

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 22 May 2012

The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Beggs] in the Chair).

Members observed two minutes' silence.

Speaker's Business

Public Petition: Causeway Hospital, Coleraine

Mr Deputy Speaker: Mr Adrian McQuillan has sought leave to present a public petition in accordance with Standing Order 22. He will have up to three minutes to speak about the petition.

Mr McQuillan: Thank you for allowing me to hand over this petition to save acute services at the Causeway Hospital. I also thank the members of the Causeway branch of Unison for collecting all the signatures: some 26,182 in total. I know that they were out and about on their days off and on their bank holidays and at the North West 200. I take the opportunity to welcome them to Parliament Buildings. Many of them are in the Public Gallery.

What we all want is a sustainable future for the Causeway Hospital. It would be in no one's interest to persist with a model that could collapse in a year or two. We all realise that there is some level of change happening on every acute site, and it would be much better for any change to be planned rather than unplanned.

Regionally, the Northern Trust has one of the largest catchment areas, with boundaries that extend from the glens of Antrim to Cloughmills, Ballycastle and Castlerock, taking in such areas as Portrush, Portstewart, Garvagh, Kilrea and all outlying areas. A total of 43,500 people receive care in the Causeway A&E annually, and the downsizing of other hospitals in the Northern Trust area has put remaining facilities under a significant amount of pressure. Clearly, those existing facilities would be unable to effectively care for the people who no longer have the option of treatment at the Causeway Hospital.

The golden hour was clearly flagged up as being the key point in identifying the need for the

Causeway Hospital. Paediatricians made it very clear that, if a sick child had to travel to outlying facilities from the Causeway area, he or she would not survive the journey due to the travel time involved. Many of the initiatives in the Compton report are based on a model where the road infrastructure is much better than it is in Northern Ireland. It does not take into account the rural nature of this area.

I will read you a letter that appeared in the 'News Letter' last Tuesday from a Mrs F Anderson of Coleraine:

"I felt I must write and publicly say thank you to the doctors and nurses at the Causeway Hospital, Coleraine. Recently my husband developed a sudden stroke, and I remembered the advertisement on TV – ring 999 immediately. I did so, and thanks to the swift action of the ambulance staff, and the super staff of the A&E, my husband was getting treatment within an hour. I dread to think what might have happened if this A&E was closed at the Causeway Hospital. To the doctors and staff, in the A&E especially, I couldn't thank you enough for your excellent care and treatment. To the powers-that-be – please think again before closing this A&E department."

That letter tells us a lot about the Northern Trust.

We encourage the local community to engage fully over the next number of weeks with the local commissioning groups and the trust, which are preparing a population plan that must also include the population shift for the summer months and the large events that take place in the area, such as the North West 200 and the international air show, so that we can secure a solution that provides a long-term, sustainable future for the Causeway Hospital.

Mr Deputy Speaker, I thank you once again for receiving the petition. I also thank the members of the Causeway branch of UNISON.

Mr McQuillan moved forward and laid the petition on the Table.

Mr Deputy Speaker: I thank you for the petition. I will forward it to the Minister of Health, Social Services and Public Safety and ensure that a copy is forwarded to the Health Committee.

Assembly Business

Mr G Kelly: On a point of order, a LeasCheann Comhairle. I understand that yesterday, while I was at a meeting in the Senate, Raymond McCartney raised a point of order, and the Deputy Speaker — I think it was you — said that, since it involved me, I should raise it this morning. I ask the Speaker to check Hansard. I understand that remarks were made by another Member, Jim Allister. On checking the Hansard report, will you come back to me on the basis that I think that it was unacceptable for a Member to make such remarks in the House?

Mr Deputy Speaker: You have put your views on the record, and the Speaker will deal with the matter on his return.

Ministerial Statement

Credit Unions

Mrs Foster (The Minister of Enterprise, Trade and Investment): With your permission, Mr Deputy Speaker, I wish to make a statement on the reform of the Northern Ireland credit union movement. Members will recall that I have addressed the House on a number of occasions on this important subject. I am now pleased to be able to report on the progress made to date and the plans for the future development of the movement.

I have at each stage of the reform programme sought to ensure that the Assembly, the credit union representative bodies and the Northern Ireland credit union movement generally were fully consulted on and engaged with the reform process. To a large extent, the process was begun by the Enterprise, Trade and Investment Committee's 2008 inquiry into the role and potential of credit unions in Northern Ireland. The inquiry resulted in a number of recommendations, most of which my Department endorsed, while being mindful of the fact that the timescale for implementation of those that required legislative change would depend on the demands of the legislative programme in the Assembly and at Westminster.

The Committee's report confirmed the wish of many credit unions to expand the range of services that they can offer, in particular those that help to address financial exclusion. For many low-income and vulnerable groups, a credit union is their only contact with a financial institution and only source of credit. It is also increasingly their preferred access route to a wider range of financial services. Where it has been within its remit, my Department has facilitated many of the enhanced services now available, such as the transfer of state benefits and wages, bill payments and bank direct debits and standing orders.

The Committee's inquiry was followed by a HM Treasury review of the legislative framework for Northern Ireland credit unions that involved a consultation of all major stakeholders. The Treasury report broadly endorsed the recommendations of the Committee report and shared with it the recommendation that responsibility for the regulation of Northern Ireland credit unions should be transferred to the Financial Services Authority (FSA).

Both reviews recognised that move as being essential for the development of the movement and the protection of its membership. In 2010, I joined the then Economic Secretary to the Treasury in setting out proposals for the future regulation of Northern Ireland credit unions. Overall, the responses to the consultation by the representative bodies and several individual credit unions were supportive and welcomed the opportunities and benefits that FSA regulation would bring.

The preparations for the transfer of regulation on 31 March were thorough and were undertaken jointly by Department of Enterprise, Trade and Investment (DETI) and FSA officials, who worked closely on identifying and addressing the needs of the Northern Ireland movement. A series of familiarisation roadshows was run over a two-week period, taking in the four main population centres: Belfast, Londonderry, Newry and Belfast — that is obviously wrong. The roadshows were timed to coincide with the FSA consultation on the detail of the proposed regulatory framework.

Some Members will know that, as part of the feedback on the proposed regulatory framework, I received representations from the ETI Committee and the credit union trade bodies. I subsequently conveyed my concerns and those of the movement to Mark Hoban, Financial secretary to the Treasury. More recently, I met Andrew Bailey, interim successor at the FSA to Hector Sants. As a result of those representations, a number of concessions were secured, the most significant of which relates to the share/savings limit and the investment period for surplus funds. The FSA had originally proposed a reduction in the amount that an individual member could save from £15,000 to £10,000 and a reduction in the maximum period for which a version 1 designated credit union could invest surplus funds from five years to one year. The case for retaining the Northern Ireland higher savings limit of £15,000 has now been conceded. The FSA has agreed to waive the normal £250 fee for applications received before April 2013 from version 1 credit unions that wish to apply for version 2 status. In addition, version 1 credit unions reinvesting surplus funds during that period will be allowed to do so for up to three years. Investments made prior to the transfer of regulation to the FSA will be allowed to mature in accordance with the original terms and conditions of the investment.

With any major regime change, be it regulatory or otherwise, it is inevitable that there will be a period of adjustment and bedding in. For the majority of Northern Ireland credit unions there will be no greater administrative costs as a result of the transfer of regulation to the FSA. However, I am aware that a number of credit unions may require some assistance to document their policies and procedures in compliance with FSA requirements. In recognition of this, I am pleased to announce details of support to be made available to credit unions that need and would benefit from advice on this area of their business operation. I plan to offer a one-off grant payment to each of the two credit union trade bodies to contribute towards the cost of providing support and advice to their members to ensure their compliance with the regulatory requirements of the FSA. The offer of financial support is conditional on that support and advice being made available to independent credit unions that are not members of either trade body.

Regulation of Northern Ireland credit unions by the UK financial services regulator brings with it the wider benefits of the financial services compensation scheme and the Financial Ombudsman scheme. Prior to 31 March this year, members of Northern Ireland credit unions were the only savers in the whole of the United Kingdom who did not enjoy the protection of the financial services compensation scheme. However, I acknowledge and pay tribute to the Ulster Federation and the Irish League of Credit Unions for the prudential role played in the operation of their respective self-funded share protection schemes. The burden that those bodies carried will now, quite rightly, be carried by the much better resourced UK financial services industry. Credit union members can save with the confidence and assurance that they have the same status as all other savers. I feel sure that the extension of the UK compensation scheme to Northern Ireland credit unions will help attract new members and contribute to the growth of the movement.

One recommendation of the 2009 ETI Committee report was that registration of Northern Ireland credit unions should remain within DETI. However, as discussions with HM Treasury and the FSA on credit union reform progressed, it became increasingly evident that no tangible benefits would result from registration remaining with DETI. In March 2010, the joint consultation by HM Treasury and DETI considered the transfer

of regulation and registration from Northern Ireland. In a letter dated 27 September 2010, I notified colleagues on the ETI Committee of the decision to transfer credit union registration to the FSA or its successor. The Government response to the March 2010 consultation was published in October 2011 and stated that the credit union registration function would transfer to the appropriate Great Britain authority following the introduction of the necessary legislation, the transfer of regulation and registration being a positive and practical step.

10.45 am

Following agreement with the Financial Secretary to the Treasury on the inclusion of provision in a suitable legislative vehicle, the Financial Services Bill, with the necessary Northern Ireland clauses, was presented to Parliament earlier this year. I have sought agreement from the First Minister and deputy First Minister to bring before the Assembly a legislative consent motion permitting the inclusion of the relevant Northern Ireland clauses in the Financial Services Bill. The proposed NI clauses would permit Her Majesty's Treasury, by order, to enable the transfer of the registrar of credit unions for Northern Ireland to one or more of the successor bodies to the Financial Services Authority.

I recognise the importance of a thriving and growing credit union sector. Recent reforms have placed credit unions in Northern Ireland on a more secure footing. I intend to build on the good work already done and continue the reform process by introducing a Northern Ireland Bill that will remove restrictions on Northern Ireland credit unions and permit them to expand the range of their activities and reach out to new groups.

In recent years, there have been significant developments in the legislative framework governing credit unions in Great Britain. In line with previous practice and as part of the credit union reform process, my Department is considering how best to update Northern Ireland credit union legislation in a similar way. A key development for credit unions in Great Britain was the introduction of the Legislative Reform (Industrial and Provident Societies and Credit Unions) Order 2011 or LRO. The LRO made changes to existing Great Britain credit union law. It was considered that the existing GB legislation was inflexible and that the restrictions on the operations of credit unions

inhibited their operational effectiveness, the provision of services to members and their ability to deal with other corporate bodies. Credit unions in Great Britain, for example, faced problems related to the scope and eligibility criteria of their membership qualifications and, like Northern Ireland credit unions, were restricted to providing services to individuals. In addition to clarifying the position for all GB credit unions with regard to the attachment of shares, the LRO gave Great Britain credit unions greater flexibility in two key areas: the services they can offer and the people to whom those services are available.

Prior to the LRO, credit unions were prevented from offering interest on the deposits of members and were permitted to offer only a discretionary dividend. It was considered that that disadvantaged credit unions when compared with banks and building societies, which had no similar restriction. The LRO, therefore, withdrew that restriction, and that allowed credit unions to offer interest-bearing shares, subject to certain conditions, and gave credit unions more scope to compete in the marketplace.

In addition to permitting GB credit unions to extend the products offered, the LRO made significant changes to the groups that credit unions can serve. The LRO gives GB credit unions the freedom to grant membership to corporate entities such as companies, partnerships, local community groups and social enterprises. The LRO also allows GB credit unions to choose to offer services to more than one group of people. GB credit unions no longer must restrict membership to those sharing a single common bond. Instead, single credit unions can now provide services to different groups, thereby giving more people access to credit unions and facilitating the expansion of credit unions.

The Bill that my Department will take forward is intended to grant similar freedoms to Northern Ireland credit unions, allowing them not only to continue to fulfil their valuable role within the community but to extend it even more widely. If allowed to offer more mainstream savings products, credit unions will be in a more competitive position in the financial marketplace and so be able to reach a wider audience. When credit unions have the freedom to choose a broader membership base, more people will have access to credit unions, which will then have a greater opportunity to grow.

I am keen to ensure that Northern Ireland credit unions benefit from the most appropriate legislative framework at the soonest available opportunity. My officials are in the process of scoping out legislative provisions for a new credit union Northern Ireland Bill. Following that exercise, policy proposals will be developed and put to public consultation during 2013. The aim is to introduce the Bill in the Assembly in late 2013. The new Bill is scheduled for passage through the Assembly in the 2013-14 legislative session. Officials in my Department will, of course, continue to keep my colleagues in the Enterprise, Trade and Investment Committee informed of progress. I commend the statement to the Assembly.

Mr Deputy Speaker: Members now have an opportunity to question the Minister on the statement.

Mr A Maginness (The Chairperson of the Committee for Enterprise, Trade and Investment): I thank the Minister for her very detailed statement. I think that everybody in the House will welcome it, as supporters of the credit union movement. I also thank the Minister for her continued support on the reform of credit unions. That is very important.

There are a couple of issues that I would like the Minister to respond to. The Minister said that she had:

"sought agreement from the First and deputy First Ministers to bring before the Assembly a legislative consent motion permitting the inclusion of the relevant NI clauses in the Financial Services Bill."

My understanding is that the deadline for that is 11 June, so the schedule is very tight. Will the Assembly be able to meet that deadline, as it is important to get that transfer undertaken?

With your indulgence, Mr Deputy Speaker, I wish to make a final point. The Minister proposes to introduce the credit union Bill to the Assembly in the 2013-14 session. For many people looking at this from the outside, particularly the credit union movement, there is a degree of eagerness to get on with the job of expanding services. Will the Minister consider bringing that programme forward to an earlier date to satisfy the growing enthusiasm and interest of the credit union movement?

Mrs Foster: I thank the Chair for his points. I am obviously very keen to get the legislative consent motion before the House at the

earliest opportunity, and I hope that that can be arranged very soon. Obviously, I await clearance from the Office of the First Minister and deputy First Minister, and I hope that that is forthcoming.

That leads me to the Member's second point. This has all been about having all our ducks in a row, as it were, so the Northern Ireland legislation could not happen until the Westminster legislation had happened. We cannot take the next step forward until we are included in the Financial Services Bill where registration and regulation are concerned.

I think that I have shared with the Committee for Enterprise, Trade and Investment the timetable for all these things; if I have not done that, I will. So, if we miss one of those dates, inevitably, the reform programme will not only slow down but will be at risk of being in jeopardy entirely. It is hugely important that we continue the close working together between the Department and the Committee so that we can ensure that the reform takes place. We should always keep it to the forefront of our mind that the pressure for reform came from the credit union movement. It was taken up in an investigation and inquiry by the Committee for Enterprise, Trade and Investment, and that gave it the impetus to move on. We then had reform proposals from Her Majesty's Treasury, which we dovetailed with our proposals. The process has been an intricate web of trying to move forward on this reform programme, but I assure the Member that there has been no delay by the Department. We are very keen to ensure that the credit union movement, which has been of great assistance to many people right across Northern Ireland, continues to offer its services and grows those services with all the safeguards that are now in place. So, I assure the Chair and the rest of the House that we will push ahead on the issue. However, he is right to say that time is short for the legislative consent motion and we really need to get it to the Floor of the House.

Mr Deputy Speaker: I remind Members that some latitude is shown to the Chairpersons of Committees. I ask other Members to be focused in their questions.

Mr Moutray: In her very welcome statement to the House, the Minister referred to a one-off grant payment to the two credit union trade bodies. Can the Minister outline what form the package of financial assistance will take?

Mrs Foster: I thank the Member for his question. That has been a continuing theme, and, although I indicated that the burden should not be much greater on the credit unions, any change brings with it challenge, as everyone in the House will know. We have decided that the Department will provide financial support by way of a one-off grant of £20,000 to the Irish League of Credit Unions and the Ulster Federation of Credit Unions as a contribution towards the cost incurred by the two bodies in providing the necessary support and advice required by the individual credit unions. That is important, because there are many independent credit unions out there as well. It is a condition that they make that advice and assistance available to independent credit unions. If you are an independent credit union, you can apply to the Irish League or the Ulster Federation for that assistance, and it is a condition of the funding from DETI that that assistance will be given. We hope that that will enable credit unions to put in place the policies and procedures that they need to be regulated by the Financial Services Authority, and we hope that it will be of great assistance to them.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. She has gone into the matter in great detail. She said that the Bill that her Department will take forward will grant similar freedoms to credit unions here, particularly the way in which groups are allowed to participate in credit unions. The credit union movement was concerned about football and GAA organisations. Will the Minister clarify that she intends to bring that forward?

Mrs Foster: It is intended — absolutely. To date, only individuals have been able to avail themselves of credit union services. The LRO — the Bill in Great Britain — has allowed joint accounts and allows incorporate bodies to join their credit unions, so that will include sporting groups, and it may include social enterprises that want to take out an account in a credit union. We are scoping out the Bill at present. However, it is certainly my view that those groups will be able to avail themselves of credit union services going forward, and most people want to see that happening. With the increased bureaucracy in many of our banks and building societies, a lot of those groups may feel more comfortable with credit unions, and, therefore, that will be broadly welcomed.

Mrs Overend: I thank the Minister for her statement. The reform of the Northern Ireland credit union movement has caused concern to many, and I thank the Minister for her work on this, her correspondence and her continued statements to the House. She mentioned the one-off payment: I commend that idea, as my colleague did. Will the Minister tell the House what research her Department has carried out to assess the cost to those bodies of support and advice to their members in complying with the new regulations?

Mrs Foster: I thank the Member for her question. We believe that the FSA regulation should not — I use the words “should not” — increase the cost to the credit unions. However, we recognise that there is a change involved and that more policies need to be developed and put in place. I know that the two trade organisations have been very much involved in the development of policies and procedures, and, therefore, we wanted to assist them in that. I think that the House is already aware of the fact that my officials have a very close working relationship with the credit union movements. They have been very much alongside them in all of this reform process, and they have assessed that that support, by way of a one-off grant of £20,000 to each of those bodies, should increase the capacity of both those movements to comply with the FSA arrangements. As I said, it is not just for those two bodies and the members of those two bodies; it is for independent credit unions as well.

Mr Lunn: I welcome the Minister’s statement. There is a lot to welcome. As somebody who laboured under the yoke of the FSA for 10 years, I can say that the credit unions are about to discover what heavy-handed bureaucracy and overkill means. I fear that some of the smaller credit unions may have difficulty in coping with that. Where possible, could the Minister ensure that the FSA will regulate with a light touch, bearing in mind that that organisation regulates some of the biggest financial institutions in the world, as well as very small credit unions?

11.00 am

Mrs Foster: I thank the Member for his question. I have heard those concerns expressed, and that is part of the reason why we have decided to put this finance package in place. My DETI officials have been working with credit unions to try to ensure that they are

aware of what is needed from them. They have also been working with FSA officials, and I went over to meet those FSA officials two or three weeks ago. I met Andrew Bailey and a young chap — whose name I cannot recall — whose sole task is to regulate credit unions here in Northern Ireland. After the meeting, I was very encouraged by the way in which they have been approaching the matter.

Initially, they came forward with a package. Concerns were raised with me by the ETI Committee and from credit unions directly, particularly in relation to the size of investment. We took those issues to the FSA, and it relented given the maturity of the credit union movement here in Northern Ireland. The credit union movement in Northern Ireland is much better developed than in the rest of Great Britain, and the FSA recognised that in the concessions made in relation to the Bill.

I am optimistic that the FSA will regulate credit unions. Yes, it will be more bureaucratic than what has happened heretofore, but, as a result, credit unions will get a protection that they did not have. Given all of that, the balance is certainly in favour of FSA regulation.

Mr Dunne: I thank the Minister for her statement. Will Northern Ireland credit unions have access to the growth fund modernisation programme?

Mrs Foster: I thank the Member for his question. The growth fund modernisation plan was a fund announced in Parliament for Great Britain credit unions. It comes back to the point that I made to Mr Lunn about the maturity of Northern Ireland credit unions compared with the maturity of GB credit unions. GB credit unions have a reach of only around 4% of the GB population, whereas there is a really deep penetration of credit unions right across Northern Ireland. There are very few towns in the Province that do not have a credit union of one sort or another. Therefore, the modernisation fund was announced to try to encourage the growth of credit unions in Great Britain. That money was not made available to Northern Ireland because we have such a deep penetration of credit unions in the Province. I have had correspondence with Members about that on a number of occasions. Hopefully it is understood that that fund was just for Great Britain credit unions.

Mr Deputy Speaker: I ask that Members be as quiet as possible in the Chamber. I have heard

a few conversations on all sides. We are here to put questions to the Minister and listen to the answers.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement and her ongoing work to try to provide the credit union movement with some stability. The Enterprise Committee report that the Minister referred to recommended that registration of credit unions remains within DETI. Will the Minister outline why she feels that the credit union movement, its members and the wider economy would benefit from that element transferring to London? The Minister has said that there are no tangible benefits to that element remaining within DETI, so perhaps she will clarify what the tangible benefits of it transferring to London will be.

Mrs Foster: I thank the Member for his question. I know that this issue has been raised. The reason why we felt registration should go along with regulation is because registration is essentially an administrative function and does not involve any oversight. All that credit unions would be doing is registering their accounts in the Department, and they would then have to be regulated by the FSA. Therefore, there would be a sense of confusion and duplication. It was thought that it would be much better, cleaner and easier to understand if registration and regulation were carried out by the one body, and that is the Financial Services Authority.

I know that the Financial Services Authority does not have an office in Northern Ireland, but it has given me an undertaking that it will be over in Northern Ireland often. As we have heard, it ran four familiarisation meetings right across the Province. I know from speaking to officials and FSA members that they hope that the warm relationship between DETI and the FSA will continue. I have no doubt that credit unions will continue to call on my officials for advice and assistance; that is fine, and I have no difficulty with that at all. Indeed, I encourage that, because there is a wealth of knowledge in the Department. However, for the benefit of credit unions, for simplification and to stop duplication, we felt that registration and regulation should be together.

Mr Dallat: Mr Deputy Speaker, I also welcome the Minister's statement and, indeed, beg your indulgence to pay tribute to officials in the Department of Enterprise, Trade and Investment,

who have a marvellous relationship with credit unions. The Minister will be aware that credit unions were founded in times of great poverty — now called austerity — among working-class people. Will the Minister assure the House that, in future, credit unions will be encouraged to reach out to the victims of payday loans, loan sharks and all kinds of gombeen men? Will she ensure that the principles of the credit union movement stay alive and flourish in the future?

