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# NORTHERN IRELAND

## ASSEMBLY

Monday 23 March 2009

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

*Members observed two minutes' silence.*

### ASSEMBLY BUSINESS

**Mr Kennedy:** Mr Speaker, you will be aware of the marvellous sporting success that was achieved by the Irish rugby team in Cardiff at the weekend. Not only did the team win the six nations championship, but it won the grand slam and the triple crown. Will you give consideration as to how that memorable achievement can be marked properly by the Assembly?

**Some Members:** Hear, hear.

**Mr Speaker:** I am sure that the Member will know that that is not a point of order. However, his point is well made, and I am sure that the Minister of Culture, Arts and Leisure was listening.

**Mr Attwood:** I refer to the Hansard report of Tuesday 3 March 2009 concerning a debate on the Assembly Commission's engagement strategy. During the course of that debate, two Members asked a number of questions of the Assembly Commission in respect of that strategy. There were, according to my count, eight different questions asked, but not one of those questions was answered by the Commission member. On a point of order, Mr Speaker; will you make a ruling on the obligation that is on Commission members to answer Members' questions on reports that the Commission is proposing to the House.

**Mr Speaker:** I assure the Member that I have read the Hansard report of that debate and I have picked up all of those questions. Letters will be sent to the Members who asked those questions. The questions may not have been answered during the debate, but I assure the Member that I, as Chairperson of the Commission, have no problem with answering the questions that were asked on the Floor on that day. Letters will be sent to all Members who raised points that day in the Chamber, and their questions will be answered fully.

**Mr Attwood:** Further to that point of order, Mr Speaker. I appreciate that letters will be sent to Members who raised issues that day. However, it is three weeks since that day, and no correspondence has been received by me or, I am sure, by other Members in respect of that matter.

When Members stand in the Chamber and ask questions of a member of the Commission, is it in order that they are not only left unanswered at the time but are not even referred to?

**Mr Speaker:** Order. I listened to the debate to which the Member refers, and I know that those questions will be answered. The Member has some problems with the Commission that he has identified very clearly. As I have already said to the Member, issues that were raised concerning the Commission will be answered fully in writing.

## MINISTERIAL STATEMENT

### British-Irish Council Summit in Cardiff

**Mr Speaker:** I have received notice from the Office of the First Minister and deputy First Minister that the First Minister wishes to make a statement regarding the British-Irish Council summit that was held in Cardiff on 20 February 2009.

**The First Minister (Mr P Robinson):** In compliance with the requirements of the Northern Ireland Act 1998 and on behalf of the deputy First Minister and me, I will provide the Assembly with the following report on the twelfth summit meeting of the British-Irish Council (BIC), which was held in Cardiff on 20 February 2009. All Northern Ireland Ministers who attended the summit have approved the report, which I make on their behalf.

The Welsh Assembly Government hosted the summit in the SWALEC Stadium in Cardiff. The heads of the delegations were welcomed by the First Minister for Wales, the Rt Hon Rhodri Morgan. The Irish Government delegation was led by the Taoiseach, Brian Cowen. The British Government delegation was led by the Rt Hon Paul Murphy, the Secretary of State for Wales. The Scottish Government delegation was led by the First Minister of Scotland, the Rt Hon Alex Salmond. The Government of Guernsey were represented by the Chief Minister, Deputy Lyndon Trott, and the Government of Jersey were represented by the Chief Minister, Senator Terry Le Sueur. The Isle of Man Government were represented by the Chief Minister, the honourable Tony Brown.

In addition to the deputy First Minister, junior Minister Donaldson and me, the Northern Ireland delegation comprised the Minister for Regional Development, the Minister of Culture, Arts and Leisure, the Minister of Finance and Personnel and the Minister for Social Development. A full list of participants is attached to the statement that has been provided to Members.

This was the fourth BIC summit since the restoration of the institutions in May 2007. The First Minister for Wales, Rhodri Morgan, chaired the meeting, which focused on economic and social inclusion issues, an update on the strategic review of the BIC and a report on progress in the various BIC sectoral areas. The discussion on economic issues was not on the original agenda, but we suggested that, given the seriousness of the current situation, it be addressed as the first item, and I am happy to say that our colleagues in the other Administrations readily agreed.

During the meeting, we each outlined the impact of the global downturn on our economies, noting the common challenges that each member Administration faces, such as trying to stimulate consumer spending and investor confidence in a difficult marketplace. We

in the Executive emphasised that growing a dynamic, innovative economy is our top priority but that, as a small, open economy, we are not immune from global economic events, such as the banking crisis or the rise in commodity and energy prices. In that regard, each Administration welcomed the lower base rates that have been announced by the banks and were keen for them to be fed through to local businesses and people, giving them lower mortgage payments, lower financing and borrowing costs, and increased access to credit. The deputy First Minister and I emphasised that point in our recent discussions with local banks, and I am glad that interest rate savings have been passed on to local customers.

The Council also discussed the measures that have been put in place to help to reskill and support the unemployed and those threatened with redundancy, while encouraging financial institutions to resume lending so that capital programmes can continue. The Council noted the importance of planning for the future to ensure that each member Administration will be able to emerge from the recession with the necessary skills and infrastructure to benefit from the upturn. Officials were asked to continue and extend ongoing exchanges of ideas and best practice in order to provide assistance to those most adversely affected.

Ministers noted that, at the BIC social inclusion sectoral meeting in May 2008, it had been agreed that the contribution of the voluntary and community sector will be the theme of the next meeting of that work sector.

The Council considered three key issues in its discussions on social inclusion and the contribution of the voluntary and community sector — known as the third sector: responding to the effects of the economic downturn; developing the roles of the third sector; and voluntary and community action.

The Council noted that the third sector has a vital contribution to make during the economic downturn by helping to deliver services, develop communities, and support the vulnerable. It examined ways of supporting third-sector organisations at a time when demands for their services will increase.

