr John McCallister said that he could not give his full support to the Bill at all times but said that he would not cause a division. He underlined the fact that there is a commitment from everyone in the House, from the Minister of Health, the Minister of Education and the Minister for Social Development, and from others to ensure that people with autism are well served by Government here. Kieran McCarthy referred to the Assembly's Research Services and the evidence that is overwhelmingly in favour of legislation.

Paul Givan welcomed the Bill on behalf of the DUP and underlined the need for early diagnosis and intervention. Sue Ramsey described this as a truly historic day. She said that it had been predicted that the Assembly would be a battle a day and that a battle is certainly needed to change mindsets in some Departments. Ian McCrea expressed his delight at seeing the Bill reach this stage and welcomed the fact that there would be no Division today.

Pat Ramsey welcomed the fact that the Bill had reached Final Stage and said that he was delighted and honoured at being present today. He said that the Bill was long overdue and he hoped that the loved ones of people with autism will have the equality that they have longed for.

Alex Easton, who has been one of the strongest supporters of the Bill, gave us a variety of statistics on autism. The current prevalence is one in 50, which equates to about 30,000 in the population. He said that he would have liked the Bill to go further: he wanted the creation of an autism commissioner's office to be included in the Bill and he regretted that that proposal had been removed. He expressed the hope that that provision could be accommodated in the future.

Paul Girvan mentioned the work of the advocacy groups. He praised the work of those involved in the Health Department's action plan, but said that it was not part of a cross-departmental approach, which was what was needed.

Pól Callaghan mentioned the Irish proverb, *tús maith leath na hoibre* — a good start is half the work. By that he meant that the stage that we have reached is possibly only the beginning and that further work is needed.

George Robinson spoke very strongly in support of the Bill, as did Dolores Kelly, who said that the Bill connects citizens to the Assembly and that she hoped that it augurs a better future for people with autism and their families and carers.

Jonathan Craig outlined his experience and said that the position of many of us on the Bill was arrived at through contact with individuals and by hearing first-hand stories from parents and carers of people with autism. Indeed, that is how I got to this point. I am sure that many Members will identify with the experience that Jonathan had with his constituent — his babysitter — who outlined for him the difficulties faced by people who have children with autism, such as accessing education services and getting a suitable intervention that works for their child. He also praised Michelle McIlveen for her mountaineering exploits on Ben Nevis. Although Michelle has climbed Ben Nevis, I suppose that many parents thought that they would have to climb Mount Everest to access the services that they needed for their children. We hope that that climb will not be necessary in the future.

Arlene Foster said that the Bill should help people to access the services that they need. I hope that that will be the case.

Once again, I thank all those who contributed to what has been a useful debate. I hope sincerely that the Autism Bill, and what it provides for, will be used by Departments in a positive way and that, in the next mandate, Members will work hard to ensure that the Bill is implemented and that the services that it promises are delivered effectively and efficiently to people who have autism and to their families and carers.

Question put and agreed to.

Resolved:

That the Autism Bill [NIA 2/10] do now pass.

Lord Morrow: On a point of order, Mr Deputy Speaker. During yesterday's questions in the Assembly to the Minister for Social Development, I tabled a question that was listed as question 12. We did not get to it, which was understandable. However, even today, I have not received an answer to that question. Standing Orders are explicit on what should be done in such an event.

Standing Order 20(9) states:

"Where –

(a) the member who submitted the question is not present to ask it; or

(b) the question is not reached in the time allocated for questions;

the Minister or member representing the Assembly Commission to whom the question is addressed shall give a written answer. This question and answer shall be published in the Official Report (Hansard)."

5.45 pm

At 5.45 pm the following day, I still have not got that answer. I would like to know why I have been singled out for this treatment. The question was straightforward:

"To ask the Minister for Social Development for an update on phase 1 of the public realm scheme for Dungannon town centre."

I am still waiting for an answer today, and I understand that the Minister is out of the country. I would like a ruling on that.

Mr Deputy Speaker: Thank you for that point of order, Lord Morrow. You are fully entitled to an answer under Standing Orders, and I will bring that to the attention of the Speaker. Hopefully, that will draw attention to the question and the Department will respond.

Adjourned at 5.46 pm.

Written Ministerial Statement

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

Regional Development

Review of the Regional Transportation Strategy – Consultation

Published at 10.00 am on Tuesday 15 March 2011

The Minister for Regional Development

(Mr Murphy): I am pleased to inform Assembly members that consultation on the revised Regional Transportation Strategy will commence on 16 March 2011 for 15 weeks.

The current Regional Transportation Strategy 2002-12 was successful in securing high levels of public funding to improve our transportation infrastructure. However the speed and direction of change in society has prompted the need for review. The increase in population and vehicles has placed significant pressures on our transportation networks coupled with fiscal constraints and the need to reduce our environmental impacts.

The revised Strategy will seek to build on what has been achieved and summarises where we are at present in transportation terms. It sets out a range of objectives that we want to achieve and proposes how to get there. The revised Strategy emphasises the need to concentrate on moving people rather than vehicles, creating space on the networks for people and also for freight and on maintaining what is in place and using it in a smarter way.

The revised Strategy is different from the current strategy in that it is not constructed on schemes and projects. Rather it sets out the High Level Aims and the Strategic Objectives for transport in the region that should form the basis for future decision-making about funding priorities. At its core is a move towards greater sustainability which will contribute positively to growing the economy, improving the quality of life for all and reducing the transport impacts on the environment.

High Level Aims:

- A. Support the Growth of the Economy
- B. Enhance the quality of life for all
- C. Reduce the Environmental Impact of Transport

Strategic Objectives

- A. Support the Growth of the Economy
 - 1: Improve connectivity within the region
 - 2: More efficiently use roads and railways
 - 3: Better maintain transport infrastructure
 - 4: Improve access in our towns and cities
 - 5: Improve access in rural areas
 - 6: Improve connections to key tourism sites
- B. Enhance the quality of life for all
 - 7: Improve Safety
 - 8: Improve Social Inclusion
 - 9: Develop transport programmes with the user in mind
- C. Reduce the Environmental Impact of Transport
 - 10: Reduce Green House Gas Emissions from transport
 - 11: Protect biodiversity
 - 12: Reduce noise and air pollution

The Consultation document and associated Equality Impact Assessment are available in the Assembly library, on the Department's website www.drdni.gov.uk/rts/ or by contacting:

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