Mrs Foster: I thank the Member for his question and, indeed, his warm tribute to officials. I know that that view is held across the credit union sector. These austere days have reminded us of the value of the credit union movement, which has been very much to the fore in helping such people and playing a role in financial inclusion. The provision of financial services to lower-income households really is a key service of the credit union movement. It plays a vital role in this area and has been a key player in affordable credit pilots, which have been led by the Consumer Council for Northern Ireland in Ballymena and Londonderry, together with the Community Foundation for Northern Ireland and the Ulster Bank. As the Member rightly says, credit unions have that background, but I can see them taking an even more active role in financial inclusion and, indeed, social enterprise.

Mr Allister: Can I press the Minister a little further on the anticipated delay in bringing forward local legislation? The ambition seems to be to let another 18 months pass before local legislation is even introduced, and the time it will take for the legislation's passage means that we are probably at least two years' away from it being implemented. Surely responsive devolution can do better than to have a three-year time lag between the LRO and local legislation in Northern Ireland?

Mrs Foster: I thank the Member for this question. It is certainly not my ambition to slow down credit union reform. I think that my record on credit union reform speaks for itself. As I indicated, we have to wait until other matters have been sorted out at Westminster. We cannot carry this through on our own; the Westminster legislation has to be in place before we can take matters forward. I want to assure the Member that if it is at all possible to shorten that time frame, the legislation will be pushed through sooner, because I want to make sure that credit unions have all the services available to them as soon as is practicably possible.

Private Members' Business

Irish Language: Funding

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

Mr D Bradley: I beg to move

That this Assembly notes with concern the effects that the new funding model proposed by Foras na Gaeilge will have on Irish language organisations; expresses concern about the nature of the consultation process; and calls on the Minister of Culture, Arts and Leisure to review these proposals in view of her Department's emerging Irish language strategy.

Go raibh míle maith agat, LeasCheann Comhairle. Éirím leis an rún a mholadh: rún atá iontach tábhachtach, dar liomsa; rún faoin tionchar a bheas ag an tSamhail Nua Mhaoinithe, atá molta ag Foras na Gaeilge, ar na heagraíochtaí Gaeilge, thuaidh agus theas. Ba mhaith liom díriú ach go háirithe ins an díospóireacht seo ar na heagraíochtaí Gaeilge anseo sa Tuaisceart. I am grateful for the opportunity to discuss the impact of the new funding model proposed by Foras na Gaeilge on Irish language organisations and to ask the Minister to review the proposals in the light of her emerging Irish language strategy.

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

The support infrastructure for the Irish language in Northern Ireland is relatively young. Most of it has been developed only within the last 12 years. A critical part of that infrastructure is a small voluntary sector with around 20 people employed in it, which is core funded by Foras na Gaeilge. The sector's work includes educational resources for Irish-medium schools; support for preschool education; cross-community initiatives; community development; a radio service; and advocacy for the Irish language community.

Under Foras na Gaeilge's current proposals — the new funding model — most of those organisations will cease to exist as they will be disqualified from applying for core funding. They, and the voluntary sector in the Republic, will be replaced by a small number of all-island

organisations, which will be chosen on the basis of competitive tender. The new funding model is, in part, a response to the straitéis fiche bliain — the 20-year strategy for the Irish language in the South. It is also a response to the economic situation. Foras na Gaeilge's funding has been severely cut, and most of the organisations have lost up to 25% of their funding since 2008. We are told that the cuts are likely to continue. Foras na Gaeilge has argued that its process reflects the need to rationalise the sector.

Tá an earnáil deonach Gaeilge iontach soiléir faoi thionchar na samhala nua seo – déanfaidh sé damáiste don earnáil. The Irish language voluntary sector in Northern Ireland is very clear that the new funding proposals, if implemented, will have a devastating effect on the small and fragile support infrastructure that has been developed to date. It is important to state that the sector is not opposed to change — nor, indeed, is it blind to the need for cuts — but it does not support the new funding model.

De réir mar a chuaigh an próiseas comhairlúcháin chun tosaigh is amhlaidh go raibh go leor gearán fá dtaobh de As the consultation process has progressed — and there have been many complaints about that process — it has become abundantly apparent that the new funding model is opposed, not only by the Irish language voluntary sector but by eminent linguistic scholars, Dáil Committees and the Irish language media, as well as by almost everyone who attended public meetings organised by Foras na Gaeilge across the island.

I do not have the time to go into each matter in great detail, but I will highlight some of the critical issues during the course of the debate. They relate to the funding model itself, the proposed all-island structures, our own Executive policy and due process, and, indeed, good practice.

Níl an t-am agamsa inniu dul isteach in achán mhionsonra ach déanfaidh mé iarracht na hábhair a phlé ins an díospóireacht seo. The Irish language voluntary sector argues that a competitive funding model will commercialise the sector, narrowing its range of activities. It will stifle innovation, undermine voluntary input and undermine the independence of the sector, thereby severely curtailing its advocacy role. When the representatives of the sector attended the Culture, Arts and Leisure Committee, they argued that it could lead to a loss of skilled and

experienced personnel as well as the wealth of contacts and reputations they have built up over the years. It will also mean that proposed job contracts will be for three years, and employees will have to reapply at the bottom of the scale for each competitive cycle. They pointed to numerous research papers on competitive funding from Britain, Australia and America.

All of those consistently highlighted the defects of this model and argued strongly in favour of core funding for voluntary organisations.

11.15 am

Is fearr ar ndóigh an cur chuige uile-oileánda i gcuid mhór cásanna ach tá eisceachtaí tábhachtacha ann. The Irish language voluntary sector —

Mr Campbell: Will the Member give way?

Mr D Bradley: Yes.

Mr Campbell: If the Member could set aside just for a second the merits or demerits of the case that he is making; does he think that he advances the cause of the Irish language by interspersing Irish throughout his contribution while moving the motion, when most of us in the Chamber and outside do not understand the language and do not know what he is talking about other than when he speaks Irish in addition to the contributory opening line that he would normally use? Does he think that interspersing his comments constantly with Irish when most of us do not understand what he is saying advances his case?

Mr D Bradley: Gabhaim buíochas leis an chomhalta as an phointe a rinne sé ansin. I thank the Member for his intervention, and I will take the time to explain to him that, in all cases, I have translated what I have said, so it is open to you to understand it if you choose to. That is in accordance with the Standing Orders of the House, and, as you know from past experience, I would not dare breach them. We will move on, Mr Deputy Speaker.

As I said, the Irish language voluntary sector North and South agrees that certain functions are best carried out on an all-island basis. It also agrees that, due to different constitutional, legal, administrative, social, political and socio-linguistic circumstances of the two jurisdictions, other functions are best carried out on a jurisdictional basis. The sector argues that the original decision to reorganise it on an all-island

basis was beneficial but not in every case. Although Foras na Gaeilge has now allowed for two schemes to operate on a jurisdictional basis, it has not followed through on the implications of these precedents.

The Northern Ireland Executive's Programme for Government, which has been agreed by all five parties, has made a commitment to strategies for Irish and Ulster Scots. It seems inconceivable and contrary to good practice that any attempts should be made to restructure the Irish language sector in Northern Ireland in a policy vacuum before the Executive's strategy has been developed and agreed.

Mr Humphrey: Will the Member give way?

Mr D Bradley: I am sorry; I cannot on this occasion, as I have still material to cover.

Foras na Gaeilge acknowledges that its restructuring programme is directly linked to the 20-year strategy for Irish in the South. Indeed, the restructuring was announced only days after that policy was introduced. The strategy applies to the South but does not apply to the North. It appears that Northern Ireland is marginal to Foras na Gaeilge's consideration, and this perception is reinforced by the fact that all versions of the new funding model, including the most recent one, have entirely ignored the cross-community priority clearly identified in the Programme for Government.

That priority refers to language strategies:

"building relationships between communities... unlocking the potential of the culture, arts and leisure sectors as instruments for positive change. Additionally, it seeks...to advance social cohesion and integration."

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

Mr D Bradley: It also ignores the programme for cohesion, sharing and integration, which envisages that language strategies will contribute to the Executive's goal of a shared and better future for all.

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

Mr D Bradley: Tá a fhios agam go bhfuil an t-am istigh. I support the motion, and I ask Members to lend their support also.

Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure): I

welcome the opportunity to speak on today's private Members' motion on the new funding model proposed by Foras na Gaeilge. I would like to outline briefly the Committee's consideration of the issue.

On 9 June 2011, the Committee received a briefing from the Department of Culture, Arts and Leisure (DCAL) and Foras na Gaeilge on the proposed funding model and details of the second consultation that ran from March to June 2011. Members considered concerns raised by the previous Committee about the limited nature of the first consultation and the fact that the guidelines for conducting an equality impact assessment (EQIA) and a regulatory impact assessment (RIA) had not been followed.

The Committee shared those concerns and raised them with DCAL officials and Foras na Gaeilge on 9 June 2011. Members expressed concern that a full EQIA has not been undertaken and asked for an explanation for that decision and details of the screening process. Members also questioned why a regulatory impact assessment had still not been undertaken.

The Department later confirmed that an RIA would be undertaken by Foras na Gaeilge as the proposals would have a direct impact on the voluntary sector, and that was welcomed by the Committee. The Committee agreed to a further briefing on the outcome of the consultation on 15 September 2011 and also invited the Irish language core-funded group to brief the Committee on 22 September 2011, on its concerns about the proposed funding scheme and the consultation process. Officials briefed the Committee on the outcome of the consultation on 15 September 2011, and the consultation had asked the public to report on four key recommendations. Members learned that all four recommendations had been rejected by Irish language groups in Northern Ireland. That was confirmed on 22 September by the Irish language core-funded group, which highlighted deficiencies in the process and said that the guidelines for conducting an EQIA and RIA and the consultation were not followed.

The Committee wrote to the Minister, on 26 September 2011, about the concerns of the Irish language core-funded groups, the consultation process, the RIA and the EQIA. The Committee asked the Minister to refrain from making any decisions on the proposals put forward by Foras na Gaeilge until proper

consultation with the sector had been taken. The Committee has followed closely the developments in relation to the consultations on the new funding model proposed by Foras na Gaeilge and, following the decision by the North/South Ministerial Council (NSMC) last October to undertake a further consultation to address the concerns raised about the consultation process, the Committee invited officials to provide an update on 26 April 2012.

The Committee continues to take an interest in the issue and has requested that DCAL and Foras na Gaeilge report to it on the outcome of this consultation in due course.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ar dtús a rá gurb é mo bharúil gur tháinig an rún seo roimh an Tionól níos mó ná giota beag ró-luath. Tá gá le díospóireacht a dhéanamh go deimhin ach caithfidh muid fanacht leis an phróiseas comhairliúcháin ag an am chéanna.

I am very pleased to speak on this matter today and, indeed, very proud that issues relating to the Irish language are being discussed in the Chamber. I have some concerns about the motion. I consider it pre-emptive and slightly premature. We see that reflected in the wording of the motion, in that the new funding model is described as "proposed" and the Department's strategy as "emerging". It is my contention that we are discussing this much too early, and I thank the Chair of the Committee for Culture, Arts and Leisure—

Mr D Bradley: Gabhaim buíochas leis an chomhaltas as mé a ligint isteach anseo. I thank the Member for giving way. Does he not agree with me that it is much better to be pre-emptive than to wait until it is too late? If we want to influence these decisions, we must enter the debate early and effectively. Go raibh maith agat.

Mr Ó hOisín: The Member knows that there have been a number of previous consultations. When the current Minister took office, those were in a state of chaos. I praise the current Minister for her efforts to rectify that.

A process of consultation is exactly that: we should take on board what all the stakeholders and interested parties say and have said. That has been reflected very much in a number of the consultation meetings and workshops that we in Sinn Féin, members of the Committee and others have carried out with many of the

groupings. It is certainly no reflection on any of the groupings.

I declare an interest as someone who has worked with most of the groupings over my working life, including Altram, which deals with the preschool sector; Comhaltas Uladh, of which I am a former member; Iontaobhas ULTACH, which is delivered through the Ciste Craolacháin, which, of course, I was part of; and other groupings such as Forbairt Feirste, Pobal and Radió Fáilte, on which I once had a slot, but that was a few years ago.

As I said earlier, the Minister has brought some sort of form and shape to the consultation, and I praise her for that. We listened to and took on board all the worries and concerns that many of the groupings have. That is reflected in the extension of the funding to June 2013 and the putting in place of an RIA and an EQIA. The matter will come back to the North/South Ministerial Council — the Chomhairle Aireachta Thuaidh/Theas — by July. For us to —

Mr Humphrey: I am grateful to the Member for giving way. Earlier in his contribution, he mentioned the SDLP motion, which talks about proposed funding for Foras na Gaeilge. Like Mr Bradley, the Member is much more eminently involved in and has more knowledge of the subject than me. It is my understanding that 75% of the funding for Foras na Gaeilge comes from the Irish Government and 25% from the Northern Ireland Government, and the reverse is the case for Ulster Scots. Perhaps the Minister, in her response, can say whether the problem is the funding from the Irish Government, who are so economically strapped at the moment as a member of the euro zone.

Mr Ó hOisín: The Minister might address that later in the debate. You will appreciate that the funding is also reflective of the number of groupings and the people involved.

I look forward to the consultation's publication. I can probably expect and predict some of the answers. There is concern among the Irish language sector, but it has perhaps never been stronger than it is now. Look at the development of the number of naíscoilanna, bunscoilanna and meánscoilanna right across the North. The support services have to be in place in the education sector and the community sector. A lot of the voluntary organisations in the community sector are delivering those services on the ground. We look at places such as Carn Tóchair,

which was fully an Irish-speaking area until the census of 1911. A large percentage of the people there spoke Irish. We are now looking at a small rural community in which there are over 250 Irish speakers who work, live and carry out their daily lives through the medium of Irish. I commend them on that, and I commend Foras na Gaeilge's funding for the project.

I return to my central position, which is that the motion is probably premature. It is pre-emptive. If I were to be sceptical about it —

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

Mr Ó hOisín: — I would say that it might even be a little cynical. I do not want it to be that and I do not want to say that, but that is the way that I feel.

Mr Deputy Speaker: Your time is up.

Mr Ó hOisín: Go raibh míle maith agat, a LeasCheann Comhairle.

Mr McGimpsey: As has been indicated, Foras na Gaeilge is not an independent fiefdom but part of the North/South Language Body and, as such, is answerable to the North/South Ministerial Council in language format. There will always be a unionist Minister at those meetings, so a veto exists as far as unionism is concerned. It is more than simply an academic exercise when it comes to funding for Gaelic.

I was surprised to hear Mr Ó hOisín say that the current Minister was sorting out the chaos that she inherited. I was not aware that you had been provided with chaos when the portfolio was handed over from the previous Minister. I am sure that he would take a contrary view to the Member's. We are all aware that core funding is key for organisations that bid for funding, whether it be for Ulster Scots, Gaelic or any other form of funding. If organisations get core funding, they then have continuity and confidence to plan. They do not spend most of their time, as many groups do, wondering what the next funding round will provide for them and lobbying and working for that funding.

So, I am not sure about the notion that we had chaos and that this will sort out that chaos.

11.30 am

Core funding is always the way for voluntary and community groups to go forward, if at all

possible, to give them that confidence and continuity. Therefore, I am not clear about the argument as to why we will go on to a new funding model. That has to be developed, but, clearly, as has been indicated, the Committee has concerns and the Irish language groups have concerns. I sat in the Minister's chair at one stage, and I am reminded that we are empowered, where appropriate and where people so desire, to take resolute action to promote the language and to facilitate and encourage its use, and it appears that, in this constituency, the people do not desire that type of change of arrangement. The Irish language is 75% funded by the Dublin Government, and that Government will have a major say in this. Similarly, Ulster Scots is 75% funded by the Northern Ireland Executive. So, it is not simply a matter for this House but a matter that requires consensus and working by agreement.

I listened to Mr Bradley, and I have always considered him to be something of an expert in the area. He certainly appears to have a vocabulary and a grasp of the language that most people in this House do not have. I heard Mr Campbell ask him whether he was really making his case by speaking in Gaelic first before speaking in English. That is not a problem that most of us provide Mr Campbell with. I have listened to the discussion, and we have to tread carefully and with caution if we are to change this after a number of years. The promotion of Gaelic has been successful, and that is one of the successes of the cross-border body. We need to be very careful that we do not lose the support of the constituency by introducing a funding model that may well be driven by budget problems in Dublin. If Dublin has those budget problems, it has to be honest with us and make that case.

The issue still has to be fully explored. I am not fully across all the issues, and it is a developing argument. Someone said that the motion is premature and pre-emptive; I am not sure that it is either of those, but it is a discussion that we can usefully continue.

Mr Lunn: I have listened with interest to the contributions so far, particularly from the Irish-speaking side of the House. As a non-Irish speaker and a non-member of the Committee, I feel a bit like Mr McGimpsey in that I am not totally across the issues. So, most of what I will say will be by way of observation and impression rather than facts, and I am sure that if I say

something completely wrong, somebody will jump up and correct me.

Frankly, I am always impressed by the interest and commitment of those who are involved in the Irish language movement and the ongoing project to widen its use in everyday speech and conversation. Mr Ó hOisín mentioned the education perspective, and it has been well proven that learning an additional language at an early age is stimulating and beneficial to our children. That is accepted at home and across Europe. My grandson started to learn Spanish in primary 2, and he knows more Spanish than I do now. So, I support the promotion of Irish-medium schools as one of Foras na Gaeilge's activities, if there is a strong parental demand for it.

I will turn to Foras na Gaeilge and today's motion. What little I know about the organisation indicates that the review of the funding model is to be welcomed — it is long overdue — provided that it is done properly. My impression is that the organisation has been allowed to do its own thing with funding from both Governments with, perhaps, precious little supervision or accountability. They appear to have funded certain bodies by block grants without due regard to how effectively the money has been used, while, at grass-roots level, it seems to be generally accepted that local projects doing really good work on language promotion and development and showing real creativity and energy receive only about one sixth of the total funding that is channelled to the core-funded groups under the present system. My impression is that, under the new model, it will be easier and quicker for projects to access funds, and that the money will, in theory at least, follow the action and will result in enthusiasm and good practice being rewarded.

I also hear from Irish speakers that there is a need to regenerate and revitalise the geographical areas of language activity so that they fit into the context of a national language planning model, ensuring that where Irish-speaking communities exist, they are active and vibrant and not just nominal Gaeltacht areas where there is little or no real attention paid to the subject. I understand that there are two Gaeltacht areas in Belfast, which exist in name only. I spend quite a bit of time in Donegal, in the Fanad peninsula, which, apparently, is also a Gaeltacht area, but I have yet to hear anyone speak in Irish when I am up there, sometimes for weeks at a time. That is not meant to be

a criticism, but we need to direct the funds to where the action is or where the potential is. There is not much point in having a Gaeltacht area if nobody speaks Gaelic.

We will have to listen with interest to the rest of the debate before we decide whether we will support the motion. I will say, however, as an outsider, that I like the look of the proposed new structure for Foras na Gaeilge. I listened to Mr Bradley's criticisms of it, but as an outsider looking in, it seems to me to be more modern, active and reactive, and the organisation will hopefully be more accountable to its funders and the taxpayers, North and South.

I note that the Northern Ireland Government have invested 25% of the overall funding, but over the years, only between 16% and 22% of that money has found its way back to the North. I also note the feeling that the needs of the Irish-medium sector in the North are different from those in the Republic, a fact, perhaps, that is not always recognised by Foras na Gaeilge. I hope that whatever changes are finally agreed will be introduced gradually, as it is important not to lose the expertise and experience that is available in organisations that, although they will have to change — as Mr Bradley said, some of them may disappear — are decades older than Foras na Gaeilge and have a lot to offer.

I am not fully conversant with the overall existing structures, but there is Plean 2030 and plans for a national language planning and implementation unit, so a co-ordinated and sensitive approach is what is needed. I hope that Foras na Gaeilge gets it right and that it does not rush things.

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

Mr Lunn: It must ensure that scarce resources are used in the best way possible for the benefit of the movement.

Mr Sheehan: Tá mé iontach sásta a bheith ag labhairt anseo inniu. It is important that we look at the background of this process and its aims. It is to improve the delivery of services to the Irish language community and to the broader English-speaking community, and, of course, to ensure better value for money, given the current economic climate. That is essential. However, what we are really looking for is the effective delivery of Foras na Gaeilge's statutory obligations. Those of us who support the

promotion of the language should support those objectives.

The review has been undertaken because, among other reasons, of the increasing amount of core funding that is being spent on wages. In 2008, 50·48% was spent on wages. In 2010, it was 53%, and in 2011, it was 59%. This year, there is a 9% reduction in Foras na Gaeilge's budget and there will be a 3% reduction over each of the next three years. That is unsustainable. Of course we want to protect jobs in the Irish language sector, but Foras na Gaeilge's main purpose, along with other Irish language groups, is to promote the use of the Irish language. It is not to protect jobs, although we do want to protect jobs. No one could possibly disagree that funding to Foras needs to produce results in the promotion of the language, and that it should not just be used for wages and administration. Let us take a look at the consultation process.

Mr Swann: Will the Member give way?

Mr Sheehan: Go ahead.

Mr Swann: On a point of clarification, if that is the purpose of Foras and the other language bodies, will the Member comment on the Minister's Líofoa project? How will assigning additional DCAL moneys in the region of £30,000 to that project enhance the work of Foras and the other language bodies? Does it not place the project in competition with their work?

Mr Sheehan: I thank the Member for his intervention. The Líofoa project opens another channel, or avenue, through which people can be enticed to engage with the Irish language community. It is separate from what Foras can do. I am not saying that, on occasions, there will not be overlaps. However, I argue that there is no duplication, and that Líofoa stands on its own as a separate project.

The motion:

"expresses concern about the nature of the consultation process".

The current consultation process began in January 2012 and ended on 2 April. That was a new consultation process, after the previous process had provoked quite a bit of criticism last year. I am not here to defend the Minister — she is quite capable of doing that herself — but, as a result of that criticism, she initiated a second consultation process.

The motion also focuses on the new funding model proposed by Foras. However, if Members check the summary of the funding model in the consultation document put out by Foras na Gaeilge, they will see that the consultation process was based on the content of the draft schemes rather than the funding model. Importantly, the consultation also suggested that recommendations for other methods for funding the Irish language could be mentioned by respondents. Therefore, according to Foras, the funding model is not set in stone. I also note that the Hansard report of the meetings between the Department, representatives of Foras na Gaeilge and the Committee for Culture, Arts and Leisure shows that it was stated clearly that all options would be looked at and considered. Contrary to what Dominic said about the draft schemes having no basis in academic or socio-linguistic policy, when Ferdie Mac an Fhailigh appeared before the Committee, he stated in response to him:

"The schemes are based on the internationally recognised language-planning principles of status, acquisition and usage of the language."