The Council also considered the role and development needs of the third sector. Although the independence and diversity of third-sector organisations were recognised by the Council, it acknowledged that the current downturn is likely to have an adverse effect on fundraising, grants and the competition for contracts. Efforts to encourage increased partnership among third-sector organisations were discussed, along with proposals to mainstream collaboration between third-sector organisations and service planning.

The Council further examined the support that might be given to third-sector organisations to engage and involve excluded groups as volunteers. Members

recognised the importance of volunteering as a means of encouraging wider active citizenship and community development. In addition, members examined measures that might be taken to assist the recently unemployed, and those who have been economically inactive for some time, to find employment. The Council noted the potential for member Administrations to influence positively the third sector's efforts to promote volunteerism by using grant programmes to develop opportunities for hard-to-reach groups, to promote best practice in the recruitment of volunteers and to continue efforts to strengthen the volunteering infrastructure.

The Council concluded its discussions by endorsing the forward work programme of the sector and noted the potential for mutual co-operation in the area of social inclusion and, in particular, in the contribution of the voluntary and community sector. It recognised that the current difficult economic conditions pose new challenges for the third sector and the member Administrations seeking to engage with it. However, it was confident that the sharing of best practice and experience through the BIC framework would be a positive step towards addressing those challenges.

The Council considered progress on the review of the arrangements of the British-Irish Council, which was commissioned at the summit of July 2007. The Council considered and endorsed an update paper containing key principles and details relating to the establishment of the standing secretariat. It agreed core functions, staffing profiles and secondment arrangements, and noted the general location information provided by the four Administrations that had offered to host the standing secretariat. The Council also endorsed the principle that the costs of the standing secretariat should be shared among all the member Administrations, and tasked the secretariat and co-ordinators with presenting proposals for sharing the costs at the next summit in Jersey.

The Council mandated the current secretariat, in consultation with co-ordinators, to convene a meeting to examine the start-up and running costs of the standing secretariat and a model for sharing those costs.

The Council agreed to adopt four new areas of work: energy; digital inclusion; housing; and collaborative spatial planning. The new energy work area will comprise two elements: marine energy, which will be led by Scotland; and grid infrastructure, which will be led by the United Kingdom. Digital inclusion will be led by the Isle of Man, and housing and collaborative spatial planning will be led by Northern Ireland.

The Council received an update report, prepared by the BIC secretariat, on the ongoing work of each BIC sector. The Council welcomed the progress that had made and noted details of the future work plans.

The next BIC summit will be held in October 2009 and will be hosted by the Government of Jersey. The subsequent summit will be hosted by the Government of Guernsey in the spring of 2010.

The Council briefly discussed the benefits of international student migration and agreed that it should receive an update on that topic at the next summit in Jersey.

12.15 pm

**The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy):** I am grateful to the Minister for his statement. A number of questions arise. Will the First Minister indicate whether there are any plans, or whether there is the capacity in the operation of BIC, to convene an urgent meeting of representatives of the devolved institutions to co-ordinate a collective response to the recent Treasury demands on the comprehensive spending review (CSR) in order to lessen any adverse impact that could result?

During the important and welcome discussion about economic issues, was the matter of the Presbyterian Mutual Society raised at the meeting or in the margins of the meeting?

Will the First Minister indicate where the standing secretariat will be based? As Northern Ireland is the part of these islands in which British and Irish identities are in closest proximity, do the First Minister and the deputy First Minister agree that it is the most appropriate location for the BIC secretariat? Will the First Minister and the deputy First Minister work together to achieve that?

In respect of the endorsed update paper that the BIC considered, relating to the establishment of the standing secretariat, is it possible to have details provided to the Committee for the Office of the First Minister and deputy First Minister?

**The First Minister:** In relation to the call for an urgent meeting of the devolved institutions to discuss the Treasury plans; there was a meeting of the devolved institutions in the margins of the BIC summit. It was hosted by Rhodri Morgan; and Scotland, Northern Ireland and Wales met to consider those matters.

We then met the Prime Minister to discuss the issue. We made it very clear that the original intention of the Treasury was based upon the assumption that the United Kingdom would come out of recession during the course of 2010-2011 and that new and updated assessments suggest that the United Kingdom may well come out of recession later than that. We stated that the last thing that the Government should be doing is cutting back on capital expenditure while we are still in a recession.

Northern Ireland made additional arguments. We contended that we were not reliant on the funding

provided under the CSR — we were reliant on an undertaking that was given by the Prime Minister when he was Chancellor of the Exchequer. When he announced the programme of finance for the devolved institution, he made it clear that if savings through efficiencies were made during the CSR period, they would be held here in Northern Ireland. We have consistently argued that with the Prime Minister and the Treasury, and we will continue to do so. I suspect that the devolved institutions will continue to keep in touch on those issues because we have a common cause.

The Presbyterian Mutual Society issue was raised during the course of our remarks at the summit, but it was raised more specifically during the course of the meeting that the deputy First Minister and I — along with other devolved-institution leaders — had with the Prime Minister. We made very clear our concern about the Presbyterian Mutual Society. We made it clear that we felt that the society had faced a run on its resources because the Government of the United Kingdom had propped up banks in the UK. That caused people to take their money out of the society and move it into what they regarded to be the safe hands of the banks that received Government support. We suggested that, in many ways, the Government were at least partly responsible for the Presbyterian Mutual Society's difficulties.

The Prime Minister made it clear that he wants in his hands the report of the investigation that is currently being carried out before he reaches any conclusions. However, he committed himself to talking to us again when the report is available to him and before he takes any decisions regarding what assistance, if any, he could give to the Presbyterian Mutual Society.

Four Administrations have bid to host the standing secretariat, and the Member will not be surprised to hear that one of them is Northern Ireland; the other three bids are from Scotland, Wales and the Isle of Man. Ultimately, I believe that the decision will be taken on the basis of accessibility and cost. In both regards, Northern Ireland is reasonably well placed, with the closest challenger perhaps being Scotland.

However, all four Administrations that have placed a bid have made it clear that it is very important for them that a decision be taken, and that decision will be taken at the next BIC summit. Of course, we will continue to fight for Northern Ireland, but, as a number of Administrations have placed a bid, I suspect that the key factors will be the accessibility of the location for each of the member Administrations and the cost of locating the secretariat there.