Therefore, there is, at least, some dispute about the draft schemes.

Mr D Bradley: Go raibh míle maith agat. Gabhaim buíochas leis an chomhalta as mé a ligint isteach anseo. I thank the Member for giving way. The Member is right about what Mr Mac an Fhailigh said about the language schemes. However, what Mr Mac an Fhailigh failed to mention was that in Wales, where those types of schemes are used, they are used by core-funded organisations. That is an important difference.

Mr Deputy Speaker: Order. I am afraid that the Member's time is up. That is the danger of giving way for an intervention.

Mr Wells: On a point of order, Mr Deputy Speaker. During the contribution from the honourable Member for West Belfast, he referred to the honourable Member for Newry and Armagh as "Dominic". I think what he meant to say was "Mr Bradley". I notice that that error is creeping back into proceedings in the House and that Members are referring to each other by their Christian names. That is totally unparliamentary, and I am sure that if that trend were to continue, the Deputy Speaker would wish to pull other Members up on that.

Mr Deputy Speaker: I ask Members to refer to other Members by their surname.

11.45 am

Mrs McKevitt: I am pleased to have the opportunity to contribute to the debate. I applaud my colleague Mr Bradley for securing this important debate on behalf of the Irish language sector.

The preservation and promotion of the Irish language is a priority for the SDLP, which is why we want to ensure that any change to the funding model of Irish language organisations does not have a negative impact on the Irish language. Foras na Gaeilge, which is the arm's-length body for DCAL that administers funding to the Irish language organisations, wishes to implement proposals that will move the funding structure away from being core-funding-based to being a competitive application process for the three-year period. I have serious reservations about the proposals, as do the 19 organisations that receive core funding.

As a party, we recognise the significant contribution that the 19 core-funded organisations have made, and continue to make, to enhance and encourage the use of the Irish language. Those organisations have employees with the specialised skills and expertise that are necessary to continue to deliver a high level of service to the Irish language community and the wider English-speaking community.

Mr Humphrey: I thank the Member for giving way. As the Member has heard in the debate, this is a cross-border issue. Obviously, 75% of the funding comes from the Government of the Irish Republic. Has your party made representations to the Irish Government around these issues?

Mrs McKevitt: We will meet the Minister in the near future about the issues that you have raised.

It is worth noting that the organisations strongly oppose the proposed new funding model and firmly believe that its implementation would not only disadvantage their organisations but could be detrimental to the Irish language sector.

The second consultation on the new funding model, which was conducted on the recommendation of the North/South Ministerial Council, ran for 12 weeks and concluded on 2 April 2012. The CEO of Foras na Gaeilge informed the Committee for Culture, Arts

and Leisure of the methods used by Foras na Gaeilge to interact with the necessary organisations. As part of that, he has held individual meetings; the document is on his organisation's website; there were public consultations; and focus groups for the young were set up, etc. It cannot be denied that Foras na Gaeilge has ticked many of the boxes during the further consultation process. However, I am concerned that although it may have heard the concerns and reservations of the groups involved, Foras na Gaeilge is not listening to them. This view has been reinforced by the suggestion that Foras na Gaeilge will only consider the content of written submissions.

At one meeting, the core-funded organisations strongly urged Foras na Gaeilge to return to what the Irish language organisations termed "square one". The groups are of the opinion that further research and information-gathering are required. They feel that not enough research was done prior to the funding model being put forward. The return-to-square-one proposal was accepted by all the core-funded organisations as the key proposal to arise from the meeting. It is essential that Foras na Gaeilge not only hears the views of the core-funded organisations but takes them into consideration before making its final decisions. If it does not do so, the consultation process will have been pointless, reaffirming the groups' feeling that a decision has already been made.

Another concern expressed by the Irish language organisations is in regard to the timescale for implementing the new funding model and how it will impact on them. I understand that Foras na Gaeilge has prepared a project plan to begin a competitive-funding model from July 2013 and that the North/South Ministerial Council has agreed to extend interim funding to core-funded organisations until 30 June 2013. I urge the Minister to work with Foras na Gaeilge to extend the funding period for core-funded organisations beyond 30 June 2013 to prevent further instability and uncertainty.

Pobal has stated that without such an extension, the necessary evidence base for various proposals cannot be put in place. Organisations will be forced to reorganise and apply, if they are not disqualified for funding under the new proposals, during or before the adoption of the finalised strategic proposals for the Irish language in the North. It is envisaged that this will disadvantage North-based core-funded organisations and

undermine the implementation of the Irish language strategy. A further extension to core funding, by at least six months or a year, would allow the public to comment on the DCAL strategic proposals, the Executive to give their response and Foras na Gaeilge to carry out the necessary groundwork on revised funding models, without this being done in a "done deal" atmosphere among the core-funded organisations.

Considering the concerns expressed by the Irish language organisations regarding the consultation process, the suggested timeline and the consequences that this change could have on the proposed Irish language strategy, I call on the Minister to review these proposals. We must do what we can to protect, preserve and promote the Irish language sector.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom buíochas a thabhairt don bhall fá choinne an rúin. I thank the Members for tabling the motion, and it is important to debate how Foras na Gaeilge funds the Irish language sector and, indeed, to discuss the progress that is being made by Foras na Gaeilge towards implementing the recommendations from the review of core funding.

As the Chair of the Committee for Culture, Arts and Leisure said, a departmental official and the CEO and deputy of Foras na Gaeilge updated the Committee on 26 April 2012. It will be useful if I recap the background to the process so far. Most Members have alluded to the fact that, in April 2006, Foras na Gaeilge undertook a review of core funding. The main recommendations were that core funding for the Irish language sector be reconfigured and, indeed, that applications be invited from one or a limited number of organisations, with representational information about dissemination, resource support and information on the role of the sector. Those recommendations were endorsed by the North/South Ministerial Council.

The current proposal is that funding will be awarded by way of a number of discrete schemes that will allow local groups to take an integrated approach to the promotion of the Irish language, including working in the community with family, educational and youth settings. Foras na Gaeilge engaged with the 19 core-funded groups, and that engagement included a public consultation on the proposed changes. The

consultation closed in June 2011. A steering group, comprising senior officials from both sponsor Departments and the chair and senior executives of Foras na Gaeilge, was established to review progress towards implementation of that review.

Members have mentioned that concerns have been raised by a number of the groups. We listened to those concerns and brought them to the North/South Ministerial Council meeting in sectoral format. Following further discussions at the NSMC, we agreed that interim funding should continue to be provided by Foras na Gaeilge to the 19 core-funded groups until 30 June 2012. At a further NSMC meeting on 12 October 2011, we requested that Foras na Gaeilge engage in further consultation on the draft schemes. That is evidence of government listening to the concerns of groups. It is necessary to prepare the detail of the business case in support of the draft schemes, which included an updated RIA, and to prepare a revised project plan in conjunction with the sponsor Departments. From looking at the sequence of events, it is clear that Ministers had not taken any decisions about the future funding arrangements of the Irish language sector by that date.

That is where Cathal has a point. Dominic has every right, as any Member does, to bring any motion to the Floor of the House. I support that right, and I am delighted, as Cathal and others have expressed, that a motion has been tabled on the future proposals for funding the Irish language. I do think that it is a bit premature, but it is better having the debate than looking for it. I have absolutely no difficulty —

Mr D Bradley: Will the Minister give way?

Ms Ní Chuilín: No, I have heard enough, Dominic. Thanks very much. I have a lot to get through.

Mr D Bradley: You have not heard anything.

Ms Ní Chuilín: Well, I have heard enough from you.

Mr Wells: Disgraceful.

Mr Deputy Speaker: Order, please. I remind Members to make any remarks that they have to make through the Chair. That is the custom and practice in this place.

Mr Wells: On a point of order, Mr Deputy Speaker. That was an absolutely disgraceful remark that was made by the Minister of Culture, Arts and

Leisure to someone who was making a very valid point. I ask her to consider her comments and withdraw them.

Ms Ní Chuilín: I hear what the Member had to say in making his point, but I have a lot to get through. Dominic, in fairness, has had several interventions from other Members. At this stage, I am not prepared to take an intervention. I will certainly not be reminded about the manners and courtesies of this House by someone like Jim Wells.

The points that Dominic raised on any proposed funding model for the Irish language are well made. It is about the long-term planning of the language and ensuring that the results of the consultation will dovetail with the 20-year strategy that has been developed by the Irish Government and, indeed, with any future strategy that will be introduced by the Executive through my Department as a result of the Programme for Government. I fully accept that. I also fully accept that it is all-Ireland in nature, but there are nuances for different groups depending on their work and their ability to reach out and bring people to the language who would not normally have that opportunity.

Pat Sheehan and other Members raised this. Indeed, Michelle McIlveen, the Chair of the Committee, outlined the whole process and the concerns of the group when it met the Committee that there was not an equality impact assessment or an RIA. The words and assurances of officials and Foras na Gaeilge that that would be included in the next consultation were accepted, and it was. At the end of the day, these very important issues were raised for a very important reason: to make sure that any adverse impact on the sector and the language was considered. That should be the case with all consultations.

Cathal Ó hOisín spoke about groups like Carn Tóchair, which I have met on several occasions, as I have met other core-funded organisations about their work. Other Members mentioned that. It is concerning that there is a lack of either understanding or appreciation of the direction that me, Jimmy Deenihan and Dinny McGinley are going in. William Humphrey raised in an intervention the funding split between Foras na Gaeilge and Ulster Scots. I am sure that he has since received the information. Within that funding set-up, there is a concern and an appreciation about support for long-

term Irish language planning. Support for the groups is part of that planning for their core-funding arrangements. I accept that fully. I have absolutely no doubt that those concerns were articulated in the many consultation responses, which are on Foras na Gaeilge's website. I imagine that those concerns will be raised as part of any proposals that will be brought forward.

I also accept that there are huge concerns about the salaries and overheads in comparison with the money that is being spent on proposals and programmes that help develop the language. I think that we need to try to get a healthier balance. I do not think that any Member would disagree. It is important that that is taken into consideration, and we will look at that and every other issue that has been raised throughout the debate. In fact, I will share the Hansard report of this debate with my colleagues in the Irish Government.

Michael McGimpsey is not in his place, which is unfortunate, but the chaos that my colleague referred to, to be factual, is really around how the accounts have been brought forward through the NSMC sectoral meeting. The Member left before I could say that that happened on his watch. In turn, every Culture Minister has inherited that chaos because he did not sign off on accounts that had an impact on every one of us who came behind him. That, I assume, is the chaos that Cathal was referring to.

At the end of the day, this is a very important subject. It is important for the future development and protection of the language, and, as Trevor Lunn said, for educational development, including preschool and post-primary. The Irish language sector has continued to grow, and people are very passionate about and committed to it. They are not dogmatic; they are asking us to make sure that they are supported and resourced as a matter of right. That is done through my Department as a matter of responsibility, and it is a statutory duty. I take that responsibility very seriously.

Pat Sheehan and other Members outlined the need and the desire for the Government to listen to the concerns out there, but also to listen to those concerns in a balanced way and to ensure that no decisions are made that will reduce the sustainability or viability of the long-term development of the language. I hear that, and I am absolutely delighted to hear that the SDLP is meeting the Irish Government to talk

about its concerns about the Irish language. That is fit and proper.

We have not made any reduction to our budget, notwithstanding the award that was made as part of the new mandate, with the 3% reduction over that period.

Other than that, I have not reduced and will not reduce any funding for either Foras na Gaeilge or the Ulster-Scots community within those guidelines.

The CAL Committee, as its Chair and others have outlined, will get an interim report before the next sectoral meeting on languages about the future and about what the broad strokes of the consultation were. We will bring it forward to the next NSMC sectoral meeting for discussion, and it will then go forward to the sectoral meeting in the autumn with the business case for approval.

I do not think that any Member, regardless of the side of the House they sit on or their views about the language, can honestly and genuinely say that we did not take into consideration any concerns that were raised to our Department through this consultation or any other and act appropriately.

I welcome the debate. I welcome the tone of the debate and people's commitment to and genuine concern about the language. On the basis of that, I look forward to future debates on the language in a similar vein. Go raibh míle maith agaibh.

12.00 noon

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis na baill uilig a bhí rannpháirteach ins an díospóireacht. My particular thanks go to all Members who participated in the debate. The Minister did a good part of the wind for me, but I am sure that she will forgive me if I recycle a number of the issues.

Mo chomhghleacaí anseo, Dominic Ó Brolcháin, thóg sé rudai faoi leith; cuir i gcás an fiche faoin gcéad den airgead a bhí gearrtha agus an earnáil dheonach agus an damáiste atá á dhéanamh dóibh siúd i dtaobh na teanga. He spoke about the cutbacks of 25% of the money and the potential for damage to the voluntary sector in particular. He talked about how much go raibh an oiread sin gearán faoin dóigh a ndearnadh an comhairliúchán. There were so

many complaints about the way in which the consultation was done. I will talk more about that later. He moved on to talk about funding models, proposed all-island structures and the consideration of aspects of the funding, particularly referring to and drawing from the experience of the United States and Australia. He re-emphasised that core funding is central to voluntary organisations. I am particularly glad that Mr McGimpsey picked up on that point too, because it is central to the debate that we are having here.

Michelle McIlveen, as Chairperson of the CAL Committee, referred to the consultation exercises and the fact that the four recommendations were rejected by all the Irish language groups in Northern Ireland. She referred in particular to rud a chuireann diomá ormsa, is é sin nach ndearnadh na ceannlínte – treoirlínte, gabh mo leithscéal – a leanúint i dtaobh próisis chóir nó cleachtadh ceart ó thaobh forbairt polasaí de. They did not particularly follow guidelines on due process or good practice in policy development, particularly in regard to the EQIA and regulatory impact assessment.

We moved on agus chuala mé Cathal Ó hOisín ansin agus bhí sé ag rá arís eile i dtaobh an phróisis chomhairliúcháin. Ach dúirt sé rud éigin. He referred in particular to the consultation process, but he said that the motion was pre-emptive and premature. You can never be pre-emptive or premature about a core issue to the development of the Irish language. On this particular issue, whoever is responsible — I do not particularly care who is responsible — has been footering about with this for about two years. I do not know whether that is Ulster Scots or Irish. It has been going on since 2009, which is over two years. The Irish language sector is delighted that this debate is taking place here today. This is where the debate should take place. Pre-emptive or not, the debate has to take place here through the elected representatives and through the Minister so that we can add some focus to the discussion and eventually try to get things sorted out in regard to promotion of the language.

Mr D Bradley: Go raibh maith agat as mé a ligint isteach. Thanks for giving way to me. The point was made that the motion was premature and pre-emptive. The fact is that the motion has been on the list of no-day-named motions since September, so we can hardly be accused

of rushing to bring it forward. We waited until a strategic time, and I believe that this is the strategic time to debate it.

Mr McGlone: Go raibh maith agat féin, Dominic. Go raibh maith agat as sin. Agus arís eile, chuala mé an tUasal McGimpsey ag rá gur saineolaí thú. When we were listening to the debate, I heard Michael McGimpsey refer to Dominic as an expert in the field; I am sure he takes that as a compliment. He covers his broad remit and discussions in these matters expertly, comprehensively and well. Go raibh maith agat as sin, Dominic.

Trevor Lunn referred to the fact that the debate was taking place. Of course, this is a debate about language acquisition and how best we can encourage and nurture people to acquire a language or even to improve on what language they have. You referred, of course, to the skill that children have to be multilingual at a very early age and how they adapt very readily and openly to that. It is brilliant to see that, and it is a reflection of a society that is maturing and recognises difference as something that can be enriching. Linguistic acquisition is great because it opens doors and understanding to people. We are here today to, at least, contribute to that debate.

Pat Sheehan referred to the potential difficulties of cost and cuts in wages. He provided interesting insights and figures on the percentage spent on wages. He said that, of course, we want to protect jobs in the language sector and promote the use of the language.

Chímse, agus chonaic mé cuid mhaith den obair atá á déanamh ar an talamh i dtaobh na ndaoine atá fostaithe ins an earnáil seo, agus go háirithe na hoifigigh ag na comhairlí áitiúla atá ag déanamh sár-obair ó thaobh chur chun cinn na teanga de.

I have seen people who are employed in the sector, and I have been party, in particular, to motions in Cookstown District Council, where we have seen language development officers who do excellent and sterling work encouraging the language and involving more people in acquisition of the language and in language-related activities. So, there is, as the Minister correctly says, a balance to be struck there.

Karen McKevitt referred to the core funding of organisations and said that 19 organisations rely heavily on core funding. The funding

models proposed would be disadvantageous to the development proposals of many of those organisations with regard to their consistency of development and the role they have in communities, which is paramount and uppermost in the promotion of the Irish language.

The Minister referred to the details of the core funding and commented on points made by Members. It is important that the Minister hears those. I am sure she is more than up to speed with what is happening.

A Aire, bhí rud beag diomá orm nuair a chuala mé go raibh do sháith agat cluinte as Dominic anseo, mo chara agus mo chomh-bhall den pháirtí.

I was a wee bit disappointed, Minister, that you said that you had heard enough from Dominic Bradley, my friend and colleague. I really do not think you could hear enough, seriously, on the promotion of the Irish language from Irish language speakers and those who are dedicated, many of whom have dedicated their life to the promotion of their language and culture. I know that Dominic, in the Assembly and wearing other hats, has spent a good part of his life teaching, writing about and promoting the language. So, really I am a bit disappointed, Minister, that you made that comment.

Concerns were raised about EQIAs and RIAs. Those are important issues. You referred as well, Minister, to the balance on the funding. At this point, however, in bringing the motion to the Assembly, we in the SDLP wanted to hear a bit more from DCAL about what exactly is happening at that level. What proposals have been drawn up in the Department to nudge or push the process on a bit? I would have expected the Minister to come here today a bit better prepared with information so that we can reassure many of those groups —

Ms Ní Chuilín: Will the Member give way?

Mr McGlone: I will give way, surely, if we hear a bit more detail, Minister. Thank you.

Ms Ní Chuilín: This is where the premature aspect comes into it, Patsy. We have to look at the consultation process, what has been consulted on and the feedback on that and then bring it forward. I think it only right that we do that, then give the Culture, Arts and Leisure Committee its place, then go to the sectoral

meeting and then come back to the House. That is the process.

Mr McGlone: I appreciate that that is the process —

Mr Deputy Speaker: I remind Members that they should refer to other Members by their surname.

Mr McGlone: I can work with that. Tá tú ceart go leor. You are all right with me.

It would have seriously helped, Minister, had we heard today, for example, some detail of the correspondence or discussions that you have had with your colleagues and other Ministers on the rest of the island. This is a delicate and difficult issue. Core funding has cropped up time and again as being central. I had anticipated some insight on the dialogue that has taken place with the Minister in the South on how this can be advanced ar mhaithe leis an teanga féin, for the good of the Irish language. To be honest with you, I anticipated a bit more than we got, rather than a rerun of what other Members said in the Assembly today. I am not in any way suggesting that you breach protocol, but I expected some detail of those meetings with other Ministers on how we can advance the cause.

Mr Deputy Speaker: Bring your remarks to a close.

Mr McGlone: Go raibh maith agat. Chímse go bhfuil an t-am thart agus tá mé ag iarraidh ar dhaoine eile ins an Chomhthionól anseo tacú leis an mholadh s'againne. I see the time is up.

Mr Deputy Speaker: Time is up.

Mr McGlone: I am asking other Members to support our motion.

Question put and agreed to.

Resolved:

That this Assembly notes with concern the effects that the new funding model proposed by Foras na Gaeilge will have on Irish language organisations; expresses concern about the nature of the consultation process; and calls on the Minister of Culture, Arts and Leisure to review these proposals in view of her Department's emerging Irish language strategy.

Welfare Reform: Underoccupation Penalty

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

Mr Brady: I beg to move

That this Assembly notes with concern the underoccupation penalty provision within proposed welfare reform legislation, which has the potential to make many people homeless; and calls on the Minister for Social Development to outline the measures that he intends to put in place to mitigate the impact of this provision.

Go raibh maith agat, a LeasCheann Comhairle. I ask the Assembly to support the motion. Like yesterday's motion on the assessment of incapacity benefit, this falls under the incoming Welfare Reform Bill. We, as a party, not only in this mandate but throughout the previous mandate, have spoken out against many of the changes — cuts packaged as reforms.

First, I will explain what underoccupancy is. Underoccupancy or spare bedroom tax is part of the British Government's Welfare Reform Bill, which will come before the Assembly in the near future. It is a reduction in housing benefit based on the number of bedrooms in your home that are defined as spare rooms. The definition assumes that couples are sharing and some categories of children are sharing. Tenants who are of working age will be penalised through a 15% loss of housing benefit — approximately £7 a week — for one bedroom deemed to be additional and a 23% loss — approximately £14 a week — for two or more. That is a cut of £364 and £728 a year respectively. Many families will be forced to seek alternative accommodation. Other families will accrue rent arrears and be at greater risk of eviction and homelessness. Others will experience greater poverty as they struggle to make up the housing benefit shortfall. This will be felt particularly harshly by tenants in the private sector in receipt of housing benefit, many of whom already struggle to make up the shortfall in benefit to cover their rent. Other families will be forced to move away from established support networks and extended family. That is particularly significant for people who already struggle with the

challenges of poverty, disability, mental health issues or chronic ill health. There will be implications for the informal care of the sick or elderly, where continued care relies on family members living in the vicinity.

Reduced housing benefit is not cost-neutral when it leads to thousands of people on benefits seeking relocation. It will impact on the allocation of social housing, as it restricts the profile of suitable properties that a homeless family might be offered. Tenancies will have to be more strictly matched to property size, despite the profile of housing stock. There is a chronic shortage of two-bedroom properties.

12.15 pm

There are approximately 220,000 social housing tenancies in the North, of which 70%, which is 154,000, are underoccupied, according to the British Government's current definition, and for which, therefore, housing benefit is liable to be cut. Those statistics are provided by Shelter from Housing Executive figures. That represents an annual cut of somewhere between £56 million and £113 million in housing benefit paid in relation to social housing in the Six Counties. In addition, around 38,000 tenants are in receipt of housing benefit in the private rented sector. That represents an additional cut of between £13 million and £28 million in housing benefit paid to private sector rental tenants in the North.

Private sector rental tenants are already making up an average of £28 a week housing benefit shortfall in their rent. When faced with homelessness, those tenants, given their low income, will seek to be rehoused in the social sector. A study carried out by Professors Gray and McNulty of the University of Ulster, which was published in September 2010, found that over 60% of private rented sector tenants were in receipt of housing benefit and only 60% were in receipt of a partial payment. Of those who already paid the difference between the contractual rent and housing benefit, two thirds reported finding it very difficult to do so. Almost half of those from the private rented sector presenting as homeless in 2009 cited a shortfall in housing benefit as the main reason. Gray and McNulty estimated that a 5% deinvestment in the private rented sector, which a cut in housing benefit represents, would displace 2,000 households and that a 10% cut would result in 3,800 households

seeking alternative accommodation. In addition, changes in entitlement from 25-year-old singles to 35-year-old singles is likely to make 6,000 people homeless. Add to that a percentage of the 154,000 of those in the social sector seeking to downsize when faced with a cut in their housing benefit.

Many low-income, private rented sector tenants rent former social housing that has been sold off as part of the right-to-buy policy introduced by Margaret Thatcher. That is likely to result in increased overcrowding and all the social problems that entails, as rent-poor families share accommodation as a way of avoiding arrears, eviction and homelessness.

The profile of housing stock in the North will not provide sufficient housing of the type many families will need to meet the requirements of housing benefit entitlement. A cut in housing benefit is likely to be only one of a number of cuts in benefits faced by low-income families, whether in or out of work, in the wake of the British Government's imposition of welfare reform. The Six County Equality Commission and the British Government's parliamentary Joint Committee on Human Rights have criticised the British Department for Work and Pensions for failing to carry out impact assessments on the cumulative adverse impact of welfare reform.

Breaking the connection between insecurity of employment and insecurity of housing has been hugely significant historically. In the past, loss of job has been accompanied by loss of home. That is particularly disruptive where people are moving in and out of work, and it leads to more transient neighbourhoods and more crime.

The provision of and access to housing has particular historical significance in the North and is closely associated with the struggle for civil rights. Segregation remains a reality here, and disruption to established communities, if thousands of families are forced into seeking alternative accommodation, would have a destabilising effect. The imposition of regulations that are likely to have a destabilising impact is unreasonable, given the fact that the North has only recently emerged from conflict. Parity has worked because, historically, it has not been strictly adhered to, and it allows for a level of flexibility, which takes into account different circumstances in the North.

The British Government have accepted that welfare benefits are possessions for the

purposes of article 1 of protocol 1 to the European Convention on Human Rights. Article 1 of protocol 1 provides that any interference with or deprivation of established rights to property must strike a fair balance between the right of the individual to peaceful enjoyment of their possessions and the public interest. Since the British Government accept that benefits are to be considered as possessions, any loss of benefit has to meet a legal requirement of being for a legitimate aim and must be proportionate to that aim. A human rights adherence rationale presented by the British Government in relation to welfare reform relates to Britain. The human rights implications of welfare reform have not been considered in relation to the specifics of the North.

In the North, the imposition of underoccupancy rules does not strike a fair balance, because they are detrimental to the individual and to the public interest. The notion of a fair balance implies that any detrimental impact on the individual is counterbalanced by being advantageous to the public interest, which means that the British Government can justify one with reference to the other, and the general good takes precedence. It cannot be considered proportionate in the North, because the specifics of our housing stock mean that a cut in housing benefit is more likely to result in homelessness than in relocation. Unlike in Britain, underoccupancy rules will result not only in the deprivation of benefit as a possession but, as a direct consequence for a significant number of families, in the loss of housing itself, a more significant possession in relation to the European Convention on Human Rights.

Increased homelessness cannot be regarded as being in the public interest, the criterion cited by the British Government to legitimise cuts in housing benefit. Technically, it can be argued that adherence to the European Convention on Human Rights commitments in relation to the passing of the welfare rights Bill in the North is the responsibility of the Assembly. However, given the operation of parity and the financial and administrative restrictions imposed by the British Government, it is reasonable to argue that the British Government have an obligation to consider the European Convention on Human Rights in relation to the specifics of the North. That obligation should continue until such times as the Assembly has the kind of fiscal autonomy that will allow it to determine and

meet its human rights obligations independently of Westminster.

One possibility is greater discretionary powers to exempt existing tenants from loss of housing benefit where suitable alternative accommodation is not available. Suitability would include type of housing stock, the importance of maintaining community cohesion and the recognition of extended family responsibilities. As that divergence is based on material circumstances that would result in unintended consequences rather than policy, it should not be declared as a breach of parity and, therefore, should be funded by the British Treasury. If all these people are displaced, where will they go? We already have a great shortfall, and I think the Minister would accept that there is a huge shortfall in the provision of social housing. I know that he is doing his best to redress that balance, but that shortfall continues. Where are those people to go? I ask the Assembly to support the motion.

Mr Easton: We have to bring our social housing into line with the rest of the UK for two main reasons. First, it will ensure that parity with the rest of the UK is maintained, which we are required to do, and, secondly, it will end the two-tier system that we have in Northern Ireland. It is not just or fair that a person in our social housing system can remain in the same residence when their personal circumstances change with no consequences. In the private rented sector, people's housing benefit is dependent on size criteria. In my opinion, there is no reason why people of working age in our social housing sector should not be subject to the same criteria.

Let us be clear about what this change means. People who have one or more extra bedrooms will have a choice about what course of action they wish to follow. They can remain in their own home, making up the additional rent that housing benefit will not cover, or they can downsize to a property of a more appropriate size. For the majority of people, that will cost approximately £10 a week, which is a substantial amount for those already on a low income, but, given the welfare bill, it is something that we simply cannot afford.

For some people, the change will cause worry and alarm, as many who may be deemed to have an extra bedroom will not view it in that way. Some couples, for example, prefer to sleep

in separate bedrooms. Children may use spare rooms to have their own bedroom, regardless of age or gender. Shared parenting can sometimes mean that a court judgement requires that a child visiting a non-custodial parent must have access to their own bedroom. For some of those scenarios, the option to remain in a residence that is deemed too large may mean some tough decisions. For others, it may not be a choice but a necessity. The changes that this will bring must be communicated in such a way as to ensure that everyone who is affected is aware of their choices and is made aware that they have a choice. We must also ensure that the stock for people to move to is available in a timely manner. This change should also ensure that the overcrowding in some of our social housing properties can be addressed.

I welcome the proposed safeguards that are already outlined regarding some pension-age tenants not being subject to size criteria. There are safeguards in place so that, if someone loses a partner, they will not be asked to relocate or find additional financial resources within a certain time, and disabled residents who use their extra bedroom to store vital equipment will not be affected by the change. I also welcome the discretionary nature of additional moneys for a person with exceptional reasons for needing to remain in their property. We must remember that the objective of the change is to encourage more accountable use of the social housing stock, to encourage more personal responsibility from those who have our welfare system to pay their rent and to encourage people into the job market.

This is not a change to be feared. It will bring benefits to people in the social housing sector. However, I recognise that there will be an impact on others and ask the Minister to further identify measures that will help to mitigate the impact of the changes.

Mr Copeland: Before I speak to the motion, I want to look at it. It states quite clearly:

"That this Assembly notes with concern the underoccupation penalty provision within proposed welfare reform legislation, which has the potential to make many people homeless".

That is the preamble, and there is not a word of it that anyone here could take any real exception to. We then have a call on the Minister that is yet again aimed at him. We can be forgiven for

that, because the responsibility lies with him. He is called on to:

"outline the measures that he intends to put in place to mitigate the impact of this provision."

The truth is that there will be an impact from this, and it is an impact that the Minister may or may not be able to mitigate. In many ways, it symbolises and highlights what a number of people outside this place see as its inherent problem. The Minister is not required to service or acquiesce to the demands or views of the Chamber on the issue, but he is required to maintain parity with the rest of the United Kingdom. As other Members have said, there is some merit in the notion of stock management in social housing, but there are also factors that make Northern Ireland slightly different.

Cameron Watt, who, peculiarly enough, is a Conservative blogger, has some statistics that might be of interest. He says that many social landlords in the past have purposely allocated families properties with an extra bedroom, the view being that that would allow them to develop a stable home in a stable neighbourhood with stable relationships and allow for the expansion of their family. That is terribly laudable. In Northern Ireland, however, a consequence of that would be that two thirds of the Housing Executive's 90,000 tenants could fall foul of the penalty. We have already established and the Minister has accepted in the Chamber that 70% of the 90,000 households are already workless and are, therefore, benefit-dependent. In some cases, they will be faced with making up a shortfall of £13 a week. For those in well-remunerated employment, £13 a week is the price of two packets of cigarettes — it is not a lot. For someone on benefits, no matter what way you cut £13 a week, it is £13 a week spent on this that cannot be spent on something else. The notion that people can relocate to more appropriate properties, I am sure, flies in the face of what practically every single Member in the House who has people on a waiting list knows. The remark is so silly that it can only be equated with Marie Antoinette's famous faux pas, "Let them eat cake". If there is no bread, there is no cake. The problem is that the housing market in Belfast has developed over a period of years to suit the current system, and it no longer matches that need.

A house is a pile of bricks and mortar with a roof on it. It may or may not be double-glazed,

and it may or may not be hard to heat. However, the truth is that, no matter how humble it is, it is someone's home. There is a difference between a pile of bricks and mortar with a roof, referred to as a house, and a home, be it, in some cases, ever so humble. A home and its walls contain memories. Although society may well view that as a social house belonging to society and feel that society can therefore do with it as it wishes, the person who lives in that house may take a different view.

It is unfair of us to burden the Minister by consistently demanding that he does the impossible, but it is, sir, your role. I know that it is a role and responsibility that you shoulder bravely. However, the people outside will listen to the words that we use in here. We can all quote individual cases and say how terrible it is. You then go back to the heartland of your constituency, where somebody pokes you in the chest and says, "Fair enough, but what are you going to do about it?"

12.30 pm

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

Mr Copeland: I would not be so brutal as to say to the Minister, "What are you going to do about it?", but I await with interest information on the mitigating circumstances that may pertain.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension. I therefore 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 debate stood suspended.

The sitting was suspended at 12.30 pm.

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

2.00 pm

Oral Answers to Questions

Social Development

Green New Deal

1. **Mr Lyttle** asked the Minister for Social Development to outline the results of the economic appraisal carried out in relation to the £12 million budget allocated for the green new deal. (AQO 2016/11-15)

Mr McCausland (The Minister for Social Development): A cross-departmental group, which was chaired by my Department and included representatives from the Department of Enterprise, Trade and Investment (DETI), the Department of Agriculture and Rural Development (DARD) and the Department of Finance and Personnel (DFP), developed a full economic appraisal to determine the most cost-effective use of the £12 million available to deliver maximum domestic energy efficiency improvements.

The economic appraisal was developed in accordance with the guidance in the Northern Ireland Guide to Expenditure Appraisal and Evaluation. The criteria used for the options within the economic appraisal were to determine the most cost-effective way of spending the £12 million, ensuring that the maximum benefit could be realised from the expenditure.

The options considered were a business proposal from the Northern Ireland Green New Deal Group and a business proposal from the Northern Ireland Housing Executive for increasing the domestic energy and thermal efficiency of the domestic building stock in Northern Ireland using the funding available. The options were assessed on the basis of what they proposed to deliver in the context of improving energy efficiency in domestic properties, any associated benefits or costs, wider economic benefits in relation to private sector expenditure, direct job creation income and multiplier effects. It also assessed any associated risks around the potential to deliver the proposal, including where those risks may lie.

The options submitted by the Northern Ireland Housing Executive have been successful and approved by DFP. I hope to be making an announcement on the details of that in the next few days.

Mr Lyttle: I thank the Minister for the update in that regard, but given that it is 18 months after that £12 million funding was confirmed, is this another case of Northern Ireland missing an opportunity to improve energy efficiency in our homes and create jobs that is being taken in the rest of the UK?

Mr McCausland: No, I do not think it is. The money that was allocated will all be spent on improving energy efficiency, which is, of course, one of our priorities in government. There were reasons for the delays — some of those were about getting information in order to carry out the proper appraisal — but we are in a position where all the money will be spent, and spent on the purpose for which it was intended, which is a government priority.

Mr G Robinson: Does the Minister agree that, whatever option is chosen, the proposals and their associated outworkings will be aimed at tackling some of the causes of fuel poverty across Northern Ireland?

Mr McCausland: The money will indeed be spent in a way that will help to address fuel poverty by improving energy efficiency. We are all familiar with the causes of fuel poverty, and one of the ways of addressing it is by improving the energy efficiency of homes. It is not the only issue that we are taking forward in that regard. It is not the only measure to address fuel poverty. There is a range of measures that we have in that context, such as the warm homes scheme, and so on, but all those are certainly directed towards that single aim.

Mr Flanagan: I thank the Minister for his answers. He will hopefully agree with me that the green new deal offers great opportunities for political leaders to create the right conditions for the private sector to deliver on key social and environmental objectives. Does he also agree with me that to compare and contrast an economic appraisal put forward by the Housing Executive, with its massive army of staff, and an economic appraisal put forward by the Green New Deal Group, which was headed up by a small number of committed volunteers, is a very narrow-minded thing to do, and that perhaps more credence should have been given to an economic appraisal

put forward by a very small group, given that very little support was given by government?

Mr McCausland: The position is that an economic appraisal looks at what is put in front of it. It has to be carried out fairly and honestly, and we have reached a conclusion on the basis of the economic appraisal. People with considerable experience were involved in the Green New Deal Group's proposal, and I am sure their proposal benefited from that experience. They were afforded every opportunity to strengthen and build on it during the process. The process was almost iterative at times, but the outcome is the one that we have now concluded.

Mr Kinahan: I thank the Minister for his answers, although I am a little confused. Are all the studies and economic appraisals now complete? Are the timelines going to be followed? We have been told that the money will be spent, but when will it be spent? What is the real reason for its being stuck between two Departments? Perhaps we have just had a hint from Sinn Féin that it does not agree with the way in which we are going forward. What is holding up the green new deal?

Mr McCausland: The Member's questions betray some measure of confusion, because I thought that I had been quite clear: we have now reached a decision on the way forward. The money that is allocated will be spent on improving the energy efficiency of homes and addressing fuel poverty. It is a good proposal, and I will be making the announcement about it very soon. I am sure that the Member will be patient as he waits for that announcement. There were issues that led to the timescale for coming to the decision. It was most certainly not an issue between Departments. It was about affording the Green New Deal Group every opportunity to put forward as strong a case as it possibly could.

Mr Deputy Speaker: Members, I omitted to advise you that questions 4 and 11 have been withdrawn and require written answers.

Employment and Support Allowance: Work Capability Assessment

2. **Mr Brady** asked the Minister for Social Development whether he has any plans to review the work capability assessment currently carried out by Atos Healthcare. (AQO 2017/11-15)

Mr McCausland: I, too, have concerns regarding the work capability assessment, which are based on representations made to me by constituents. However, the work capability assessment is currently subject to review in accordance with the legislative requirement set out in section 10 of the Welfare Reform Act (Northern Ireland) 2007.

The Department for Work and Pensions and I commissioned Professor Malcolm Harrington to conduct independent annual reviews over a five-year period into all areas of the work capability assessment. Professor Harrington's first two reports were laid before the Assembly in September and November 2011, respectively. His third review is under way, and the report is expected in November or December 2012.

An example of how concerns have been taken on board is how the Department, in conjunction with the Department for Work and Pensions, undertook an informal consultation on proposals to make the work capability assessment work better for cancer patients, recognising the challenges for that particular group. In addition, the Social Security Agency appointed a health assessment adviser in August 2011 who is responsible for ensuring that the quality and standards of the assessment process are maintained at a high level.

Mr Brady: I thank the Minister for his answer. As you are aware, Minister, this is a subject that was well-aired by a number of Members yesterday, when you gave some indication of how you would proceed in reviewing the work capability assessment.

Mr P Ramsey: I welcome the Minister's response. In light of the fact that there will be so many people with specific disabilities who have needs after losing their entitlement to employment and support allowance, will the Minister assure the House that he and his Department will bring about greater service opportunities for those people who have those specific needs?

Mr McCausland: The key point to make here is that we have a well-designed and well-framed customer journey set out. I indicated yesterday that we will make copies of that available to Members in diagrammatic form, because it is a complex enough process. I think that gathering information will help to inform Members and ensure that we are clear about

the various stages involved when we engage with constituents about the process.

Clearly, there are people in our society who have disabilities and particular needs. I agree fully with the Member that it is important that we do everything as far as is humanly possible to try to meet those needs, whether through supporting people through the journey or ensuring that they have the right support if they are able to take up some form of activity in due course.

Ms P Bradley: I thank the Minister for his answers thus far. What progress has been made in implementing Professor Harrington's remaining recommendation?

Mr McCausland: Professor Harrington had 14 recommendations, 13 of which have been implemented. The outstanding year 1 recommendation is recommendation 1, which was that Jobcentre Plus should better manage and support the customer during the course of their benefit claim.

There are four elements being considered to enhance the customer's journey: the issue of a new letter; a follow-up call; an allowance call; and the disallowance call. Following a pilot exercise, the disallowance call was introduced in April 2012. When the decision-maker considers that the existing evidence does not support an award of employment and support allowance, the decision-maker will contact the customer to provide them with an opportunity to present any further evidence. The decision-maker will then take into account that new evidence before finalising his decision. Pilot exercises on the other three elements of the improved customer journey have now been evaluated, and the agency will make a decision on the way forward in May or June; so, within a matter of weeks.

Mr Cree: The Minister is aware of the difficulties with the work capability assessment. Can he confirm the number of cases in which decisions to refuse have been taken where the claimant's GP has not submitted any medical opinion?

Mr McCausland: I do not have to hand specific figures on that. I will return to the Member with them. The point was made fully in the debate yesterday. We need to send a clear message that the provision of information at the earliest possible stage is absolutely crucial to this process. There is a lot of focus on Atos Healthcare, but it is only one part of

the process. It is crucial that we get other information, whether from a psychiatrist, surgeon or doctor, as quickly and promptly as possible. When decisions are changed in due course on appeal, it is almost always because of additional information that was made available. If there are particular difficulties in gaining access to that information from any particular source, that will be kept under review.

Housing Executive: Double Glazing

3. **Mr Weir** asked the Minister for Social Development what impact his decision to suspend implementation of the double glazing of Northern Ireland Housing Executive properties will have on the completion date for the overall project. (AQO 2018/11-15)

7. **Mr Girvan** asked the Minister for Social Development for an update on the roll-out of the double-glazing scheme in South Antrim. (AQO 2022/11-15)

8. **Mr Buchanan** asked the Minister for Social Development for his assessment of the double-glazing scheme, due for completion in 2015. (AQO 2023/11-15)

9. **Mr Eastwood** asked the Minister for Social Development how many Northern Ireland Housing Executive properties will be affected by his decision to put the double-glazing scheme on hold. (AQO 2024/11-15)

12. **Mr B McCrea** asked the Minister for Social Development for his assessment of the value for money of the total Housing Executive expenditure over the last two years on the supply and fitting of double glazing. (AQO 2027/11-15)

Mr McCausland: With your permission, Mr Deputy Speaker, I will answer questions 3, 7, 8, 9 and 12 together, as they all relate to double glazing. As I am answering so many questions together, with the Deputy Speaker's permission, I request a little additional time to answer them.

When I came into office, I quickly recognised that although the previous focus had been on the newbuild programme, it was essential that I ensured that the upkeep of existing homes and the need for Housing Executive maintenance work to continue were also a priority.

When I looked at the need for a double-glazing programme, I was astounded to learn that, initially, it was estimated that 48,000 homes

required double glazing. I was even more concerned about the apparent lack of haste in dealing with this, as the Housing Executive originally planned to have this work completed by 2021. That is why I ensured that, in the Programme for Government, the Northern Ireland Executive gave a commitment that the thermal efficiency of all Housing Executive properties would be improved by 2014-15 through the provision of double glazing.

I was also shocked when the Housing Executive originally advised that the costs of the double-glazing programme for 48,000 homes would be around £120 million. Though it is now estimated that 30,000 homes require that work, at an estimated cost of £69 million, this is still a significant amount of taxpayers' money. The Housing Executive has reduced its estimate of the number of houses that require double glazing — these are estimated figures. I, therefore, need to ensure that this programme delivers best value for money and that the work is in line with industry standards.

I believe that there are further significant savings to be made around the Housing Executive's specification and bespoke procurement process. Therefore, I asked my officials to research the specifications used, as I have been concerned for some time that the Housing Executive's specification for the supply and fitting of double glazing did not offer best value for money. I am particularly concerned about the requirement to remove and replaster around frames, which destroys the decoration in a tenant's home, necessitates the payment of redecoration grants and causes inconvenience to tenants. I am also particularly concerned about the specification for hinges and handles; they are much higher quality than industry standards for other domestic properties.

2.15 pm

I am advised that there is potential for significant savings to be made, which would be very welcome. I wrote to the Housing Executive's chief executive to ask him to rigorously and urgently review the specification. The review will be completed urgently and will not have an impact on the target date of 2015. Although there may be slight delays while that is carried out, all homes will remain in the programme and no tenant who was promised double glazing will lose out.

Where the holding of contracts will cause budgetary pressures —

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

Mr McCausland: — I have advised the Housing Executive to give priority to advancing the heating replacement programme, which is part of the fuel poverty initiative. The more savings we make in this area —

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

Mr McCausland: — the more we can spend on other schemes, such as kitchens.

Mr Weir: I thank the Minister for his very fulsome response to my question. Does he have any concerns about the quality of the window replacements that have been fitted to date?

Mr McCausland: There are certainly issues around the quality of some of the work that has been undertaken. I have personal concerns in that regard. My understanding is that the Housing Executive has not necessarily been using specialist glass and glazing contractors to deliver all the double-glazing schemes; it has been using contractors that also install bathrooms and kitchens and do general maintenance work.

Although I do not want to question the professionalism of all the different contractors undertaking the work, the lack of a specialist and single contractor can clearly lead to issues of consistency and, at times, quality. For example, in my constituency, I saw evidence at first hand of the workmanship to install new windows in one small development of homes that were being refurbished. To say that I was shocked by the poor quality of the work is an understatement. The work was so poor that the Housing Executive had to recall the contractor immediately on my staff alerting it. One resident told me that the window cleaner could not even clean her windows because they were fitted so loosely that he was worried that they would come out if he put a sponge on them.

Mr Girvan: I thank the Minister for his answers so far. He made some reference to the funding of £67 million. I appreciate that we are looking at 2014-15 for completion, but is the funding in place to complete the total programme?

Mr McCausland: I assure the Member and other Members that funding is in place to ensure

that the proposed double-glazing programme is completed by 2014-15.

Mr Buchanan: I thank the Minister for his responses, and I thank him for the action that he has taken to date. Will he give us some indication of the savings that will be forthcoming from the actions that have been taken? Does he believe that the action is worth the savings that will be made?