The deputy First Minister and I are committed to working closely with the Committee for the Office of the First Minister and deputy First Minister, and we are happy to provide it with whatever information it wants

on the location of the standing secretariat. Indeed, we received a paper that shows comparative costs between the various locations and details of the flights and trains to and from those locations. The Committee will be able to make its own judgement as to which Administration will be best able to host the standing secretariat.

**Mr T Clarke:** The First Minister said that, after the BIC meeting, he, the deputy First Minister and representatives of the other devolved Administrations had a meeting with the Prime Minister. Did the BIC summit provide an opportunity for the devolved Administrations to prepare for that meeting with the Prime Minister? Furthermore, what other discussions took place with the Prime Minister on that date?

**The First Minister:** A discussion about that meeting was not on the original agenda of the BIC summit, but we convinced colleagues to table it as the first item. We probably spent more time on that matter than on any other single issue, which I think vindicated our decision to push for it. A lot of time was spent on each Administration describing the kind of measures that they were taking to dull, at least, some of the pain of the economic downturn.

Needless to say, we outlined some of the steps that had been taken in our December initiative, and each of the other Administrations indicated the steps that they were taking. We have asked officials to look at those various steps to see whether we can learn anything from them in order to move the matter forward. However, we all regarded the role of the banks as being crucial to our ability to come out of this downturn speedily, and we felt that the most important issue was the banks' preparedness to continue to lend money.

The deputy First Minister and I have had a series of meetings with the banks, and there appears to be a gap between what the banks are telling us about their willingness to lend money and the amount of money that they have to lend and the stories that we are hearing from businesses, farmers and others who are finding it exceedingly difficult to borrow money. We must get a better grasp of what the problems are with the various banks.

One difficulty — and this was mentioned during the BIC summit — is that a number of banks are starting to move back to their bases and to lend money in their individual areas. For instance, some of the Irish banks will lend more money in the South than in Northern Ireland. The Ulster Bank is now lending more in Northern Ireland than it does in the Republic. That trend usually emerges at a time of hardship.

That trend has emerged in the UK. Many foreign banks that were based in the UK are now not lending there. That means that even if the UK banks increase their lending — which the Government are pressing



them to do — that will not make up the shortfall that is occurring as a result of the withdrawal of foreign banks.

Therefore, banking becomes critical to our getting out of the downturn, and there is a lot more work that we must do locally with our banks.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an ráiteas. I am grateful to the First Minister and the deputy First Minister for the statement on the successful meeting that was held in Cardiff in February. Of course, there was an even more successful meeting in Cardiff last weekend. I have written to the Minister of Culture, Arts and Leisure asking that a reception be held in Parliament Buildings for Brian O'Driscoll, Declan Kidney and the entire Ireland rugby team, including the Ulster contingent.

Moving on to my question — *[Laughter.]*

The statement is very interesting. An méid atá ann, tá sé suimiúil. However, something that appears to have been omitted from it may be of even greater interest. I ask the First Minister whether there was a detailed discussion in Cardiff about the promotion of all regional and minority languages in these two islands. I understand that Rhodri Morgan, other senior Welsh and Scottish Ministers and Éamon Ó Cuív TD all contributed to a discussion about that subject at the meeting and, indeed, that it may have been a distinct agenda item. I ask the First Minister to give a flavour of that discussion and of the contribution — if any — of our Minister of Culture, Arts and Leisure.

**The First Minister:** I am sure that we all want to congratulate the Ireland rugby team on its success. The previous time that the Ireland rugby team won the grand slam was the year that I was born. That shows the gap between the grand slam victories, but I hope that I will see such an achievement once or twice more before I depart.

The issue of minority languages was discussed at the British-Irish Council summit. The discussion was not the lengthiest, but there was considerable dialogue on the issue. The British-Irish Council group on minority languages is concentrating its efforts on looking at areas such as information and communication technology, data research and language-use surveys, and legislation and community development.

At the meeting that was held in the Isle of Man in October 2008, two new areas of work were discussed in greater detail, with a view to their being incorporated into the 2009 work programme. One of those areas was the issue of minority languages. The Minister of Culture, Arts and Leisure intends to bring forward a strategy for indigenous and regional minority languages, and I am sure that the Committee for Culture, Arts and Leisure will want to look at that closely when it is available. The Executive will be able to discuss the matter and develop a policy, which will therefore mean that

they will be in a better position to make a contribution on the matter.

**Mr Attwood:** I, too, welcome the statement. Given the useful comments that were made about the third sector, I ask the First Minister to look into whether Treasury guidelines permit the grant-aiding of third-sector organisations in order that that money can be fed to the community and voluntary sector to help with the economic situation in the North and, indeed, in all the relevant jurisdictions of the British-Irish Council. If that were to happen, money may reach more quickly those people who are in need.

I also welcome the British-Irish Council's agreement to adopt four new areas of work: energy; digital inclusion; housing; and collaborative spatial planning. Does the First Minister agree that the British-Irish Council's adoption of issues such as energy and housing in an institutional format provides a useful precedent for the North/South Ministerial Council (NSMC) in that that body may be able to adopt such matters in an institutional format in the future?

**The First Minister:** I will look at the Treasury guidelines. From my period as Minister of Finance and Personnel, I recall the position being that Government can fund schemes and programmes that are run by the third sector — if they fit into the Programme for Government — but that Government cannot fund the organisations, particularly if they are charitable.

I will check the position and will respond in writing to the Member within three weeks. With the present recession, there will be a greater call on the services of the third sector at a time when it will be more difficult for that sector to acquire funding. The Government must face up to that conundrum.

12.30 pm

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

I welcome, as the Member does, the BIC's decision to take on those two new areas of work — housing and collaborative spatial planning — and the fact that those work streams will be led by Northern Ireland. The BIC sets a good precedent: it drops work streams that have done useful work and have come to an end, and then it takes on new work. The North/South Ministerial Council might want to consider that precedent. Rather than schemes being dragged out when they have outlived their usefulness, the NSMC should consider other useful work.