Mr McCausland: I am advised that the aggregated costs of the double-glazing programme and the associated potential for economies of scale are significant. The precise figures will emerge in due course. The work will have to be tendered. We will know at that point the exact savings, but they are significant and substantial. Any savings will benefit tenants and taxpayers, as money that is saved in the scheme will be used to advance the heating replacement programme, thereby contributing to energy efficiency and improving the Housing Executive stock.

Mr Eastwood: Will the Minister inform the House how many Housing Executive properties were completed with the double-glazing scheme before he put it on hold?

Mr McCausland: The scheme has been ongoing for some time. I do not have the precise figure, but roughly 9,000 homes have had work completed. There is a long way to go before all the properties are completed, and I am sure that the Member shares my view that the work needs to be done in the most cost-effective manner and that we need to get value for money. If we can save money on this, we can put in more kitchens, do more maintenance work and improve the standard of properties for people who have been living for many years in houses that are in urgent need of attention. That work was not carried out, but it will be possible to do it, along with the double glazing, if we go down the road that we are now going down. There will be work still to be completed this year because of contractual commitments in a number of cases. A very substantial contract of work is still to be completed, and it will be completed in time.

Mr B McCrea: As it was the last in the series, perhaps the Minister did not get to answer my specific question. He mentioned getting more precise details, but could he give a rough approximation of the amount of money that he thinks will be saved through the new process?

Was there a problem before this contract? In other words, given that we have been putting in double glazing for some time, is this a systemic problem?

Mr McCausland: I am loath to give a figure because when we go out to tender for the work and see what tenders come in, we will be in a much better place to give a much more accurate figure. I am loath to speculate at this point but I stand over the point that the amount will be significant and substantial.

Has the issue been around for some time? Yes, it has. The Housing Executive has been installing windows in this way for some time, and apart from the cost issue, there are issues regarding damage to property, the fact that people have to be paid a redecoration grant and all the disruption associated with that. I have had windows fitted in my house, as I am sure you have. The workmen came in and went out. It was a very clean job and there was very little disruption. In some instances, this was not the case when I saw work being undertaken by some contractors. It can be done much more cleanly and much more efficiently in order to achieve a better outcome for the tenant and for the finances of the Housing Executive.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. The Minister recently announced the review, and I presume that we will await its outcome before we make determinations on whether contracts are being carried out to the proper standards. However, is the Minister aware that the Committee for Social Development was made aware last week by the industry that 200 people are likely to be put on protective notice in their place of work because of the uncertainty in the companies that are currently carrying out this work?

Mr McCausland: I question that figure, because workers doing one type of work may well be shifted to do another. For example, those who are fitting windows are the same ones who fit kitchens and doors. As I said, if we are not spending some money during the rest of the year on windows, it will be shifted across to other things. So, work will still be undertaken in the sector. I query those figures; they are unnecessarily alarmist and probably unfounded.

Gambling: Legislation

5. **Mr A Maginness** asked the Minister for Social Development for an update on the proposed legislative changes on the regulation and control of gambling. (AQO 2020/11-15)

Mr McCausland: Following a consultation exercise last spring, I have been giving detailed consideration to the many complex issues that have arisen in the gambling review. I have had meetings with many major stakeholders and I am liaising closely with counterparts in Great Britain and the Republic of Ireland. The process is ongoing, and within the past few weeks, officials have met the Northern Ireland Turf Guardians Association and the PSNI.

The current legislation is outdated and has failed to keep up with the rapid development in the gambling sector. The highly technical and jurisdictional issues complicate the picture, and that has been particularly evident since the rapid development of online and remote gambling, which may require a UK-wide approach. Such issues make it extremely important that the new legislation not only deals with today's gambling environment but is adaptable enough to keep up with future developments in the industry. I hope, however, to make an announcement on the way forward by the end of the summer.

Gambling is complex and highly technical, and the onset of remote gambling has revolutionised the industry, making regulation and enforcement a serious concern throughout the world. It is important that the new legislation is flexible and adequately addresses the new gambling environment that now exists. I am liaising with colleagues in Great Britain to co-ordinate a United Kingdom-wide approach to remote gambling. Although there are issues that still need to be resolved, I hope to make an announcement on the way forward by the end of the summer.

Mr A Maginness: I thank the Minister for his very detailed answer. The Minister said that he hoped to make an announcement at the end of the summer. What will be the nature of that announcement and when will the draft legislation be published so that the House can study the considerable implications contained within it?

Mr McCausland: Again, as with the previous question, I have to depend very much on the Member's patience. It would be wrong for

me to announce now something that has not finally been settled and is to be announced at the end of the summer, but I can assure the Member that we will make an announcement at that point. We are looking at a whole range of issues, which I set out very clearly. It is a complex and evolving field, and it is important that we get the right result to make sure that we do not create legislation that is out of date very soon thereafter. The intention is to move on this matter at the end of the summer.

Ms Brown: I thank the Minister for his answers so far. Does the Minister share my concern that there is a segment in our society who are often classed as problem gamblers? Will he give an assurance that he will do all that he can to protect the most vulnerable in our society?

Mr McCausland: The prevalence survey that was carried out as part of this work has shown that some 2.2% or one in 50 people in Northern Ireland are problem gamblers. Given that one of the three main objectives of the review is to protect the young and vulnerable, it is my intention to put in place adequate provisions in order to best protect the most vulnerable in our society. That figure of one in 50 people being problem gamblers in Northern Ireland causes me real concern, and it is one that the Member has raised and shares. The protection of the young and vulnerable is a key issue, and we will certainly make sure that that is accommodated in the way forward.

Mr Allister: Is the Minister satisfied with and supportive of the current state of the law in Northern Ireland on Sunday gambling at race meetings, and does he plan any change?

Mr McCausland: The general point is that I see no need to relax the Sunday gambling laws at this time. I reiterate what I said to the other Member about the nature of whatever legislation may come forward. I do not intend to speculate about what may or may not be in it at that stage, other than to make that general observation now.

Social Disadvantage

6. **Mr Molloy** asked the Minister for Social Development what new approach his Department will introduce to tackle social disadvantage. (AQO 2021/11-15)

Mr McCausland: I recently presented a poverty policy paper to my Executive colleagues on the Executive subcommittee on welfare reform,

which I chair. This reflects our changed and difficult times, which, in my view, can only be addressed by complementary social and economic policies relevant to the needs of Northern Ireland.

I have also established four key principles that now shape the work of my Department in addressing poverty and deprivation. These require that new social policies must complement economic policies; recognise the responsibilities of government, communities, families and individuals; tackle intergenerational problems; and make the best possible use of increasingly limited resources and be focused on outcomes that are shared across government.

These principles will apply while my officials continue the work to tackle social disadvantage through my key policy responsibilities of delivering neighbourhood renewal, which is the flagship policy; urban regeneration; the delivery of decent and affordable housing, which is a prerequisite to tackling poverty; action to address fuel poverty; the delivery of child maintenance arrangements; and our comprehensive social security provisions, together with the major welfare reform agenda, which are all key to addressing poverty and social disadvantage.

2.30 pm

My officials are also working with OFMDFM and other Departments to put in place a cross-cutting policy approach, supported by effective interventions, to deliver a sustained reduction in poverty across all ages and to produce improvements in the life chances of children and young people. The cross-cutting actions are in the following areas: jobs for disadvantaged communities; affordable childcare; addressing economic inactivity; early interventions for high-risk families; reducing fuel costs for poor families; and the developing measures of social actions that identify economic costs and benefits. I consider that delivering on those key areas, through a collaborative and outcomes-focused approach —

Mr Deputy Speaker: The Minister's time is up

Mr McCausland: — will ensure that we will not only manage social disadvantage but achieve real progress.

Mr Deputy Speaker: The Minister's time is up, as it is for questions to the Minister.

Justice

Mr Deputy Speaker: I advise Members that questions 1, 3, 4, 7, 8 and 14 have been withdrawn. I feel as though I am calling bingo; it is a bit ridiculous.

Youth Justice Review

2. **Mr Murphy** asked the Minister of Justice for an update on any actions taken by his Department in relation to the recommendations contained in the youth justice review. (AQO 2032/11-15)

Mr Ford (The Minister of Justice): We have given careful consideration to the many views expressed through the public consultation on the review of youth justice. As part of that process, I have asked my officials to brief the Justice Committee on the responses received. I expect that briefing to take place very shortly, subject to the Committee's agreement. I would then wish to appear before the Committee to hear its views on the consultation and the wider issues covered in the review, particularly where implementation depends on legislative change. Following that, I intend to make an announcement on the way forward in the Assembly prior to the summer break.

Many of the issues raised in the review cover matters of policy that fall to me, as Minister of Justice, and I am moving forward on a wide range of those issues in advance of any announcement. In addition, criminal justice agencies have examined their practices and processes in light of the review recommendations and are already introducing reforms and improvements.

Importantly, the report contains recommendations on a number of cross-cutting issues and recognises that success in reducing youth offending requires actions extending well beyond the boundaries of the criminal justice system. I have already discussed a number of those matters with Executive colleagues and will bring proposals to the Executive to agree a collective way forward over the summer months.

Mr Murphy: Go raibh maith agat, a LeasCheann Comhairle. I am sure that the Minister is pleased to see me, given that so many others have abandoned him.

One of the key recommendations of the review was that all under-18-year-olds would

be transferred from Hydebank Wood. Will the Minister assure the House that that transfer has been completed? I note that he did not give details on any of the other recommendations.

Mr Ford: I thank Mr Murphy for his point, and it is indeed a pleasure to have the opportunity to speak to him. Question Time would have been almost non-existent if one or two Members had not remained here or remained well, as I know was, unfortunately, not the case for my colleague Anna Lo.

Members may recall that, something over a year ago, there were approximately 20 under-18s in Hydebank Wood. The last time I remember answering specific questions on that, there were eight. I can confirm that there are now three under-18s in Hydebank Wood. As part of the work of the individualised assessment process, many young people have been managed, through case conferences led by the Youth Justice Agency, from Hydebank Wood specifically to the Woodlands Juvenile Justice Centre. Looking at the age of those three and the type of sentences they have, it is likely that there will be no under-18s in Hydebank Wood later this year. Work is ongoing to address the legislative and other issues that will facilitate the permanent removal of all under-18s from Hydebank Wood within the 18 months that was specified in the youth justice review.

Mr Weir: Further to the last supplementary, will the Minister indicate whether any work needs to be done at Woodlands to make it fit for purpose for all prisoners under 18? If so, what is the timescale for the completion of any needed capital work?

Mr Ford: I thank Mr Weir for his concern about that issue. To the best of my knowledge, no significant capital work is required. The issues are around management and ensuring that, if there are small numbers of disruptive young people, they are managed in such a way that Woodlands is able to cope with them without disrupting the regime for others.

Those who visited Woodlands will know that its style and layout make it possible to segregate certain areas, so that those who require a more robust regime are not in the same area as those who are more amenable to the normal regime. We can leave that matter to the professional standards and excellent work of the staff in Woodlands.

Mr A Maginness: One of a number of aspects of the review that do not require legislative change relates to changes in education and the skilling up of offenders in Hydebank Wood. What progress has the Minister made with changes to the educational and skills regime in Hydebank Wood?

Mr Ford: I thank Mr Maginness for his question. I am not sure whether he was loitering outside Room 148 earlier today when I had a meeting with my colleague the Minister for Employment and Learning. Members will recall that the PRT recommendations include specific proposals that Hydebank Wood should become a “secure college”. Since that term was not known before the PRT put it forward in its review, detailed work has been done between the Prison Service and colleagues in DEL to ensure that we can work on that. I am pleased to say that DEL officials will join a working group that will explore the issues this summer. It is certainly my intention that we build on that recommendation and ensure that we provide constructive, worthwhile activity for young offenders in Hydebank Wood so that we make sure that we help to protect society by reducing their propensity to reoffend when they leave.

Mr Dickson: Will you outline the procedures that are in place for determining whether under-18s go to Hydebank or to Woodlands justice centre?

Mr Ford: That issue is, perhaps, not necessarily understood terribly well. In some cases, courts may recommend specifically where people are to be accommodated. As far as I am concerned, the key issue in the way that the justice system responds is that the Youth Justice Agency has a role in case managing all young offenders under 18, including those in Hydebank Wood. That is why, as a result of individual case conferences, so many have been able to move from Hydebank Wood to Woodlands in the past year. The key issue is to ensure that such case conferences, involving the relevant people from both the young offenders centre and the juvenile justice centre, are able to examine the individual needs of those young offenders and the best way to manage them to ensure their safety and security and the safety and security of others. They are least likely to reoffend if given the best possible chance. That is why Woodlands has been able to work so well and to take so many across from Hydebank Wood. That process appears to have the continuing support of the House, which I am pleased to see.

Sectarianism: Legislative Definition

5. **Mr McDevitt** asked the Minister of Justice what plans he has to introduce legislation to define sectarianism. (AQO 2035/11-15)

Mr Ford: I thank the Member for his question. The criminal law, of course, already provides for courts to deal with what we call hate crime. In effect, it therefore allows for sectarianism to be addressed and penalised. Hate crime legislation allows for those guilty of a series of violent and criminal damage offences to have their sentences increased where they are motivated by hostility based on religion, race, sexual orientation or disability. Public order legislation also makes it an offence to stir up fear or hatred on similar grounds.

As Members know, last year the Assembly was not able to agree a definition of sectarianism in chanting at sports matches. My priority is to deal with the practicalities of hate crime rather than to look to further legislative solutions. I therefore have no immediate plans, from a justice perspective, to define sectarianism.

Mr McDevitt: I think that society at large will be dismayed by the Minister's answer. We had a clear example of sectarian chanting at a high-profile football match recently. The PSNI is unable to properly pursue an investigative course, despite last year's legislation, because of the lack of a clear definition. Does the Minister accept that the Justice Act 2011 would be much more robust if it contained a clear legislative definition of sectarianism, which is the cancer of our region?

Mr Ford: If the Member is suggesting that that which he and I both wished to do when we were passing the Justice Bill last year to strengthen issues and to make a definition of sectarianism would have made things better, I am happy to agree with him. The reality is that a majority of the House did not agree with us, and, therefore, the police are forced to operate with the law as it currently operates. The House may wish to return to the issue of whether that aspect should be strengthened in future legislation.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. It is a mistake not to define sectarianism in legislation.

Mr Deputy Speaker: Can we have a question, please?

Ms J McCann: Will the Minister ensure that the gap in the current legislation is closed in the pending Justice Bill?

Mr Ford: Although I agree entirely with Ms McCann's sentiments, I can only repeat what I have just said. It will be a matter for the House as a whole, and it was clear last year that the majority of the House did not wish to make the changes that Conall McDevitt, Jennifer McCann and I wished to make. Perhaps, that will not be the case if we re-examine the matter this year or some time in the future.

Mr I McCrea: Will the Minister accept that sectarianism is not only rife in chanting etc but includes the naming of grounds after dead republicans?

Mr Ford: I have no doubt that any Member will take their own view on what constitutes sectarianism. It seems to me that anything that is designed to annoy, upset or damage whatever exists in the way of good relations in an area could be classified as sectarianism.

Legal Aid

6. **Mr Gardiner** asked the Minister of Justice what milestones have been established and met in relation to legal aid reform. (AQO 2036/11-15)

Mr Ford: The Member will be aware that I have implemented a number of significant changes to the legal aid system, mainly in respect of criminal legal aid. In April 2011, I brought in new rules in relation to the remuneration of solicitors and counsel for their work in Crown Court cases. This followed extensive dialogue between my Department and representatives from the Law Society and the Bar Council. The effect of these rules was to introduce a comprehensive system of standard fees and do away with the provisions for very high cost cases. These rules are expected to save the legal aid fund in excess of £18 million a year. I have recently brought in new rules that tighten up the criteria to be met for a Crown Court case before the court can assign a second counsel. I had hoped to introduce these rules earlier, but this proved not to be possible because of the need to consult widely to ensure that the new criteria did not impinge on defendants' access to justice.

In September 2010, I launched the review of access to justice. This fundamental review examined many aspects of the justice system, including the reform of both civil

and criminal legal aid. The final report, published in September last year, made 159 recommendations. This was then followed by a public consultation, which received 47 responses. My Department has carefully considered these responses, and I will shortly be finalising my response.

I am committed in the Programme for Government to publishing my departmental action plan, setting out how I will take forward the recommendations contained in the review, including the legal aid recommendations. This action plan will provide a timeline detailing how my Department, working across government and with stakeholders from the judiciary, the legal profession and the community and voluntary sector, will implement some of the biggest changes seen to the justice system in Northern Ireland for decades.

Mr Gardiner: I thank the Minister for his comprehensive answer. Minister, you have covered quite a bit of what I was going to ask in my supplementary question. What progress has been made on the alternatives, and can you explain how they will operate?

Mr Ford: I fear that Mr Gardiner is tempting me to announce the outcome of my response to the review before that is actually the case. It is absolutely clear that we are well on track to being able to make those announcements in a short while to ensure that we move on alternative dispute resolution, for example, and to ensure that we are not just seen to be cutting legal aid but are seen to use the money in the best way to promote the best kind of resolution of disputes.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Agus ba mhaith liom an méid seo a fhiafraí de. Whatever changes are introduced to the legal aid system, especially on the civil side, can the Minister assure the House that the principle of access to justice will be applied and maintained?

Mr Ford: I can certainly assure the House that that is the case. The cuts that have been made so far have been in the amounts paid to criminal defence lawyers, not in the access that individuals have to justice. The changes that might be made in alternative dispute resolution on the civil side are designed to ensure that people get the best possible service and outcomes, not simply to reduce spending.

2.45 pm

Court Estate

9. **Mrs Overend** asked the Minister of Justice what reports on the court estate have been produced during the last four years. (AQO 2039/11-15)

Mr Ford: Two reports have been produced on the Northern Ireland Courts and Tribunals Service estate over the past four years. In December 2009, a report was produced by a consultancy firm to support the development of a future estate strategy for the then Northern Ireland Court Service. The report proposed the creation of three super-courts and six satellite courts in Northern Ireland at a cost of approximately £75 million.

On 1 May 2012, Criminal Justice Inspection published its report on the adequacy of the court estate. That report made a number of recommendations, and I have accepted its assessment of the variable quality of court venues across Northern Ireland. I have instructed the Courts and Tribunals Service to develop a new estate strategy that is affordable and appropriate. The CJINI report, correctly in my view, concludes that the proposals in the 2009 consultancy report are not achievable in the current economic climate and that an alternative strategy should be implemented.

Mrs Overend: I thank the Minister for his answer. Will he explain why the PwC strategic outline case final report was not acted on sooner, given that it stated in 2009 that the Northern Ireland Court Service estate was clearly not demonstrating value for money and was not fit for purpose?

Mr Ford: I thank Mrs Overend for that supplementary question, but, of course, by examining the position of the five part-time hearing centres, the Courts and Tribunals Service has, in fact, been proceeding to see what type of rationalisation may be necessary. I repeat the points that I made, which were ratified by CJINI in its most recent report: the proposals made in 2009 are simply not affordable and raise serious questions about geographical access to the courts. That is why the matter is being re-examined and why I believe that we will get a better proposal than was produced three years ago.

Mr Givan: I welcome the Minister's comment that that report will not be put in place. I do not believe that they were good recommendations to take forward. The report contained a recommendation to close Lisburn court. Does the Minister agree that what is needed there is a brand new purpose-built court? The crimes committed in that area and the accessibility of Maghaberry prison mean that it is a suitable location for a newbuild.

Mr Ford: I am reluctant to agree with any Member who talks about the crime level in their constituency as a particular problem. I am sure that Mr Givan did not mean it entirely in that way. I agree with his general sentiment that we need a court estate that is fit for purpose. We clearly have problems: too many of our buildings do not meet modern needs for, for example, the segregation of vulnerable witnesses and victims, and disability access. I cannot, today, agree with a particular plea, even from the Chair of the Justice Committee, that any one constituency merits consideration in advance of the overall consideration being carried out.

Mrs McKeivitt: Will the Minister acknowledge that, given recent assessments of the court estate, serious pressures will arise on the existing space in a significant number of courthouses outside Belfast?

Mr Ford: The assessment that was prepared specifically on the five hearing centres demonstrated that the necessary court space could be provided if they were closed. However, there has been a genuine consultation exercise. I have asked for further, more detailed work to be done on the implications of closure, including what other work might be needed in other courthouses and the suitability of other courthouses. The response to that consultation is ongoing and will ensure that, before I am given a final report, all the available options are covered.

Prisons: Full-body Imaging Scanners

10. **Mr G Kelly** asked the Minister of Justice for an update on the pilot scheme for full-body scanners in Magilligan and Hydebank Wood prisons. (AQO 2040/11-15)

Mr Ford: As I previously announced, I have made a commitment to pilot the use of full-body imaging scanners. There is a range of technologies available, and the pilot will focus on two of those — transmission X-ray and

millimetre wave — with a view to assessing their suitability for use in Northern Ireland's prisons.

Transmission X-ray scanners have not yet been approved for use in UK prisons, and authorisation must be obtained under the Justification of Practices Involving Ionising Radiation Regulations 2004. An application for use in a prison setting has been made for Holme House prison in Yorkshire. However, it is clear that that process will take some months to complete. I will therefore be writing to the Environment Minister this week regarding the submission of a separate application in respect of prisons in Northern Ireland.

The use of millimetre wave scanners does not require the same level of approval, and the Prison Service will therefore be able to commence a pilot of those scanners sooner than the pilot of the transmission X-ray scanners. Prison Service officials have received a written proposal from one supplier to facilitate the pilot of millimetre wave body scanners at Magilligan prison and Hydebank Wood YOC. I hope to receive proposals from the other supplier later this week. I can also confirm that I wrote to the Justice Committee on 3 May to provide further details on the necessary steps for the piloting of full-body imaging scanners.

Mr G Kelly: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Will he give us dates or at least a time frame for the pilot schemes to start and, more importantly, finish so that, if the scanners work, they can be given to all prisons to stop the controversy around full-body searches?

Mr Ford: I appreciate Mr Kelly's point, but I regret that I cannot give any timescale for the pilot of transmission X-ray scanners because of the issues of approval, which lie beyond our responsibility. I am hopeful, as I have said previously, that we will see the millimetre wave scanners in the two units at some point during the summer for a trial period of between three and six months and an assessment as fast as possible thereafter.

Mr S Anderson: Is there a security assessment for the scanners? Is there an estimated cost for a scanner in each prison or scanners in all prisons?

Mr Ford: I appreciate Mr Anderson's point, but the security assessment will be done on the

basis of seeing how the scanners operate as opposed to the current full-body searching.

As far as the costs are concerned, given the sensitivity of the negotiations that are under way between two suppliers, it would be a little bit foolish to go into the detail of costs at this stage. Obviously, costs will be made available when it is possible to reveal them without damaging commercial sensitivity.