We are discussing the reform of the BIC and the NSMC. Although my comment is slightly tangential to the question, we must work very hard, in these difficult economic circumstances, to ensure that we make the most effective and efficient use of collaborative BIC and NSMC meetings. We should consider whether it is necessary to take along all our Ministers to North/

South Ministerial Council meetings, even if they do not have a contribution to make and agenda items do not relate to their work area. A number of improvements can be implemented to make the NSMC more effective and efficient.

**Mr Ford:** I thank the Minister for his statement on the work of the BIC.

The meeting considered a number of ways in which third-sector organisations might be supported, and it noted that the current economic downturn will have an effect on fund-raising. Rather than Ministers considering a number of ways themselves, they could ensure that potential support for the third sector is rolled out as speedily as possible in Northern Ireland. I trust that Ministers will give us some positive news on that.

I wish to follow up on Mr Kennedy's questions about the location of the secretariat. It is clear that Northern Ireland should have a good case for being the base for the secretariat, since the Council is a child of the Belfast/Good Friday Agreement. Will the First Minister give us any idea of when there might be progress on that topic?

I note that Northern Ireland will take the lead on collaborative spatial planning. We had an excellent example of collaborative spatial planning on a small sector of the Millennium Stadium on Saturday afternoon, led by Declan Kidney. Will the first Minister tell us who will lead for Northern Ireland in that respect?

**The First Minister:** All Members are making an effort to comment on the weekend's victory, and the Member has succeeded in doing so. The collaborative spatial planning work will be led by the Minister for Regional Development, and the housing work will be led by the Minister for Social Development.

In relation to the third sector, in answer to a question from the Member for West Belfast, I said that the Executive have a responsibility to consider what assistance they can give — if not to third sector organisations, then to the programmes in which they are involved — to ensure that those organisations do not fall short because of a reduction in their funding at a time when their services are most urgently required. As the Member suggests, we will investigate what can be done as speedily as possible.

Northern Ireland has a strong case in relation to the location of the standing secretariat. I would not like to offer odds on it because each member Administration will examine the issue from different perspectives and consider how accessible the secretariat might be from their Administration. However, Northern Ireland has distinct advantages when it comes to costs. We can probably provide the secretariat at a lower cost than any of the other Administrations. The location of the secretariat will depend on accessibility from each of the regions. However, Northern Ireland has a good

network in and out of its two airports, which should assist us in that regard.

At the meeting, we expressed — as did the others — that we were making the offer. We hoped that other member Administrations would find it a useful offer; however, I do not think that any of us are going to die in a ditch over the issue of location. We may die in a ditch if that is not done as quickly as possible, and the decision has been made that we will decide the location at the next BIC summit.

**Mr Storey:** In his statement the First Minister made reference to work sectors. How many of those work sectors are live within the British-Irish Council, and in which of those is Northern Ireland talking the lead?

**The First Minister:** Now that we have added on the further sectors, there are 10 live sectors, three of which, I think, we ended at the Edinburgh BIC summit. Of the 10 live sectors, Northern Ireland has the responsibility for leading three. As well as the two that have already been outlined — spatial planning and housing — Northern Ireland will take the lead on transport. Those are three fairly important sectors, not just from a Northern Ireland point of view, but from the point of view of all the Administrations, which are very keen to participate in the discussions on those issues. I can provide the Member with a list of the live sectors; however, the Deputy Speaker may not want me to give that list here and now. I can provide him, and any other Member, with that list if they seek it.

**Mr Molloy:** I thank the First Minister for his statement. It is a very important statement, particularly given the recognition that the BIC gives to the third sector. Will the Minister further clarify that within the recognition of the important role played by the third sector, there was a recognition that those services can be delivered on the cheap? Was there any commitment from the Minister for the third sector to deliver services and to ensure that the much needed resources can continue to be provided to that sector?

**The First Minister:** The Minister for Social Development is very willing to give support to the extent that she can within her finite budget. She was present at the summit and she contributed to discussions on that item. It is her view, and the view of the Executive, that, under the current circumstances, we really need to pull out all the stops. The voluntary community sector is a very significant sector in Northern Ireland. It is judged that there are around 88,000 people already volunteering within that sector in Northern Ireland, which is a massive number in relation to the population of Northern Ireland. As I understand it, there are just under 5,000 groups within that sector. I think that we have a more developed community and voluntary sector than any other member Administration. Perhaps

they have more to learn from us in those matters than we have from them.

We are in an economic downturn, and that limits the amount of money available to the Minister for Social Development with which to assist the sector. However, on the basis of the discussion that we had on those matters, I am pretty sure that she will be looking at that as an area in which she will want to make bids.

**Mr McCausland:** I thank the First Minister for his statement. I note that in Cardiff, the BIC adopted an energy work stream and that the lead in that is to be taken by the United Kingdom Government and Scotland. Will the First Minister outline the potential advantages of that work stream, and the related isles project, to Northern Ireland?

**The First Minister:** There was some discussion as to who would lead that sector, with Scotland and the UK Government very keen to take the lead. In a classic compromise, the sector has been divided in two: the marine energy sector will be led by Scotland, and the grid energy sector will be led by the UK Government.

The high cost of energy demonstrates the importance of the issue to Northern Ireland, and issues flow not only from the marine and grid matters but from the use of renewable energies, and how to fit in the use of wind power, tidal energy and wave energy. The programme that was mentioned by the Member is clearly one of those issues. It is important for Northern Ireland, and we wish to make a full and robust contribution to it. The Administration believe that it can be of advantage to Northern Ireland.

**Mr Elliott:** Given the importance of the issue of child poverty to the community and voluntary sector, has any debate taken place on the potential impact on Northern Ireland that any future Westminster policy or legislation might have? In particular, what impact might that have on the Programme for Government targets and the comprehensive spending review?

**The First Minister:** As Members will be aware, the United Kingdom Government are considering giving a legislative basis to their targets in that area. That shows a strong determination that they intend to meet those targets. Northern Ireland's targets are very challenging, and they probably go beyond the level of those in the UK as a whole. We intend to continue to stretch ourselves to reach the targets that we have set.

Obviously, the levels of poverty increase in an economic recession, which makes it all the more difficult to achieve the targets. Just as the backcloth is one that is likely to lead to an upward trend in the targets, a corresponding effort is required on the part of the Executive to meet the challenge. That is one of the issues that the Executive are considering, and we have not lowered our targets. We may have to stretch and work much harder to achieve them.

**Mr O'Loan:** I welcome the fact that the First Minister sought and obtained the placing of economic issues as the first item on the agenda. I am sure that he will have noted that Trinity College Dublin and University College Dublin have recently entered into an agreement on co-operation on innovation. That is a significant move in the current economic situation. What opportunities does the First Minister see for collaboration in the area of innovation, and does he see that as offering scope that our own universities and businesses can gain from collaboration towards enhancing the quality of their innovation?

**The First Minister:** Northern Ireland has a considerable heritage and track record of innovation. Some of the greatest innovators in history have come from Northern Ireland. Our universities are at the leading edge of innovation, and there are many collaborative initiatives between Northern Ireland universities and universities elsewhere, particularly those in the United States. That is to be encouraged.

Although Northern Ireland has the lowest unemployment in the British Isles, our pursuit of the economy as our priority causes us to look at bringing higher-value-added jobs to Northern Ireland in order to put Northern Ireland employment up the food chain. That takes us right to the heart of innovation, and that is why innovation was given the impetus of additional funding in the Programme for Government and Budget. That is why the Ministers are pushing ahead with innovation. We have the innovation fund to which the Minister for Employment and Learning, the Minister of Enterprise, Trade and Investment, the Minister of Education, the Minister of Agriculture and Rural Development and other Departments all make a contribution.

As regards improving Northern Ireland's gross value added, those innovative schemes will end up being higher value added. That is where the future really lies. I agree entirely with the Member: we want to encourage universities to strive further in that area.

12.45 pm

**Mr Craig:** British/Irish co-operation could produce almost instantaneous benefit for Northern Ireland in the area of mutual recognition of driving disqualifications, where a loophole has existed for quite some time. Has that issue been advanced in the work of the British-Irish Council's transport sector?

**The First Minister:** First, I must point out that there is, perhaps, one gap in the arrangements and structure of the BIC, which is that it does not receive regular reports from work streams. It does not, therefore, see the outcome of a work stream until the end of the programme. However, because transport is a Northern Ireland-led programme, we know a bit more about it. I am glad that significant progress is being made on driving disqualifications. I expect that in spring 2009,



which is not far away, we may have reached agreement on how to deal with those issues.

Apart from disqualifications, there is the issue of other driving offences being recognised by member Administrations. That is a more complex issue because the statute book of each Administration is different; therefore, an offence in one jurisdiction might not be an offence in another. Although work continues on that issue, disqualification is more likely to be dealt with first.

**Mr Bresland:** Will the First Minister update the House on progress that has been made to establish a standing secretariat for the BIC?

**The First Minister:** All the initial work that the BIC is required to do has been done, short of taking a decision on the location. In the background, officials are meeting to look, I suspect, at a matrix of the attributes of each of the four locations for which offers to host the secretariat have been submitted. As I indicated earlier, I suspect that the two key ingredients that will be considered will be accessibility and cost, although there are others.

On that basis, four Administrations have submitted proposals that indicate the nature of their transport links to each of the other Administrations. They have indicated the likely cost of setting up an office and of peopling that office. I almost said “manning that office”, which is not PC nowadays. All that information is now available to the existing secretariat, which will meet and make proposals to Ministers before the next summit, which, I believe, will be held in October 2009.

**Mr B McCrea:** Much of what the Assembly talks about in the Chamber is mundane and workaday. However, I am surprised by one issue and, frankly, shocked by another. My surprise — at the risk of sounding like Barry McElduff — is that at the famous victory that we had on the rugby pitch on Saturday 21 March 2009, there was no representative of the Government of Northern Ireland. I wonder whether there was some difficulty in getting tickets.

The more serious issue is that I was shocked — genuinely shocked — to hear the First Minister say that he thought that some major banks that have their headquarters on the island of Ireland are withdrawing lending or support to Northern Ireland. That is fundamental. Two of the major banks —

**Mr Deputy Speaker:** Order. The Member must ask a question.

**Mr B McCrea:** The First Minister raised the issue. I wonder whether he had the opportunity to raise the matter with Brian Cowen? Will he or the Minister of Finance and Personnel take the matter forward? Frankly, the two big banks in question need to be on board to support Northern Ireland.

**The First Minister:** Nobody offered me a ticket to the rugby match or I would have been happy to attend. I will, perhaps, tout for one next time.

I made a broader point about banks. In times of hardship, banks have a tendency to return to their indigenous territory, which was the case with the Ulster Bank and at least one of the Irish banks, but less so with the Bank of Ireland. More importantly, it is a key issue for the UK economy as a whole, because foreign banks — which, until the downturn, controlled a significant chunk of the lending market — have systematically withdrawn lending facilities in the United Kingdom. Even if indigenous banks increase lending when foreign banks withdraw lending, it often does not make up the difference, and that can cause difficulties for business in particular.

**Mr Dallat:** Like other Members, I agree that it was a wonderful weekend for sport. I want to inform Members that my former school, St Paul's College in Kilrea, won an all-Ireland title at under-16 Gaelic football, which, relatively speaking, was as important as the rugby.

The Minister's statement is welcome and positive. I note that the BIC has selected spatial planning as a works base for the future. Will the BIC have an opportunity to visit the north coast, where there are some awful examples of spatial planning? Does the First Minister agree that the inclusion of visitors from Jersey and Guernsey will bring some positive ideas on how to not destroy indigenous populations through bad planning?

**The First Minister:** I am glad that the Member comes to the House after a weekend of celebrating various sporting achievements.