Mr Elliott: I know the Minister is hampered somewhat by the commercial sensitivities, but can he give us an indication of who will carry out the evaluation of the pilot schemes?

Mr Ford: The pilot schemes will be evaluated by Prison Service staff, who will call in such outside expertise as they require.

Mr P Ramsey: Does the Minister agree that, in going forward, the aim is to end the protest and tension in Roe House? Will he assure that House that, in expediting the pilot scheme on full-body scanners, he will implement the findings as quickly as possible across all prisons?

Mr Ford: I agree that there is an urgency about ending the protest by some prisoners in Roe House. However, in support of the PRT's recommendation 8, we are trying to find suitable alternatives to full-body searching to meet the needs of prisoners and prison staff across all three institutions, not just those of separated prisoners.

Prison Review: Implementation

11. **Mr McCarthy** asked the Minister of Justice for an update on the structures in place for the management and oversight of the implementation of the prison review team's recommendations. (AQO 2041/11-15)

Mr Ford: I can confirm that the prison reform oversight group continues to provide robust and impartial scrutiny of the performance of the reform programme. When it met for a second time on 10 May, the terms of reference were amended to reflect the decision by the permanent secretary of DHSSPS to accept my invitation to join the group. In light of the significant number of healthcare-related recommendations in the report, his decision is to be welcomed. That will add to the oversight arrangements already in place and give further confidence that the reform programme is being properly scrutinised and challenged. Of course,

the Justice Committee also plays an important role in the scrutiny of prison reform, and it will have the opportunity to discuss the programme further before the end of the month. I will shortly provide the Committee with a written update on progress.

Mr McCarthy: I thank the Minister for his response. What effect, if any, will the recent resignation of the head of the Northern Ireland Prison Service have on the full implementation of the prison review team's recommendations?

Mr Ford: I hope that the honest answer is that the resignation of Colin McConnell will have no effect whatsoever. There is absolutely no doubt that, as director general, Colin made his mark on the Prison Service and played a key role in starting the process of reforms, which we now have under way. However, it was not a reform programme that depended on one single individual; it was a programme of reform being run by a team, including a number of key issues around estates, HR matters and so on. Progress is well under way on the staff exit scheme and the recruitment of new officers, and work is being done on the outline estate strategy. All of those are aspects of work that were started on Colin McConnell's watch and will, I believe, be carried forward quite adequately in the months and years ahead. I simply wish him well as he proceeds to a more significant job, in his terms, in his home town in Edinburgh.

Mr McLaughlin: I note the Minister's confidence that the review board can continue its work. However, leadership is essential. What is the timeline for replacing Mr McConnell, and has the board considered the implications of his resignation?

Mr Ford: It is a fair point as to what the timeline is. I understand that the shortlisting process for his replacement has happened. A number of candidates will be interviewed in the coming weeks, and it would be difficult to go beyond that. This is proceeding, I believe, as fast as any similar post of such significance in the Civil Service has proceeded in recent time. I am optimistic that we will see a full-time replacement in place shortly. I am also confident that the team that will be continuing to carry that lead will be able to carry on, pending that full-time appointment.

Mr Cree: Would the Minister agree that so many positions being filled on an interim basis in the Prison Service may result in a lack of continuity

in the implementation of the prison review team's recommendations?

Mr Ford: No. Although Mr Cree makes a valid point about the concerns we may have, I am confident that we have a team approach and there is strength in that team, including the external work being done by those implementing the change programme. The staff currently in post, including those on temporary promotion, alongside the change management team, are capable of carrying forward the work in the way that is required. I also believe that the work of the oversight group, which I chair, will ensure that that work is kept on track.

Crime: Attacks on Older People

12. **Mr Brady** asked the Minister of Justice what proposals his Department is considering in relation to preventing attacks on older people. (AQO 2042/11-15)

Mr Ford: The safety of older and vulnerable people and ensuring that they can live free from the fear of crime are important issues for my Department. Although the evidence shows that crimes against older people in Northern Ireland, especially violent crimes, are relatively rare, I know that older and vulnerable people still have very real concerns about crime. Fear of crime can have a very negative impact on quality of life, particularly for older people. It can lead to loneliness and isolation.

The importance of the safety of older people is reflected in the new Programme for Government, with a commitment to tackle crime and the fear of crime against older and vulnerable people by more effective and appropriate sentences and other measures. Although that is a new commitment, it is an area to which the Department of Justice has always given considerable focus. Much good work is going on at regional and local level to prevent attacks on the elderly. For example, neighbourhood watch, local alert schemes and community safety wardens provide a valuable service to neighbourhoods and provide reassurance to young and old alike.

Mr Brady: I thank the Minister for his answer. Has his Department any plans for a campaign to highlight the areas that he mentioned, such as neighbourhood watch and community safety partnerships, to reassure older people? Although incidents are relatively rare —

Mr Deputy Speaker: Question.

Mr Brady: — they impact on the people who are affected.

Mr Ford: I think that Mr Brady highlights the point exactly. Although the incidence of crime against the elderly is relatively rare, the fear of crime is very significant. I believe that that is where the new community safety strategy, which will be published shortly, will provide some reassurance. As they get under way, the work of PCSPs, in bringing together the best practice of CSPs and DPPs, will also help to provide that kind of assurance in the different areas where it is seen as a particular need. I have certainly been impressed by what I have seen on some of my visits out and about and by the range of work that the new PCSPs are doing in conjunction with a number of NGOs and the various statutory bodies. A lot of work is being done, and it is important that we emphasise the good work that is being done, not the negativity that there has been in a small number of cases.

3.00 pm

Private Members' Business

Welfare Reform: Underoccupation Penalty

Debate resumed on motion:

That this Assembly notes with concern the underoccupation penalty provision within proposed welfare reform legislation, which has the potential to make many people homeless; and calls on the Minister for Social Development to outline the measures that he intends to put in place to mitigate the impact of this provision. — [Mr Brady.]

Mr Durkan: I support the motion, and I thank its proposer for highlighting this extremely important issue. This call to the Minister is one that we have made consistently, as we have been seeking a conversation on and exploration of the flexibilities in parity that this region might have so that the harsh realities that welfare reform will bring can be mitigated. The underoccupation penalty is one of the most alarming and draconian features of the Bill, and it stands to attack many vulnerable people in our society. Many tenants living in homes with one room underoccupied will see a loss of £9·50 a week from their housing benefit, while others with more rooms unoccupied could lose up to £20. On average, that equates to individuals losing £670 annually. That is a huge amount for those in low-paid employment and for those out of work. For those who are already struggling to make ends meet, this will be a massive blow.

As such a huge percentage of our housing stock consists of three-bedroom houses, it is inevitable that this punitive legislation will affect many thousands of people here. The over-reliance on houses with three bedrooms or more is matched by a dearth of single tenant accommodation and two-bedroom accommodation. Where are people supposed to move to? The shortage of properties is compounded in Northern Ireland by the sad reality that our social housing stock is segregated. That makes mobility even more difficult. Those factors are, I believe, enough to argue that Northern Ireland is a special case and that it will need a specific solution.

The rurality of Northern Ireland is another issue that must be considered. People will have to move away from their friends, family and community completely to find smaller, affordable accommodation.

Coupled with other cuts that are being imposed under the guise of reform, the underoccupancy penalty will hit those who are most vulnerable the hardest. Here, we have higher rates of disability living allowance (DLA) claimants and higher child poverty rates than elsewhere on these islands. We also have a high proportion of low-income families with children. Therefore, changes to disability benefits and working tax credits will be felt much more acutely here than elsewhere. Families will be forced to bridge gaps in the money that they are losing out on to care for their families. Some will be unable to afford to bridge another cut with a reduction in their housing benefit. People will fall into hardship, debt and homelessness.

It is very important that we pass the motion today and that we then work with the Minister to explore potential mitigation provision for Northern Ireland. Although there has been a very welcome increase in discretionary housing payments, that is only a short-term measure and it is unsustainable. It is evident that the Westminster Government are clearly out of tune with reality, and it is very important that we demonstrate to the public here that we are not. It is also important to remember that many of the individuals who are affected here are employed in low-paid jobs, struggling to find higher-paid work or longer hours of work. Housing benefit is the only benefit that they claim and the only option that they have. The fact that they are in a house deemed too big for them is hardly their fault, and penalising them certainly does not meet with the Government's aim of making work pay.

I am heartened by the Minister's previously expressed acceptance of the need for conversation and the fact that there are significant areas in which we can differ in our implementation of welfare reform. I am hopeful that he will listen to our call today and act swiftly and decisively to allay our concerns and our constituents' fears. I support the motion.

Mrs Cochrane: I apologise to the proposer of the motion for not being in the Chamber when he proposed the motion.

I welcome the opportunity to speak on the motion because it raises some very interesting and important points. Currently, those living in the social rented sector have next to no financial restrictions placed on the size of accommodation that they occupy, as the number of bedrooms they require does not affect the amount of housing benefit to which they are entitled. Those in receipt of housing benefit who live in the private rented sector have their claims assessed using the local housing allowance rules and receive housing benefit based on the reasonable accommodation needs of their household. The proposed changes seek to bring those of working age who are living in the social rented sector under the same rules as those who receive housing benefit and live in the private rented sector.

As has been discussed, the eligible rent will be reduced by a percentage rather than to a fixed level, as it reflects the additional rent associated with additional numbers of bedrooms. Inevitably, many tenants will find that very difficult, particularly if they have no other source of income from which to make up the difference, and they will be forced to move. The fact is that there are not nearly enough one-bedroom properties in Northern Ireland to cope with demand, so we need to be very conscious that the penalty is going to affect those who were allocated a two-bedroom property through no fault of their own.

I agree that the social housing stock needs to become more flexible in order to allow us to have an effective housing market. With so many families in housing stress, we need to make better use of our resources. Currently, there is no review process for the allocation of social houses. Properties that may at one stage have housed a family with three or four children may now house only the parents, as the children have grown up and moved elsewhere. Numerous Housing Executive and association houses are left significantly underoccupied, with larger families remaining in overcrowded, inadequate housing. Unfortunately, I do not believe that the proposed underoccupancy penalty will address the full issue, as it will apply only to people of working age, and many of those underoccupied larger properties are allocated to those over 65.

Although I agree with the idea that the introduction of size criteria will mean that claimants in the social rented sector will face similar choices to their counterparts in the

private rented sector, I do not believe it is right to expect people to pay more because the UK Government suddenly say they have a spare bedroom, when they would quite willingly move to another property, if one were available.

We must wake up to the issue that our most vulnerable will face when this legislation is introduced and try to act now to soften the blow. Time is of the essence, and I call on the Minister to analyse the current housing stock to see whether modifications can be made to alleviate the harsh effects of the penalty. We need to be creative and come up with innovative, cost-effective solutions that can be implemented as soon as possible.

We should probably look to other cities and see what they do to create more properties in a limited space. Creating an additional entrance on the side of end-terrace properties, for example, could create more one-bedroom flats. I understand that the Department is carrying out some research with the University of Glasgow to try to fully assess the implications of this aspect of welfare reform. That is a step in the right direction, and I look forward to hearing in more detail what plans the Minister has to help to mitigate the impacts of the proposed penalty.

Ms P Bradley: I, too, apologise to the proposer, Mr Brady, for not being present at the start of the debate, and I thank him for bringing it before us today. The premise of all welfare reform is to ensure that the system is clear, transparent, easy to understand, and just and fair. The new proposed criteria will bring our social housing stock, which is paid for by our housing benefit system, onto a more level playing field. Currently, there are two main groupings of tenants in Northern Ireland: private tenants and social housing tenants. The location of a tenant within those groups will reflect on how their housing benefit is calculated.

For instance, if a tenant in the private sector is deemed to be underoccupying, the amount of housing benefit is reduced accordingly. If a tenant in a housing association property is deemed to be underoccupying, the Northern Ireland Housing Executive, which administers the housing benefit, has the option to restrict that person's housing benefit, although that power has rarely been utilised. By contrast, tenants in Northern Ireland Housing Executive properties whose circumstances mean that they are underoccupying do not face such sanctions.

That disparity must be addressed in order to ensure that the system is fair.

The proposal has three main aims at its centre. First, it aims to limit housing benefit expenditure, a move that reflects the growing need to ensure that our welfare system continues to help the most vulnerable in our society. Secondly, it will encourage greater mobility in the social sector and create better use of available stock. We have a situation in our social housing stock whereby families are overoccupying because stock is not available. If we can release some stock from underoccupation, that issue can, in some way, be addressed, which will benefit a number of people who are waiting on housing. Finally, the change can encourage work initiatives. A tenant can remain in an underoccupied property if they can afford to pay the rent themselves or make up the shortfall. The main premise is clear: if the taxpayer is paying the rent, the property should meet the needs of those who reside there, without being too large for the number of people who live there.

Some people will be impacted by the change. The latest figures from the completed equality impact assessment suggest that 78% of properties are currently underoccupied, and the average housing benefit, as has been stated, will be reduced by £9.50 per week in 2013-14. While 96% of tenants who live in underoccupied properties will experience some reduction in housing benefit, they will be entitled to some level of support. No one can argue with the fact that people who receive social security benefits should receive assistance according to their needs. If a tenant wishes to reside in an underoccupied property, they are within their rights to do so, as long as they are willing to pay the difference between their need and their want.

I welcome the fact that some of the most vulnerable groups have already been protected in our society, and I also welcome the motion, which calls on the Minister to further outline other measures that he is planning on putting in place in order to reduce further any negative impact the change will have on the people of Northern Ireland.

Ms Brown: I, too, rise as a member of the Social Development Committee to speak on this motion. We are all aware of the reforms to welfare being led by the Tory-Lib Dem coalition

Government in London. Although some of the reforms are questionable and concerns exist over the impact they will have on people, the issue over differences between those claiming housing benefit in the public and private rented sectors deserves attention, and, in the case of this motion, explanation.

In recent years, expenditure on housing benefit in Northern Ireland has increased significantly — from £312 million in 2003-04 to £397 million in 2008-09 and £455 million in 2009-2010. For 2010-11, the total cost of housing benefit was just short of £600 million. Therefore, it needs to be realised that the cost of housing benefit is on the rise and needs to be controlled, especially at a time when there is less money available and resources are stretched.

As has already been mentioned, there are two groups, in the housing sector: the social rented sector and the private rented sector. People who live in what is termed the social rented sector include those who live in Housing Executive properties or in houses provided by a housing association. Those who live in private accommodation will receive housing benefit in place of rent.

Currently, someone who is in receipt of housing benefit in the private rented sector is treated very differently from someone in the social rented sector. The person living in the private rented sector receives a set amount of housing benefit based on their needs and according to where they live, while the person living in the social rented sector receives the same amount in place of rent, regardless of their circumstances. Their circumstances will be taken into account on a point system when they seek a house in the social rented sector, but that is not subject to ongoing review. The outcome is that the person living in the private rented sector will have to pay more of the rent themselves for every bedroom they have in absence of someone living there.

It is, therefore, unfair to allow tenants in the social rented sector to enjoy more spacious accommodation than their needs justify or they could sustain if they were living in the private rented sector. That cannot be allowed to continue. Single occupants, for example, might be occupying a house that could home a family at a time when social housing stock is limited. However, I share the concerns that some have,

especially in relation to vulnerable individuals, such as the victims of domestic violence, that the changes may impact on decisions that those people have to make about their living arrangements.

3.15 pm

The changes ensure equity between the two rented sectors. No one is being made homeless, as stated in the motion. Tenants in the social rented sector can choose, like their counterparts who live in the private rented sector, to pay more money themselves for the house they live in or to move somewhere more suitable to their needs. In doing so, those tenants could provide someone else with a home. The social rented sector accounts for about 90,000 people, and these changes will affect approximately 25,000 people of working age who will be faced with the choice either to stay and pay £11.50 a week on average or to move somewhere that better accommodates their needs.

Mr Hussey: I undertook a little bit of research to enable me to take part in today's debate. Unlike some of the complicated research that we heard about earlier, in my research, I looked up the definition of a home. My colleague Mr Copeland referred to that earlier. The dictionary's reference of it being "an environment where one's affections are centred" immediately caught my eye. You may wonder what underoccupation has got to do with the definition of a home, but I believe that it is very relevant to today's discussions.

Someone who has lived in a house for 20 years or more with an elderly parent and who becomes the sole tenant will naturally have very strong bonds with the building that he or she regards as home. If that person is unfortunate enough to have to depend on benefits, they may have to decide either to use part of their benefit to pay the additional charge that will apply or to move out of the family home. Where do they go from there? The Housing Executive has a very limited number of one-bedroom flats. Therefore, a private tenant may have to leave their home and attempt to find a home in the private market. I am aware that there are absolutely no houses of multiple occupation registered with the Housing Executive in west Tyrone, and I am not aware of many houses of multiple occupation where the tenant can obtain

a bedroom with the additional luxury of a shared kitchen or toilet facility via a private landlord.

Many have had to remain in the family home because they simply cannot afford to pay for a home of their own. Should someone find themselves in that position, they have to go through what has been described as one of the most stressful actions in human life, which is to move home. Home, they say, is where the heart is. Unfortunately, in the circumstances that I am describing, there is no heart, because rules are rules are rules.

The Housing Executive may be pleased to be able to rehouse family units into a three- or four-bedroom home, but it does not have the facility to rehouse people in good-quality, single-person flats. Underoccupancy penalties will be imposed on tenants who have chosen to live in a two- or three-bedroom home. Perhaps a single man has a child who stays with him occasionally, and he is entitled, indeed expected, to have a separate room for that child to sleep in. However, the benefits system will only see him as an individual and may push for a single-occupancy home.

How will the Minister deal with the issue in hand? The motion asks the Minister what measure he intends to put in place to mitigate the impact of the provision of the underoccupation penalty? Clearly, a rural constituency such as West Tyrone is entirely different from a central city constituency in Belfast. However, someone who becomes unintentionally homeless because they cannot afford to pay the rent on their home becomes the responsibility of the Housing Executive. I know, and many Members of the House know, that there is no provision for that type of housing in the pipeline. This particular situation will lead to homelessness because, quite simply, there is no provision, or little provision, of the type of accommodation that the legislation seeks to impose on those on benefits who live on their own.

I contacted the Omagh office of the Northern Ireland Housing Executive yesterday to see how many single-occupancy flats it had available. It has four out on offer, and if all are accepted, it will have none to offer to new tenants. The bubble is about to burst with horrendous consequences for those affected by the legislation, and steps need to be taken to ensure that the appropriate accommodation

is available throughout Northern Ireland. Ms Brown commented that no one is being made homeless, and, technically, no one is being made homeless. However, if you cannot afford to pay your rent, you will be made homeless. People who have to decide between paying rent and buying food or between paying rent and paying their electric bill will become homeless, destitute and very depressed, and they will become a major problem for the Northern Ireland health service.

Mr Wells: Will the Member give way?

Mr Hussey: No, thank you.

Therefore, I have concerns about that and about the fact that there are very few one-bedroom properties available, particularly in rural constituencies.

Mr A Maginness: I am very pleased to be able to participate in this debate. I was in Cambridge about a year ago, and when I was punting along the Cam, the guide with us pointed out a house dating from, I think, the 17th century that had all its windows blocked out and asked, "Do you know where the term 'daylight robbery' comes from?" It comes from the fact that the Government of the day imposed a tax on glazed windows. Therefore, what did people do? They blocked them up. Of course, that was not the intended consequence of the Government's introduction of the tax, but it became the consequence.

Of course, the consequences of the bedroom tax, which may or may not be daylight robbery in another sense, have yet to be determined. However, they could be devastating, which is a point that Members here today and in the House of Commons — if I am bold enough to refer to the House of Commons in this august Assembly — have referred to.

We have had comments from, for example, Mr Frank Field, the Member for Birkenhead, who is an expert in the whole field of social welfare. He referred to the bedroom tax as a "nasty, mean little measure" within a package of welfare reforms that he, in part, supports. He said that the change that the Government are making was "shameful" and that the policy had been forced on the Department for Work and Pensions by the Treasury and would not work in any event. He also said that there were no houses for families to move into in order to resolve the underoccupation issue. Furthermore, he said that even if the measure were implemented, the

Government would not raise the revenue that they wanted from it. Therefore, the provision falls down not just on the issue of revenue-raising, cuts or whatever the Government intend to do but on the fact that it will impose misery on many families in Britain and, should it be introduced here, Northern Ireland.

What my good friend Mr Durkan said today is very important. He said that what we want to see is flexibility in parity, which, I think, is the intent behind today's motion. From the contributions of Members on the DUP Benches, I detect their support for the provision — perhaps not full-blooded support, but support all the same — because they feel that they have to back the proposed legislation. That position is, in fact, ill-judged. I think that you can have flexibility even with the parity principle. Mr Durkan made that point strongly, and it is one that I also make.

Death, divorce and moving home are the three most traumatic events in any person's life. What will happen as a result of the measure is that there will be forced removal or dislocation —

Mr Wells: Will the Member give way?

Mr A Maginness: Surely. You are spoiling my —

Mr Wells: You are getting an extra minute, Mr Maginness, so do not worry. You are assuming that, in every case, the changes will lead to the eviction of a tenant. Landlords are not stupid. They will watch developments very carefully, and rather than lose the tenants, on many occasions they will reduce their rents in order to retain the tenants under the new system. It will not be done in a vacuum. They will understand the situation and the market will react accordingly.

Mr Deputy Speaker: The Member has an extra minute.

Mr A Maginness: The Member is totally wrong, because we are talking about the social housing sector. I cannot see social housing landlords lowering their rents in order to accommodate tenants. The point I further make in relation to that is that the determination of over-occupation, or underoccupation, whatever way you want to put it, is surely something that cannot simply be measured in a uniform fashion. There are variables in any domestic situation. Indeed, as another Tory Member of Parliament said:

"people come and go and relationships are flexible."

It is an important point. He went on to say:

"I was concerned to hear the ideas about how people can find extra funding."

In other words —

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

Mr A Maginness: I will just finish now by saying that it applies to people of working age, but what defines working age? Working age is now rising from 65 to 66, and maybe to 67 —

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

Mr A Maginness: — and people will suffer. Elderly people or older people will suffer as a result of it.

Mr McCausland (The Minister for Social Development): I have listened with interest to all Members who spoke in the debate. At times, it was quite an erudite debate, with all sorts of literary and other allusions. I thank all those who have spoken for their input.

I can certainly understand and appreciate the concerns that quite a number of Members — indeed, most Members — have expressed, and they are genuinely felt concerns. However, I will just add the caveat that we need to be careful in anticipating the outcomes of the proposed changes. For example, there is a reference to:

"the potential to make many people homeless".

I ask Members to reflect on the concerns cited for previous housing benefit reforms, which, so far, have proved to be rather overstated.