If the Minister for Regional Development brings the member Administrations to Northern Ireland, I hope that he chooses to show them good, rather than bad, examples of spatial planning. If not, he might not be allowed to meet the delegation in his constituency. Northern Ireland has many good examples, but part of the process is to learn from what other member Administrations have done or — perhaps deliberately in many cases — have not done.

The Committee for Regional Development can, of course, follow up on those issues and can fully consider spatial planning matters. It can keep in touch with the Minister for Regional Development and discover the lessons he is learning from other member Administrations. It can only be to our advantage to consider others' experiences in order to learn from their good and bad practice.

**Mr Easton:** What steps are being taken to ensure that east-west linkages are developed between Northern Ireland and the rest of the United Kingdom?



**The First Minister:** During the current Assembly's lifetime, there has undoubtedly been considerable development of the east-west axis, and all parties have encouraged and participated in that development.

Aside from the BIC and the associated sectoral meetings, there are the joint ministerial council meetings, which, although they are not under the auspices of the BIC, contribute towards the overall building of east-west relationships. Furthermore, the deputy First Minister and I have been involved in several trilateral meetings with the leaders of the Administrations, and I know that the Finance Minister has attended trilateral and quadrilateral meetings with other Administrations on financial issues.

The east-west network is much more developed than it ever has been. In the past, unionists complained that the North/South relationship was developing at a much faster pace than the east-west relationship.

The fact that there is now a Scottish Nationalist Government in Scotland and a power-sharing Administration in Wales has led to much more independence of thought, and a desire to build up the east-west relationship. Also, importantly, the existence of a standing secretariat will improve that even further.

**Dr Farry:** I thank the First Minister for his statement. Returning to the issue of economic policy; is there an opportunity in the British-Irish Council to address the UK regional policy, or lack thereof, particularly in light of the current economic downturn, and to try to move away from the situation in which only three regions of the UK are net contributors to the Treasury, and the other regions are left in what is effectively a dependency culture?

**The First Minister:** Of course, we can make whatever contribution we want when the economy is on the agenda of the BIC summit. It was not on the draft agenda of the recent summit, and it was on the insistence of the Northern Ireland Executive, the deputy First Minister and I that it was placed on the agenda. When a subject is on the agenda, it is possible for us to raise any issue of concern to us.

We have to recognise that the funding received by each of the Administrations is based on the recognition of need in each region. The Barnett formula, which determines the contribution granted to each Administration, is built on that premise. However, a reduction in funding after a CSR period has already commenced gives immense difficulties to any Administration.

If, for example, there were a proposal to cut £150 million from Northern Ireland — as I believe to be the wish of the Treasury — that would obviously mean job losses in the public sector in Northern Ireland. It is impossible to cut £150 million from the Budget without it having an impact on jobs.

The Scottish Executive have a computer-based system that analyses the number of jobs that would be lost depending on the amount of money that is taken out of public spending. According to the figures produced by that system, there could be around 15,000 jobs lost in the United Kingdom were the Treasury to proceed with the planned cuts. There is a very united purpose on the part of the three devolved Administrations to ensure that the Treasury does not proceed on that basis, which would have a devastating effect on all three Administrations.

**Mr Savage:** A lot of our discussions this morning have centred on finance. Will the First Minister outline whether the Executive are continuing contact with the banks to ensure that interest-rate cuts are passed on to customers, and whether he plans to meet with the banks that have been mentioned this morning in the near future? According to my constituents, what those banks have been saying in public is not reflected in what is actually happening.

**The First Minister:** The Member's experience is in line with my own. I and the deputy First Minister have had meetings with representatives of all the banks collectively. We then determined that it might be more appropriate to meet the banks individually, and meet representatives at the highest level in each bank. We have had meetings with the Ulster Bank, the Northern Bank, and the Bank of Ireland, and are due to meet with the Allied Irish/First Trust Bank in the next few weeks.

At each meeting, we were told of the banks' great willingness to lend money, and that they have hundreds of millions of pounds to lend. Indeed, Members will be aware that the Ulster Bank was allocated £250 million for lending purposes as a result of the first tranche of the £3 billion share out in the UK as a whole. That gave us one twelfth of the UK allocation, as opposed to the one fortieth that we would have received had that allocation been based on population.

*1.00 pm*

The banks tell us that they have the money, but I meet businessmen and farmers every day who tell me that the banks are withdrawing and reducing loan facilities from and to them, and the two do not square up. The deputy First Minister and I intend to have a candid further discussion with the banks in order to ensure that the funding that is available to banks to lend in Northern Ireland goes out to the customer. I know that when it comes to commercial issues, a bank may well have a particular problem with a particular individual or company, but it is coming from too many sources for it to be a problem with one individual business. We will not move out of the economic downturn until the banks are lending properly again; that is critical, and we require them to do that. We will not build confidence in the economy until that happens.

## EXECUTIVE COMMITTEE BUSINESS

### **Saving Gateway Accounts Bill: Legislative Consent Motion**

**The Minister for Social Development (Ms Ritchie):**  
I beg to move

That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Saving Gateway Accounts Bill dealing with the disclosure of information contained in clause 18(2) of the Bill as introduced in the House of Commons, and agrees that the saving gateway accounts be made an excepted matter under the Northern Ireland Act 1998.

The Saving Gateway Accounts Bill was introduced in the House of Commons on 4 December 2008. The Bill contains measures to provide a cash saving account for those on lower incomes. Its aim is to provide a financial incentive to save, through a matching Government contribution for every pound saved. The scheme will be open to people who receive income support, jobseeker's allowance, incapacity benefit, employment and support allowance, severe disablement allowance, working tax credits and child tax credits paid at the maximum rate.

There is currently provision for information relating to social security held by the Department for Social Development to be provided to Revenue and Customs. That provision is limited, and prevents Revenue and Customs from using the information for the purposes of the saving gateway scheme. The new provisions are needed in order to allow information to be supplied to Revenue and Customs for the purposes of identifying those who are eligible to open a saving gateway account. As this issue falls within the area of transferred matters under the provisions of the Northern Ireland Act 1998, approval for the inclusion of Northern Ireland in the Bill must be sought from the Executive Committee, the Committee for Social Development and the Northern Ireland Assembly.