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

As I said previously, I intend to introduce a welfare reform Bill for Northern Ireland in the Assembly in the very near future, which, in line with parity with Great Britain in social security matters, will include provision to restrict housing benefit expenditure in respect of working-age claimants who live in social rented sector accommodation that is too large for them. Generally, housing benefit claimants living in the social rented sector have no restrictions placed on the size of the accommodation that they occupy and the amount of housing benefit to which they are entitled.

When tenants are allocated accommodation in the social rented sector, the housing needs of

the household are considered by the housing provider. However, although those needs may change over time, there is no systematic review of whether the accommodation remains appropriate. Under the reform implemented in Great Britain and under consideration here, housing benefit claimants living in accommodation that is considered to be too large will face a reduction in their housing benefit entitlement. Under the new proposals, any household deemed to be underoccupying their home by one bedroom stands to lose 14% of their housing benefit, and those underoccupying by two or more bedrooms will lose 25%.

Some customer representative groups have raised concerns that vulnerable customers may not be able to cope with the impacts of welfare reform. However, the coalition Government's view is that the housing benefit changes, which are preceding the introduction of universal credit, are essential to ensure that state help for housing costs is sustainable into the future.

Over the period from 2006-07 to 2010-11, the cost of housing benefit in Northern Ireland increased by almost 38%. That was over a period of just four years.

The coalition Government also consider that reform will assist efforts to better use limited social housing stock. Support will be required from landlords to assist those who wish to downsize in response to the reform.

3.30 pm

The Northern Ireland Housing Executive has informed us that the most recently published house condition survey in 2009 indicated that around 27,400 housing benefit claimants would be affected by the introduction of underoccupancy rules. That number includes Housing Executive and housing association tenants and refers to the housing stock of 120,000 properties. Of those 27,400 people, around 23,000 underoccupy by one bedroom and would face a 14% cut, and 4,400 underoccupy by more than one bedroom and would, therefore, face a 25% cut. Although those figures come with heavy caveats, it is estimated that the average weekly loss for each claimant would be £9.50 for those underoccupying by one bedroom and £18 for those underoccupying by more than one bedroom. Preliminary steps are being taken to identify tenants in Housing

Executive and housing association properties who will be affected by the change.

It is worth noting that, of the 120,000 social housing units available in Northern Ireland, we estimate the profile to be made up of a stock of 30,000 self-contained units provided by housing associations and a stock of 90,000 units provided by the Northern Ireland Housing Executive. Over 90,000 are two- and three-bedroom properties. Although we do not yet know the number of one-person households, it is highly likely that, for a large number of those affected by the proposals, no smaller accommodation may be available. The nature of our communities here is also a factor and may further limit people's ability to move.

In examining potential demand for future social housing, we see that the current waiting list is made up of 28,270 people of working age, 16,081 of whom are in housing stress. Taking that into account, we see that underoccupancy in the social housing sector is a significant issue. It is the tenants' housing benefit that will be cut, not necessarily the rent received by social landlords. However, on the basis of rough departmental estimates and assuming that nobody downsizes and all are unable to pay the shortfall, the potential worst-case scenario is an annual loss of over £15 million in Housing Executive and housing association rents, which could have a significant impact on capital and ongoing spend across social housing.

There is still much work to be done in bottoming out the exact impact of the change, particularly the response of tenants and landlords. We need to ensure that problems with housing benefit shortfalls do not result in increased repossessions or add to the number presenting as homeless. We cannot have a situation in which, for example, a social tenant presents as homeless as a result of underoccupancy. The challenge is to ensure that we do not add to the level of underoccupancy through new allocations and that we take whatever steps are necessary to assist those who currently underoccupy to maintain their tenancy until suitable accommodation might become available.

My Department has been considering what policy interventions and initiatives need to be developed and put in place in response to the changes in underoccupancy rules. A working group with representatives from across the housing sector has been established to

consider the matter, and considerable work has already been done with the Housing Executive and the Northern Ireland Federation of Housing Associations as providers of social housing. A number of actions and initiatives are already under way.

I continue to have discussions with the Department for Work and Pensions and Lord Freud on what policy and administrative flexibilities might be available. Those discussions are focused on the direct payment of housing costs to landlords, which is seen as a way of ensuring that tenants and landlords can prioritise rent payments and providing confidence to landlords and their potential lenders about income streams. I have also made Lord Freud aware of the particular challenges that we face, such as the existing housing stock and the lack of opportunities for tenants to transfer or downsize, in addressing underoccupancy.

Furthermore, my Department is funding research on the impacts of welfare reform, so that mitigation is targeted and evidence-based. Already, the discretionary housing payment budget has been expanded to provide transitional help for tenants in the private rental sector who have been affected. Discretionary housing payments are extra payments for tenants in the private and social rented sectors to help pay the difference between the rent charged by the landlord and the rent used by us to work out their entitlement to housing benefit. Those payments are not at present available to Housing Executive tenants. My Department will consider any legislative amendments to extend DHP availability to Housing Executive tenants affected by the welfare reform changes.

The discretionary housing budget has increased to £3.426 million in the current year, £6.944 million next year and £5.939 million in 2014-15 respectively. The budget for 2015-16 and 2016-17 will be £4.431 million. I have also asked the Northern Ireland Housing Executive to consider and advise me on what further housing services might be needed, particularly in the areas of guidance and advice.

The make-up of the social housing development programme will also be considered, particularly in the light of changing patterns of demand resulting from the application of size criteria. Pilot projects could also be taken forward to examine the allocation and management of

smaller units. When the Housing Executive brought forward its social housing development plan towards the end of the last financial year — just a few weeks before the end of the year — I asked them to look at it again in the context of welfare reform. One of the things we asked the officials specifically at the meeting was “Was this done in the context of welfare reform?”. The answer at that point was that it had not really been, so that was something that they had to take back and look at because, moving forward, we have this reality which, whatever may be done in mitigation, is still a reality that we face and needs to be considered to make sure that we have a housing stock that is more suited to the particular needs of today.

Advising the tenants impacted on by the changes, as well as taking steps to identify claimants in the Housing Executive properties affected, the Northern Ireland Housing Executive continues to work with individual housing associations and the Northern Ireland Federation of Housing Associations to provide a similar service for housing association tenants if required. Both the Housing Executive and the Federation of Housing Associations are exploring the development of services and initiatives to facilitate transfers between tenants and are looking at pilot initiatives being tested in the United Kingdom. The Northern Ireland Housing Executive is reviewing allocations policy to ensure that underoccupation is not increased, for example, by allocating shared tenancies where appropriate, examining flexibilities within and adaptations of existing stock to meet potential occupancy demands, and developing subletting policies and strategies as well as the provision of financial management services and advice to tenants.

Later this year, the University of Glasgow and the Newhaven Research team will report on the impact of housing benefit reforms in the social sector. That report will illuminate the impact of applying the size criteria, the increase in non-dependent deductions and the overall cap of £500 per week on benefits. It will show who will be affected, by how much and the extent of underoccupation. It will equally look at those who will be unaffected. The wider impacts on housing markets and housing providers will be considered.

Finally, my Department is undertaking a fundamental review of the regulation and registration of houses in multiple occupation. It

is anticipated that the review consultation will commence this month, and my Department's analysis should be finalised in the autumn. That will dovetail with emerging policy recommendations that will seek to mitigate some effects of housing benefit reform. I accept that this restriction will not be popular, and I recognise that some of those who spoke during the debate have very real concerns about how the measure will impact on some claimants. However, it was never the intention that housing benefit would guarantee that people on benefit should have unrestricted access to accommodation at any price.

I do not intend to pre-empt the Assembly's due legislative process by responding in detail to every point made by Members in the debate. As I have already said, I will shortly introduce the Welfare Reform Bill to the Assembly, and I consider that this proposal is best viewed in the context of all the proposals in the draft Bill and the wider reform agenda. However, I can perhaps alleviate some unnecessary worry by saying that there will be exemptions and general easements that will go some way to lessening the impact of the proposal. I can confirm that the shared accommodation rate will not be extended to those living in the social rented sector, and, at the other end of the age spectrum, the restriction will not apply to pension-age claimants.

Undoubtedly, concerns raised by Members today will form part of the overall discussion on housing benefit reforms, particularly during the progress of the Bill. I expect that the need for any additional mitigating actions will be taken forward then. Along with others, that is a matter that is very much for consideration by the Executive subcommittee on welfare reform. There have been some useful discussions. We had a visit from Lord Freud last week, which was very helpful, and there was good engagement with him. The members of the subcommittee were very active and forthright in expressing their views to him, and he was very good in responding. There has also been good engagement with the voluntary and community sector.

In considering the motion, Members should be mindful of the spiralling costs of housing benefit and the need to manage that and other social security benefit expenditure effectively in times of austerity. I reiterate that, as with all the proposals in the Welfare Reform Bill, there will

be a more appropriate juncture in due course to fully debate the proposal, as the Bill undergoes its legislative passage through the Assembly. I welcome the opportunity today to consider what is an important issue.

Mr A Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank all the Members who spoke in the debate this afternoon. As in yesterday's debate in the Assembly, very importantly, we have all-party support for the motion. I do not wish to pre-empt the vote, but all the Members who spoke expressed concerns similar to those expressed in the motion. I thank the Minister for his quite comprehensive response. He went some way to allaying some of the concerns that people have already expressed. Although I do not want to rehearse all the arguments that were presented to the House this afternoon, I think that it is important to remind ourselves of a number of them.

In the past year, this measure and others, such as shared accommodation, were discussed. A range of stakeholders, particularly people who are involved right across the housing sector, and the Department briefed the Committee for Social Development and lobbied elsewhere. I know that all Members have been lobbied with all that information. It is really around the concerns that people have identified about the real potential of the measure, which is due to come into practice in April 2013, to have a negative financial impact on a number of individuals, not least those who already live on subsistence levels of benefit or are low-paid workers. Mickey Brady and the Minister addressed that. The cost will be anywhere from £7 or £9 a week for some individuals right through to double that amount. Obviously, in these times, when people are already on what are described as subsistence levels of benefit, that will have a huge impact. It is bound to lead, by its very nature, to people having to move from their current home.

The essential element of our concern is that, given our housing stock here and even with the commitment to build a further 8,000 social and affordable homes during this mandate as part of the Programme for Government, it will be very difficult, if not impossible, for many of the people who will be affected by the provision to secure alternative accommodation in the public housing sector. Although we are still working with the Minister and the Department to develop an overarching housing strategy that

will deal with issues around social housing, the housing association movement and the private rented sector, until we see that working out as an overarching strategy with the various protections built in, we will maintain the concerns that people may fall prey to people in the private rented sector. Although a lot of people in that sector are very professional and have the utmost integrity, some do not. I think that all parties have recognised that in the past. Until we have a fully regulated system in which we can have confidence, we will retain our concerns.

The other problem is that people may almost suffer a triangular whammy because, clearly, the provision will have a negative impact on some people. The shared accommodation measure has also been introduced, and there is the universal credit element of the new Welfare Reform Bill. So, a number of factors may well bear down on people who rely on social and public housing.

3.45 pm

We are very grateful that the Members who have spoken so far have expressed their own concerns and shared those that are inherent in the motion. Given the concerns, we have a responsibility, and we are not entirely sure of the outworking of the measures because it is difficult to quantify. Therefore, it is important to point out that we need to make a proper assessment and carry out the reviews, some of which the Minister has referred to, so that we can establish what the baseline will be here and how many people may be affected by the measures. It is important to do that work. It is incumbent on us to plan for the worst-case scenario and work to get the best. That is the approach that we need to take.

I am pleased that the Minister has made reference to mitigating measures that he, the Department and the Executive subcommittee are looking at. As I said, the purpose of all of this has to be to make sure that those who are most vulnerable and those who either opt for or rely on public housing are able to have security of tenure so that they, literally, have a roof over their head. All the key stakeholders, particularly those who are experts in the housing sector and have worked there for a very long time, have expressed serious concerns that the measure may well lead to significant numbers of people being forced into homelessness. Neither the

Minister nor any other Member of the House will want that to happen, and I know that they will support measures that are necessary to make sure that we prevent that problem. The last thing we, as an Assembly, need is to preside over a situation where more people are homeless, given that it is our responsibility to get more people housed, with security of tenure in the time ahead.

On that note, I thank all the Members who contributed and expressed their support for the content and essence of the motion. I urge all Members to support it.

Question put and agreed to.

Resolved:

That this Assembly notes with concern the underoccupation penalty provision within proposed welfare reform legislation, which has the potential to make many people homeless; and calls on the Minister for Social Development to outline the measures that he intends to put in place to mitigate the impact of this provision.

Motion made:

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

Adjournment

Ballyhornan and Bishopscourt, County Down: Environmental Neglect

Mr Principal Deputy Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond, and all other Members who wish to speak will have five minutes.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Business Committee for scheduling this Adjournment debate, and I welcome the opportunity to highlight the environmental impact of the ongoing neglect of the Ballyhornan area and, indeed, the opportunity to illustrate some of the issues that continue to affect the health and well-being of some of my constituents.

At the turn of the 20th century, Ballyhornan was a quiet coastal community where approximately 30 families lived in small thatched cottages, each earning a living on the sea or off the land. In a self-contained community, village life centred around the general store, the post office and, of course, the local pub. Indeed, the renowned local writer John Bryce commented that people in Ballyhornan were so close that the death of someone was looked on as a national disaster.

Major change came to the quiet village, however, in the early 1940s as the British MoD requisitioned land and the adjacent Bishopscourt airfield was built. Ballyhornan became part of the British military camp on the east Down coastline. The base was divided into one main site that included the radar area, runways and main buildings and five smaller sites that housed mess blocks and minor buildings. Having been downgraded in the post-war years, the base was restored to full operational status in 1956 as Cold War tensions escalated. Undoubtedly, Bishopscourt's importance lay in its strategic position on Ireland's eastern seaboard, which made it the ideal location to guard against air attacks at the back door to Britain's main defences. Indeed, Killard Point near Ballyhornan was strategically selected as the site of the air defence radar

unit, which, for the duration of the Cold War, searched the Atlantic skies for signs of Soviet intrusion.

Despite the widely held belief that Bishops court would continue to play a significant role in British air defence in the post-Cold War era, the base was closed abruptly and without warning at the end of 1990. In the words of a contemporary 'Down Recorder' editorial, the camp that was once a thriving mini-village has become a ghost town in the heart of County Down.

Having helped nurture a community around the military camp, the RAF had a sizeable impact on the local area, especially when it came to services and facilities. Many of the RAF amenities were available to the public and contributed to the well-being of the locals. As was to be expected, however, in the years following the military's departure from the area, the extent to which the Ballyhornan community relied on the benefits that their lodgers conferred on them has become glaringly obvious.

There can be little doubt that the secretive and hasty departure of British military forces from Ballyhornan was a determining factor in the rapid decline of the village. In the light of the traditional heritage of the seaside community, the arrival of British military forces in the 1940s prevented expansion and development in areas in which Ardglass and Strangford made progress and unrealistically sustained a community when it should have been evolving with the conventional natural resources.

When the British military forces moved out, the local community was left in limbo, as the facilities and services once offered had suddenly disappeared. Ballyhornan then found itself in the undesirable situation of requiring 50 years of infrastructural development all at once. Most of the houses are former RAF barracks and homes that were simply sold off to a private individual at the time of the withdrawal. Disposal of the land by the MoD took place in 1991 in three lots. Lot one was the main airfield; lot two was the married quarters; and lot three was offices, stores and residential units. Lot one now houses Bishops court racetrack and a number of original military buildings that remain in a derelict state. Lot two, now known as The Fairways, comprises some reasonable-quality residential units along with some derelict premises. However, the general environment

is somewhat unkempt, arising, it seems, partly from ambiguity over ownership of and responsibility for common areas. Lot three, now known as Killard Square and Killard Drive, was sold to a developer who subsequently sold the majority of the former barrack blocks with little or no adaption at very low cost.

Since the MoD withdrawal from the area, the former RAF accommodation has changed to varying degrees and standards into residential accommodation now supporting a population in the Bishops court and Ballyhornan area of approximately 1,000 people. That includes a mixture of permanent residents and holiday home owners, but the past few years have seen a trend towards permanent occupation. However, basic physical infrastructure in the area is wholly inadequate to support that population.

In much of the Ballyhornan area, housing units and the general environment are of extremely poor quality. In fact, it is difficult to overstate and describe adequately the extent of the problem. That is particularly the case on the former main airfield site and to an even greater extent in Killard Square and Killard Drive. Although exhibiting variation, residences in the latter area are, in the majority, former temporary structures and, in many cases, in very poor condition, particularly externally. Many were bought cheaply by people without means to bring them up to standard. Although some individuals have undertaken development and renovation over the years, that has often been done without the involvement of the planning and building control authorities.

Although there has been some private investment in homes in the Bishops court and Ballyhornan area, there has been little investment in basic infrastructure. The area lacks the basic infrastructure common to normally constructed residential settlements, and significant deficiencies are evident in roads, water and sewerage provision. Those problems are particularly acute in Killard Square and Killard Drive, where the procedure for adopting services has not been followed through on, and they remain unadopted by the relevant authorities.

As well as contributing to the general impression of dilapidation and unkemptness of the environment, the situation has led to specific problems, including the regular

overflowing of the sewerage system, resulting in raw sewage being deposited in homes and gardens. Incidences of a brown tinge and suspension in water supplies have also been reported. Roads are pitted with potholes and are inadequate for normal traffic. However, the roads, water and sewerage infrastructures are not of an adoptable standard, so the Department for Regional Development cannot fund their upgrading within existing legislative and policy constraints.

The beauty and splendour of the Irish countryside is regularly cited as one of our major attractions, and most will agree that it should be a prime local heritage and economic asset. However, in places such as Ballyhornan, that valuable asset is being battered by various environmentally damaging practices. Despite the fact that Ballyhornan is situated in a designated area of outstanding natural beauty (AONB) and is set among spectacular coastal scenery with a wide variety of wildlife and vegetation and a rich environmental heritage, the local environment continues to come under severe threat. Indeed, I share the views of many when I say that it is imperative for the residents of the village and the wider Lecale and Down District Council areas that the environmental problems in Ballyhornan be speedily and effectively addressed. Urgent action should, in due course, help with the regeneration of the village by creating a safe and sustainable environment for residents and visitors.

The disposal of sewage in Ballyhornan has become the most pressing environmental issue in recent years, as the original system that was built to service the military camp can no longer function safely. Raw sewage from hundreds of homes is being pumped through a rusty, leaking pipe that leads directly into the sea in front of the village, where it washes back up to the sand on the main beach. Local residents and those who visit the beach have to pick their way through sanitary towels, used condoms, toothbrushes and other waste that is being washed up to the tideline on a daily basis.

Residents are increasingly angry about the ongoing situation. Indeed, they are fearful that the health and safety of their children is being put at risk through exposure to growing levels of unsatisfactory pollution. The sewage is a mixture of water, human waste, micro-organisms, toxic chemicals, heavy metals, excreted pharmaceuticals and, potentially, pathogens,

such as cholera, typhoid and hepatitis B. It is widely recognised that inadequate or no waste water treatment has an exceptionally negative impact on aquatic life, human uses of water, fisheries and human health. With that in mind, it is short-sighted and totally unacceptable not to maintain and upgrade the infrastructure as soon as possible. Recently, the Minister for Regional Development, Mr Kennedy, announced that work on the much needed infrastructural improvement in Ballyhornan was not progressing as he had hoped and that the much awaited upgrade to Ardglass waste water treatment works will not be completed at any time in the near future. After the best part of 25 years spent waiting for the required sewerage upgrade, patience is wearing thin on the ground and people are becoming increasingly irritated with the glacial pace of change.

The Ballyhornan area has suffered long enough, and it is time that the issues were addressed. Furthermore, the site of pollution is within an area of special scientific interest and a marine reserve. It is imperative that the practice of pollution be banned as soon as possible. It is vital that we stop pumping raw sewage into our waterways and seas. I call on the Minister of the Environment to enforce the solution to the problem if need be. We must take a stand against the ongoing destruction of our local environment.

There is also a persistent issue with the general decline and neglect of the beach at Ballyhornan. A number of years ago, a local newspaper reported that, according to a Beachwatch survey, Ballyhornan had the dirtiest beach in Ireland and Britain. The investigation, sponsored by the 'Reader's Digest', found 69 items of rubbish per metre in a 100-metre stretch of the beach, and an article commented that:

"if we do not dispose of our rubbish more carefully we will be guilty of ruining our beaches for future generations and damaging our own tourist economy."

Subsequently, at an NIEA spring clean event, more than 130 large bin liners of rubbish were collected from Ballyhornan beach. I think that it is pertinent to note that, whilst the mission statement printed on volunteer T-shirts that day proclaimed "Don't throw waste in the sea", the irony was not lost on locals as they looked out on the raw sewage.

As far back as 1984, the 'Down Recorder' reported on the problem of erosion at Ballyhornan beach. That issue was never tackled to any responsible level, with the DOE providing only a short-term solution by placing boulders along the base of the cliffs. The 'Down Democrat' covered the issue 15 years later in 1991, and 13 years on in 2012 I am reasonably informed that the erosion problems have never been suitably addressed. Therefore, 28 years after the erosion of the cliffs was first mentioned, it continues unabated.

What was once a picturesque village on the Lecale coast has become visually dilapidated as the result of decaying buildings, wire fences and other rotten reminders of the military's presence, such as unkempt grass verges and bricked-up windows in houses. Unco-ordinated and hasty development of residential buildings in the immediate aftermath of the military's departure has led to disjointed and disorderly-looking properties that will noticeably not stand the tribulations of the elements and time. Residents have cited bad planning as one of the major reasons for the environmental degeneration of the area.

Agreeable solutions to some of the issues would include the removal of unsightly remnants of the military fortifications, including high metal fences, concrete posts, barbed wire and various outbuildings; replacement or screening with hedge and tree planting and the provision of attractive open spaces; and the clean-up of illegal dumping. Addressing the major infrastructural and environmental issues that I have touched on would act as a stimulus to significant private investment in new and existing developments, including the Bishopscourt racetrack. In turn, the viability of Ballyhornan's future would be secured, leaving it able to attract and maintain basic services such as shops, healthcare and public transport, resulting in much improved social conditions. Importantly, it would also facilitate the area to capitalise on its huge potential for tourism and would provide a boost to an industry that has previously thrived in the area but has suffered from the physical deterioration of the built environment and trends in the global tourism industry. The focus for coastal areas in Down is to provide a high-quality setting for day trips and short breaks, particularly for those who are interested in outdoor activities. Given its natural setting on the Lecale coast and its proximity to developing visitor areas such as Ardglass

and Strangford, Ballyhornan has many of the attributes to re-emerge as a successful tourism destination.

The situation in Ballyhornan that I have detailed today is arguably unique. That uniqueness has its origins in military history and the rather unmanaged transition from that. As a result, the area does not conform to the various statutory norms relating to settlements and development, which makes the problems difficult for authorities and service providers to address.

4.00 pm

The multifaceted nature of the problems faced and the fragmentation of remits and responsibilities in the public sector mean that it is not in the gift of any one agency or community to address the situation that they have inherited. As a result, a significant barrier exists to community and statutory agencies — the need for co-ordinated action. In the absence of that, it is difficult for any agency to jump first in committing its time and resources. For instance, there would be little point in adopting a roads infrastructure and carrying out remedial works until water and sewerage infrastructure can also be addressed. In the absence of a central source of funds, agencies are in limbo while each waits for the other to make the first move. In turn, potential private investment is dependent on the infrastructural issues being addressed. In short, the present inability of agencies to address the infrastructural issues affecting Ballyhornan acts as a brake on further physical development and stunts economic growth.

Conversely, addressing, through creative public investment, the debilitating factors — the blight of poor-quality housing, dereliction and inadequate sewerage arrangements — on the outstanding environmental attributes of Ballyhornan will pump-prime further investment. It will also leverage private sector interest and achieve the outcomes discussed. That process has already begun through the collective action of a number of agencies and the community to develop coherent and co-ordinated integrated local development plans, and through the establishment of the Ballyhornan Task Force as a multi-agency structure to take forward these ideas.

In light of the issues that I have illustrated, I call on the Environment Minister to instigate a thorough environmental impact study into the Ballyhornan/Bishopscourt locality. I also

press upon him the urgent need to enforce improvements to the area's sewerage system and to help end the shocking practice of pumping raw sewage into our waterways and sea. Finally, I ask the Minister to commit his Department to an extensive clean-up of the area and to help set in place best practice for future development.

Mr Wells: I have been in this Chamber for far too many years. The issue of Ballyhornan and Bishopscourt has come up time after time. A flotilla of Ministers — DRD, DOE, DARD, you name it — has been down there to look at the situation. Council set up a task force, of which I was a member, and many hours were spent trying to unravel the problem of Ballyhornan. Really, if truth be known, very little progress has been made.

It is regrettable that the Member took the opportunity of raising the legitimate concerns of the community in Ballyhornan and Bishopscourt to have several digs at what he calls the British military establishment, which we call, of course, our defence forces. If he talks to some of the locals down there, the reality is that they welcomed the presence of the RAF because it provided employment for an awful lot of people in a deprived rural area. Many of those who have lobbied him and other MLAs were the very people who got their first job through what he called the British military establishment, which provided them with income and employment. Therefore, it was not a question of the vesting of land, the driving out of local farmers and the ruination of the economy; in fact, it brought an awful lot of money into the Bishopscourt/Ballyhornan community.

The ending of the RAF presence was quite sudden and unannounced, but his party is also demanding the removal of the British presence from Ballykinler — the third largest employer in Down district. If he had his way, the army would be out in the morning. What would that do for the economy of that area? Very similar situations would arise.

The Department and the Executive face the problem that is an absolutely fundamental and immutable fact of life: if you own private property, it is your responsibility to look after its roads and sewerage infrastructure. The difficulty is that if you break that rule at Ballyhornan/Bishopscourt, you are faced with the problem

that there are hundreds of similar developments throughout Northern Ireland.

If you accept that Ballyhornan is a special case — and I accept that it is very unusual — and you break that fundamental rule, you will have hundreds of other small communities demanding exactly the same treatment. Therefore, I understand the reluctance of the Minister for Regional Development or the Environment Minister to intervene and use public money in this situation, because the principle in question also applies to private developments throughout the country, where developers have gone bust or gone into liquidation and have walked away, leaving housing estates without proper road and sewerage infrastructure.

If the Government were to move in and use taxpayers' money to fix those situations, the dyke would burst and people would be walking away from developments all over the country. That is not to belittle the concern that we all have for the community in Ballyhornan but to somehow paint the picture of the difficulty that the various Departments have.

I am also slightly disappointed that he failed to mention that, where possible, action has been taken. The one thing that he forgot to give proper recognition to is the local strategic partnership, which I served on for many years. When money was available, it provided a new community centre in that area, which is used for playgroups and all sorts of activities that bring considerable benefit to that community. We worked closely with the local community to deliver that service.

That was a situation where it was legal to use European money through the local strategic partnership to deliver a service. The problem is that, at the moment, the law does not allow state money to be used to move in and repair the clear and obvious deficiencies in infrastructure in Ballyhornan. That is the problem that we are facing. Once the sewage leaves Ballyhornan and is then pumped into the Irish Sea, there is a statutory responsibility upon the Department to provide proper treatment facilities and to stop the outfall. I accept that, but within the confines of that large former RAF base, it legally cannot be done. If we are to solve the problem of Ballyhornan in the long term, we will have to change the fundamental legislation that governs the

provision of roads, footpaths, street lighting, drainage and sewerage in Northern Ireland. Do that at your peril, because I can see that stirring up a hornet's nest over how we deal with private developers.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Wells: There are many similar cases in my constituency.

Mr McCallister: I welcome the Adjournment debate, and I congratulate Mr Hazzard on securing it. I also pay tribute to the Member of Parliament for South Down, Margaret Ritchie, who has highlighted the issue and encouraged me and colleagues, including Jim Nicholson MEP and the Minister for Regional Development, Danny Kennedy MLA, to visit.

I agree with many of the comments that Mr Wells made. When looking at and visiting the site at Ballyhornan, one can be shocked at the quality of the housing that we are asking people to live in. The road and sewerage infrastructure there is appalling. That might be a legacy issue, but the problems certainly did not seem to be there when the RAF was there. They emerged after the RAF left, and there may be a lesson to be learned about how you handle something like this when returning it to private ownership. Indeed, there may be a lesson about how the selling off of the houses was dealt with. The houses may have been a bargain at the time, but many of them are now not fit for human habitation. It is appalling that, in this day and age, people are living in such housing.

Mr Hazzard and Mr Wells both mentioned that there are environmental issues there. There is illegal dumping, and there are the waste issues, which Mr Wells mentioned, about sewage going into the Irish Sea. That is a major problem, and it is such a shame, because it is in a beautiful and picturesque part of our constituency. There is a collective will to do something, but the difficulty is that deciding what that something will be is proving very elusive, considering that almost every Minister has been down to visit and look.

Almost every Minister is equally appalled at the state of the housing, the roads and the general infrastructure. How do we move that situation forward and tap into and attract private sector investment, rejuvenate the infrastructure and use facilities that can attract thousands of

people, such as Bishopscourt race circuit? How do we attract people to stay in the area and spend some of their hard-earned money? How do we rejuvenate it and build up the tourist potential of what is a very beautiful part of the County Down coast? It is in an area of outstanding natural beauty, but, looking at the state of Ballyhornan, one would not think it.

There are huge problems, including the quality of the housing. However, as Mr Wells said, the hardest nut to crack is the fact that the housing is all in private ownership. How does the state, through its various agencies, intervene in that? How does it actually improve the outcomes for the people who are almost trapped in low-quality housing with poor infrastructure around them? It is all privately owned. How do you tackle that without, to use Mr Wells's phrase, bursting the dyke and replicating this situation throughout Northern Ireland?

I genuinely believe that there is a political will to do something. I am sure that the Minister will have some information for us, but I imagine that he will probably not be able to solve all the issues that confront him, apart perhaps from how we address the issue of pollution going into the Irish Sea, which is obviously a very strong focus of his Department. However, it would be great if we could find some way —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr McCallister: — to deal with these issues to improve the area dramatically, particularly for those who live there.

Mr Rogers: I thank Mr Hazzard for securing the debate. A multidisciplinary and multi-departmental approach is required for a programme of regeneration for the local environment that makes up and surrounds Ballyhornan and Bishopscourt. Away back in 1990, the Ministry of Defence in London announced that it would be rationalising its bases, and shortly after that, RAF Bishopscourt, near Ballyhornan, closed. An area of wasteland was immediately visited upon the local population. A significant tract of housing with airfields, which had once been used to accommodate members of the RAF, was sold off to private entrepreneurs. The bottom line is that the Ministry of Defence left no structure in place for regeneration. The roads, water and sewerage systems were not considered to be of an adequate standard, and Roads Service, along with the water service, have refused to adopt a

substantial infrastructure. They resort to their ancient position, which is that the frontagers must bring up the infrastructure to their standards before they will adopt and maintain them. Many of the frontagers and local residents are in receipt of low incomes and cannot afford to undertake the infrastructural works.

Since 1991, we have tried to achieve a multidisciplinary approach, but Roads Service and Northern Ireland Water refuse to play ball. Ballyhornan and District Community Association, with the direct representation and support of the then MP, Mr Eddie McGrady, was successful in obtaining funding for a family centre, which was opened in 2008-09. A very active community association has been able to secure the support of Down District Council for the provision of a 3G pitch.

Support was secured for the engagement of various consultants over the years to work towards bringing forward a regeneration programme. They all identified the problem as the need for the upgrade and adoption of the local infrastructure, but Roads Service and the water service refused to bite. Eventually, Down District Council established a multi-agency group in June last year, comprising political representatives, representatives from DARD, Roads Service, Northern Ireland Water, the council, etc, to ascertain the possibilities for an upgrade. Consultants have been appointed, are involved in assessing the situation and are due to bring forward a programme shortly. It is important that connections are put in place that link Ballyhornan with Bishopscourt and Ringawaddy, but the roads, water and sewerage infrastructure needs to be upgraded to an acceptable standard. It is also important that the statutory authorities agree to maintain that infrastructure. Furthermore, it is an area of outstanding natural beauty and needs to be marketed and promoted as an area of tourism and visitation by the council, the Tourist Board and Tourism Ireland. Activities such as motor racing take place on the track, but the local economy does not gain from such events as the vendors generally come from outside.

4.15 pm

Some social housing has been approved for the site. The current MP, Margaret Ritchie, has led delegations from the council and the local community association to the First Minister and the Minister of Agriculture and

Rural Development. She also brought the Minister of the Environment and the Minister for Regional Development to the area to examine the requirements and the level of dereliction and asked them to explore the potential for rejuvenation.

Out of the consultant's report must emerge a multi-agency approach to regeneration and priorities for action to which all Government Departments and agencies must sign up. OFMDFM must spearhead that regeneration initiative with DARD and DSD. The rural areas at risk programme currently being thought about in DARD must signpost Ballyhornan and Bishopscourt as such areas and dedicate resources and staff to work with the community to bring forward economic and environmental regeneration as well as opportunities for job creation. This place must no longer be abandoned.

The consultant's report should be ready within a few weeks, after which intergovernmental action is required. A demilitarised site must be used for positive environmental, economic and job-creation opportunities for the local community that resides in the Bishopscourt/Ballyhornan area along the east Down coast.

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht seo agus gabhaim buíochas le Chris Hazzard. I welcome the debate and thank Chris Hazzard for securing it.

Chris has given us a very thorough history of the area, and I do not propose to repeat that. What I will say is — and I do not know why anybody in this House would express surprise at it — that the British military and the British Ministry of Defence disposed of the site in a very irresponsible way. They did so without any regard for local people or their duties to them. That does not surprise me: I have seen it in every continent in the world where the British had their troops.

It was sad to hear my colleague Jim Wells, who claims to be interested in the environment, justifying what the British military did. I was very disappointed to hear that. It is also a bit disingenuous for Mr Wells to try to say that developers and the British Ministry of Defence somehow have the same responsibilities and are guided by the same laws.

The British Government failed in their duty to local people and did not dispose of the site in

the way that they should have. Our position is that they should not have been there in the first place. We should not have had militarised sites. The least they could have done was to move out and, when they moved out, to leave the site as they found it — a beautiful part of Ireland on the beautiful County Down coast — so that it was safe for people living near it.

Sinn Féin wants to see the demilitarisation of every site in the North of Ireland. I do not know why Mr Wells finds it surprising that we also want to see the demilitarisation of Ballykinlar, as many local people do. I understand that there are jobs there, but I have been to Bishopscourt, I have been to Ballyhornan and I have been to Ballykinlar, and people do not want militarised areas. Those days are gone, hopefully forever.

I strongly believe that a joined-up approach is needed among Government Departments, with the Department of the Environment playing a key role. I note what Mr Rogers said, but he hardly mentioned the Department of the Environment, the Minister for which comes from his party.

So, I am making a plea to the Minister of the Environment. I am asking that his Department gives a commitment to a common vision and understanding on the value of rural areas that are vital to social cohesion in south Down. I am asking that he deals with the asbestos. We heard about the sewerage and I will not repeat that, but it has to be dealt with. We cannot have raw sewage going into open sea.

The lack of infrastructure and the substandard roads highlight the extent of the problem, which is made worse by the fact that many of the houses are built out of hazardous materials such as asbestos, a throwback to the days when the villages were home to the British forces. We all know the dangers of asbestos, and, day to day, families are forced to live with that in Ballyhornan and Bishopscourt. I am calling on the Minister to examine how we deal with that and, once and for all, to commit to dealing with the problem. Asbestos is a silent killer, and the eradication of that dangerous substance must be a priority for the Assembly.

I am also calling on the Minister of the Environment to commit to an independent assessment of what hazardous materials have been used in the construction of buildings and what materials have been left dumped in both villages. I am asking him to give a commitment that his Department will remove those

materials, such as asbestos, and replace them with safe building materials.

We are in a new era and time, and I had hoped that we had moved forward and were not justifying bad action by the Ministry of Defence. It created this problem and it failed to deal with this problem, as did successive direct rule Governments.

Mrs McKeivitt: I thank Chris Hazzard for securing this Adjournment debate, and I am pleased to have an opportunity to contribute to it. As Members outlined, the Ballyhornan/Bishopscourt area is a small coastal settlement that is deprived and vastly underdeveloped, with serious infrastructure problems in relation to roads and sewers, and with a substandard water supply.

The regeneration and development of Ballyhornan/Bishopscourt is an important issue to my party. My colleague Margaret Ritchie, MP for South Down, and SDLP councillor Dermot Curran have worked on the ground with residents from the area over a long period. My colleague Alex Attwood, Minister of the Environment, visited the area, and our MP has in recent months made representations to the Minister of Agriculture and Rural Development, urging that Ballyhornan be considered for the rural areas at risk scheme. Although that scheme is only at the consideration stage, I join my colleague in expressing to the Minister the need for it to be implemented, and request that Ballyhornan be considered as a pilot area.

There are serious environmental and health concerns regarding that location in relation to housing. Many of the houses are of poor quality. Of those that have been developed and renovated, as Mr Hazzard outlined, most were done without the involvement of the authorities, such as building control. As Ms Ruane highlighted, asbestos roofing exists in a number of former barracks blocks, which poses a potential health risk.

The most pressing environmental issue is the sewerage system, with reports of regular overflows of the system into homes and gardens. There are also many issues in relation to the breakdown of water supplies, asbestos and poor road conditions. I will not go through other stuff that other Members highlighted; I will just finish here.

The residents from the Ballyhornan/Bishopscourt area have a commendable self-

help attitude. They have taken the lead in helping their area, but in order to make the necessary improvements, they require support from Ministries such as DOE, DRD and DARD, along with strong backing from the Executive. I hope that as a result of this debate, the Ballyhornan and Bishopscourt area will become a priority.

Mr Attwood (The Minister of the Environment):

I apologise, Mr Deputy Speaker, for being some seconds late for the commencement of the debate. I welcome the debate, and I welcome Mr Hazzard to the House. I reassure the House and Members that I will forward a copy of the Hansard report to all Ministers who have competence and authority when it comes to dealing with all the issues around Ballyhornan because if we are going to deal with Ballyhornan, we have to deal with all the issues around Ballyhornan. That is the standard against which any Minister and Department should judge themselves.

There was a strange moment in this debate when Mr Rogers was criticised for not mentioning DOE. He was followed by a Member who in her contribution did not mention OFMDFM, which technically has responsibility for military sites, or DARD, which has responsibility for the overall site because it is a rural settlement that falls, for development purposes, to DARD not DSD. If we are going to deal with this issue, let us deal with all the issues. Let us not be partial. Let us not be selective. Let us not pick our target in the way that some people have chosen to in this debate. That will not be the standard that I will deploy when it comes to this issue. I will raise these matters with DARD, because many of them fall to DARD. I will raise these matters with OFMDFM, because some of these matters fall to OFMDFM. And so on and so forth with DRD. Those environmental issues that fall to my Department, I will deal with in my Department. I will not adopt the standards of others, which are, in my view, partial and selective.

Mr Hazzard said that Departments were not jumping first. That is not the case. Let me explain why. When it comes to DOE's responsibility in respect of the site, DOE has adopted a development plan for Ards and Down that specifically deals with the small settlement that is Ballyhornan and how expansion might be appropriate. In addition, DOE has identified two industrial policy areas to grow local employment

given the decline of the fishing industry. More than that, DOE has granted planning permission. In order to see the proper development of the area, determining weight was given to economic benefit. That is why a community centre has been approved. That is why retail units have been approved. That is why a petrol station and shop has been approved. That is why 12 units of social housing have been approved.

When it comes to enforcement, my Department is dealing with the issue of drift racing on the site. The Department is interrogating in a very serious way a proposal to extend motorcar racing on the site beyond the permitted development rights limit of 14. And so on and so forth. So, when it comes to the claim that nobody has jumped first, I argue that DOE has clearly jumped. It and other Departments may not have jumped high enough, but, clearly, Departments have jumped.

Beyond that, on a broader narrative, look at what DOE has done in convening four beach summits. Why did we convene four beach summits? To bring into the life of the Department external advice about how to deal with water and sewerage and beach issues that affect all beach areas in the North of Ireland. What is the consequence of that? Tidy NI and the Marine Conservation Society have escalated their efforts to encourage people to clean up beaches, a point made by Mr Hazzard. Even today, in 'The Belfast Telegraph', there is a campaign to clean up our beaches. I will certainly encourage Tidy NI and the Marine Conservation Society to take forward what Mr Hazzard asked in his concluding remarks, namely to clean up the area. I will ask them to do more, and I will interrogate what more DOE can do.

The treatment of raw sewage is a crucial issue. Under European directive, my agency, the Northern Ireland Environment Agency, has determined that the appropriate treatment for Ballyhornan is a long sea outfall and fine screening. The problem is that DRD and NIW have not dealt with the issue of fine screening to deal with the sewerage issue. As a consequence —

Mr Wells: Will the Member give way?

Mr Attwood: I will let you in, Mr Wells.

As a consequence, warning letters were issued in 2009, 2010 and 2011 to compel NIW to

deal with the fine screening issue. It has not done so. In my view, it should have done so. In my view, further enforcement should have been taken against it. That is why, as of some recent weeks, a water order enforcement notice is going to be served on NIW, to ensure that the requirements of the agency in respect of sewage treatment in that area are complied with by 2013. However, that is not good enough in my view. That should have been done before now. However, at least it is getting done now. NIW will be advised that, by March 2013, it will have to have complied with the requirements established four or five years earlier to have not only a long sea outfall for sewerage, but fine screening to mitigate the risk. I will give way to Mr Wells now.

4.30 pm

Mr Wells: That is very welcome, Minister. However, having listened to the Minister, and with all respect to him as Minister of the Environment, I have to ask why he was nominated to respond to the debate when the vast majority of the issues affecting the people of Ballyhornan, such as unadopted streets, footpaths, roads and the sewerage infrastructure, lie with DRD. That Department has the key role. Frankly, if there was something that allowed DRD to move in and fix all those issues, 90% of the problems would be solved.

Mr Attwood: The clue is probably in the subject of the debate, which is trying to address the environmental impact. I may concur with the Member that, if I am sitting here, the Minister of Agriculture and Rural Development should be standing there; the Minister for Regional Development should be there; and somebody from OFMDFM should be over there, so that we could all deal with the totality of the site's issues. However, I do not mind coming here to account for what DOE is doing in that neighbourhood, in the way that I outlined, and what it has failed to do in enforcing the waste water treatment directive.

Ms Ruane: Will the Member give way?

Mr Attwood: I will.

Ms Ruane: I draw the Minister's attention to the fact that someone has to take leadership. When I was Minister of Education, I took the lectern and took responsibility for the Lisanelly site. I fought for money for it. Obviously, different organisations and Ministers also had responsibilities, but I

showed leadership. I accept that there needs to be a joined-up approach, but I call on this Minister to do the same.

Mr Attwood: Can you point out to me where, in my Department, I have failed to show leadership on this matter? There is now an area plan and approved planning applications. I am about to, essentially, serve enforcement proceedings upon NIW, and so on, never mind the fact that my Department is putting more money into South Down by way of the Mound of Down and the Saint Patrick's heritage project, for example, and trying to more fully profile the quality, scale and wonder of our natural heritage, a point that your colleague raised in respect of economic development. So will you point out where —

Mr Principal Deputy Speaker: I ask all Members to address their remarks through the Chair.

Mr Attwood: Given that narrative —
[Interruption.]

Mr Principal Deputy Speaker: Order.

Mr Attwood: Given that narrative, will you point out to me where it is that you claim that I am not showing leadership? I would argue quite the contrary. The fact that I am prepared to come to argue this case on the Floor; the fact that DOE has had a good narrative; the fact that I acknowledge that more should be done; and the fact that I think that government, across government, should be doing more shows active leadership. Any suggestion to the contrary is, I think, contradictory. I will give way to you.

Ms Ruane: I asked you specifically for two things that could be done. Maybe I will repeat them. I asked for an independent assessment of the hazardous materials used in the construction of buildings and dumped in both villages, and to commit your Department to removing hazardous materials, such as asbestos, and replacing them with safe materials. My colleague Chris Hazzard, who secured the debate, asked you to deal with sewerage.

Mr Attwood: Let me point out that I dealt with the sewerage, and I dealt with the clean-up of the area. If there is an issue across the Department's range of environmental responsibilities, I bear down on the Department to assess the risk and enforce where necessary. Of course, I will look at the matters that you raised about the dumping of asbestos and

other items in the area. A Member who raises with me an environmental risk in a certain neighbourhood will see that I am not a Minister who will neglect that information. I will take that information forward, I will interrogate it, and I will make assessments. If the responsibility falls to my Department, to DFP or to some other Department, I will try to ensure that the appropriate Department lives up to that responsibility.

Mr Principal Deputy Speaker: Time is up. Bring your remarks to a close.

Mr Attwood: Don't you suggest, on the basis of this debate, that DOE is failing in its responsibilities, lock, stock and barrel, across the needs in Ballyhornan. Do not suggest, as seems to be implicit in your comments, that, somehow, previous leadership in the constituency of South Down failed the people of Ballyhornan. Clearly, it has not.

Adjourned at 4.34 pm



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