The new saving gateway scheme would normally be a transferred matter. As the scheme is based closely on the child trust fund and is similarly designed to incentivise saving, it is to be made an excepted matter so that responsibility remains with Parliament in London. It is considered desirable to bring the Assembly's attention to this addition to schedule 2 of the Northern Ireland Act 1998. The Executive considered the matter and gave it their approval on 12 February. The Social Development Committee gave its approval on 26 February, and the Assembly must now consider the principle of the extension of the provisions of the Saving Gateway Accounts Bill that deal with the disclosure of information to Revenue and Customs, which will operate the scheme.

The disclosure of such information will allow eligible individuals in Northern Ireland to be passported into

eligibility for the purposes of the saving gateway scheme and will enable people in Northern Ireland to share in the benefits of the scheme in the same way as those in Great Britain.

That scheme will give people in Northern Ireland a chance to save up to £600 and to earn up to £300 from the Government. It will also help to build a savings habit and will bring people into the financial mainstream.

I hope that Members agree that the scheme is worthwhile and support the motion.

**The Chairperson of the Committee for Social Development (Mr Simpson):** The Committee considered the legislative consent motion on the Saving Gateway Accounts Bill at its meeting on 26 February 2009. At that meeting, the Committee agreed, without prejudice, to support the motion, which will extend the provisions of the Bill to Northern Ireland.

The Saving Gateway Accounts Bill does something special; it encourages people who receive certain benefits to save. Saving is vital for economic growth and is something that our parents and grandparents did a lot of — I hope that saving is about to enjoy a revival. The Bill allows some of the poorest individuals in our society to establish a savings account; if they can put a little money, such as £25 a month, into that account and keep it there for two years, the Government will reward them generously.

The Government cannot often be described as generous, but paying 50p for every pound saved over two years — up to a limit of £300 — is, considering current interest rates, a fairly generous action. Based on the experience of the pilot schemes in Great Britain, the Bill's provisions are likely lead to more people developing the crucial habit of saving.

Despite welcoming the Bill, the Committee expressed some concerns. First, members expressed disquiet about the possible misuse of saving gateway accounts by money launderers. The Committee welcomed the reassurance that the Department provided about identity checks and limits on accounts.

Secondly, Committee members were concerned about the Bill's impact on local credit unions. Credit unions are the only contact that many people have with a financial institution, and they already play an important role in helping people to save. Naturally, Committee members wanted to see local credit unions playing their full part in the implementation of the Saving Gateway Accounts Bill.

Committee members were concerned that the regulatory regime for credit unions might lead to their exclusion from the saving gateway accounts scheme. It was agreed that that would be most unfortunate, and the Committee learned from the Minister that that was certainly not the intention of the Bill.

The solution to that potential problem was helpfully provided by the Committee for Enterprise, Trade and Investment — the implementation of that Committee's sensible recommendations on enhanced regulation should allow local credit unions to participate in this important scheme. Therefore, the Committee urges the Social Development Minister to work closely with the Minister of Enterprise, Trade and Investment so that the timing of the revised regulation of credit unions will match the introduction of saving gateway accounts. Under those circumstances, the Committee is happy to support the motion and welcomes the anticipated participation of credit unions in the delivery of saving gateway accounts.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. As a member of the Committee for Social Development, I broadly welcome the Saving Gateway Accounts Bill. The proposed benefits of the scheme centre on formalising informal savings, promoting regular saving and getting people into financial institutions for the first time.

Saving gateway accounts would be cash based and would be offered to savers in a range of financial institutions, such as banks, building societies and credit unions. The Chairperson of the Committee for Social Development mentioned some of the misgivings that members had about credit unions, but I think that a degree of reassurance can be given about that, in that account holders would be permitted to withdraw their savings at any time.

The misuse of accounts and of the scheme was another issue that the Committee raised. A number of protections will be put in place in order to deter the misuse of accounts. In particular, the only people who will be able to open a saving gateway account will be those who are entitled to and who qualify for social security benefits and tax credits.

The Government contribution was also mentioned. That contribution will be a maximum of £300 for each account. In order to obtain that, people will have to save regularly a maximum of £25 a month. The Bill also lists a number of penalties that will deter the abuse and misuse of accounts. A penalty fine of £300 may be imposed on a person who makes an incorrect declaration deliberately when applying to open a saving gateway account.

Although the scheme is welcome, ultimately people who are on benefits — particularly those who are on income support and who, by the Government's own definition, are at subsistence level — may find it difficult to save money from a benefit payment that does not really cover their ordinary everyday and weekly needs. Go raibh maith agat.

**Mr Burns:** I support the extension of provisions of the Saving Gateway Accounts Bill to Northern Ireland.

We must do everything that we can to help the less well off in our society. If we were to give those people a bonus every time that they put money away, they would be encouraged to save.

Members of the Committee for Social Development know about the pilot schemes that have run in England over the past few years. I will not go into all the details of those schemes again, but I understand that they were a huge success, because they got people into the habit of saving. People received a little bonus when their accounts matured, and they kept on saving after the scheme had ended.

The UK Government put a total of £5 million into the accounts of savers who took part in the scheme. I have no doubt that that was welcomed by the 200,000 people who were involved. Schemes such as those help people to plan for the future, they can help people cope with any unexpected money problems, and they could encourage people to engage with banks, building societies and credit unions.

It is my understanding that the Halifax provided the accounts in the first pilot scheme, but I think that the credit unions should be more involved — perhaps they should be the main providers of these accounts. However, that might not be simple to arrange, but I am sure that the Minister will explain that when she speaks again.

People trust the credit unions, especially in these times, but they do not have much confidence in the banks at the moment. The First Minister explained earlier the conflicting reports about banks that we are getting, and I have received similar reports from people in my own constituency. The names of some banks have been damaged badly during the credit crunch. I think that people would trust the credit unions more and would open saving gateway accounts if they were associated with the credit unions.

Overall, I think that the scheme is a very good one. If it were to begin in 2010, the first payments would be paid out to savers from 2012. In my opinion, the sooner that that happens, the better.

**Ms Lo:** I support the motion. It is very important that the Government provide an incentive to encourage people who are on a low income to get into the habit of saving, even bit by bit, in order that they can build up savings that will be of use to them at difficult times, at Christmas, or in the future when they can make good use of them.

As other Members said, the pilot schemes have demonstrated that once people begin to save through these accounts they continue to put money aside. It is also important to note that when parents begin to save, their children are encouraged to think about saving for the future by putting their pocket money away bit by bit. The Alliance Party supports the motion.



1.15 pm

**The Minister for Social Development:** I thank the Members — the Chairman of the Social Development Committee, Mr Brady, Mr Burns and Ms Lo — who contributed to the discussion on the motion. Various issues were raised.

The Chairman of the Committee, Mr Simpson, and Mr Burns mentioned credit unions. As Members will know, the Bill provides that saving gateway accounts may only be held by persons who have been approved by the Commissioners for Revenue and Customs, and an approved account provider must be a UK institution that is permitted to carry on regulated activities under Part IV of the Financial Services and Markets Act 2000.

At present, Northern Ireland credit unions are regulated by the Department of Enterprise, Trade and Investment (DETI). However, consideration is being given to transferring responsibility for their regulation from DETI to the Financial Services Authority; if that change takes place, credit unions will then be allowed to offer saving gateway accounts.

I am happy to write to my colleague the Minister of Enterprise, Trade and Industry, Arlene Foster, to indicate that this matter has been raised by Members today and to see how quickly it can be brought forward. However, I must add a word of caution. It is possible that the process may not be completed by the time the scheme starts. Nevertheless, credit unions will be able to apply to provide saving gateway accounts at any time if and when the regulatory change takes place. Therefore, I can provide that assurance to the House, particularly to the members of the Committee who raised the matter.

Mr Simpson also highlighted the misery caused by money launderers. Once again, I assure the House that a number of protections are in place. In particular, passporting eligibility means that only people who are entitled to the qualifying benefits and tax credits will be able to open saving gateway accounts, because only they will have been sent notices of eligibility by HM Revenue and Customs, which will include a unique reference number. Under existing protections against benefit and tax-credit fraud, providers will have to follow the usual rules for opening accounts.

It is worth noting that the Government's maximum contribution will be £300 per account, and that in order to obtain that contribution people will be required to save regularly — a maximum of £25 per month — and to wait two years for their account to end. The two-year duration of accounts will give HM Revenue and Customs time to detect any non-compliance.

Mickey Brady mentioned the capacity of income support recipients to save. I fully appreciate that difficulty, because such people are on fixed levels of benefit. However, saving gateway accounts will be

open to those who wish to save. They will not be forced on people, and the amount of money that people save will be determined by them. The scheme is designed as a means by which to introduce non-savers to the concept of saving. Notwithstanding the fact that they will still be in receipt of benefits, it will afford them the opportunity to save.

In addition, I thank Ms Lo for her support.

I hope that I have replied to all Members' questions. I will pursue the issue of credit unions with the Minister of Enterprise, Trade and Investment, because the Committee's report offers Members a useful opportunity to build the necessary bridge. If there is anything that I have missed, I am more than happy to respond to Members in writing.

*Question put and agreed to.*

*Resolved.*

That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Saving Gateway Accounts Bill dealing with the disclosure of information contained in clause 18(2) of the Bill as introduced in the House of Commons, and agrees that the saving gateway accounts be made an excepted matter under the Northern Ireland Act 1998.

## COMMITTEE BUSINESS

### Standing Committee Membership

**Mr Deputy Speaker:** The next item on the Order Paper is the motion on Standing Committee membership. As with similar motions, this will be treated as a business motion. There will, therefore, be no debate.

*Resolved:*

That Mr Pat Ramsey replace Mr Patsy McGlone as a member of the Business Committee. — [Mr P J Bradley:]

### Amendments to Standing Orders

**Mr Deputy Speaker:** The next six motions relate to amendments to Standing Orders, so I propose to conduct the debate as follows. I propose to group the motions, as shown on the separate sheet that has been provided for Members, and to conduct three debates.

Debate will take place on all the motions in the relevant group. When all Members who wish to speak have done so, I shall put the Question on the first motion. I shall then ask the Chairperson to move formally each of the remaining motions in the group in turn, and I shall then put the Question on each motion without further debate. If that is clear, I shall proceed.

The first group consists only of motion (a), as printed in the Order Paper.

**The Chairperson of the Committee on Procedures (Lord Morrow):** I beg to move

In Standing Order 9, leave out paragraph (2) and insert —

“(2) If, at any time, a quorum is not present and the Speaker’s attention is directed to that fact, he or she shall order the division bells to be rung. If at the expiration of five minutes a quorum is present, it shall not be in order to direct the attention of the Speaker to the absence of a quorum for a period of one hour from that time.

(3) If at the expiration of five minutes a quorum is not present, the Speaker shall, without question put, either —

(a) suspend the Assembly to a later time; or

(b) adjourn the Assembly until the next sitting day.

(4) Where the Assembly is suspended under paragraph (3), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Speaker to the contrary, the first business when the Assembly resumes.

(5) Where the Assembly is adjourned under paragraph (3), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Speaker to the contrary, the first business when the Assembly next sits.”

I point out that paragraph (1) of Standing Order 9 remains unchanged.

The issue with Standing Order 9(2), as it is currently worded, is that, in the event of the lack of a quorum, the Speaker has no option but to suspend and bring

forward the outstanding business as the first item in the next sitting of the Assembly. That has the potential to lead to a number of problems. In certain situations, it may be more appropriate to adjourn rather than suspend the Assembly — for example, if the business in question is near the end of the day or if an important event has called many Members away from the House.

In a worst case scenario, another example would be the lack of a quorum at around 2.20 pm or 2.30 pm on a Monday. That would lead to Question Time falling, because Standing Orders allow Question Time to happen only at a specific time on a Monday. A less drastic scenario would be a reduction in the time allowed for Question Time because of the lack of a quorum for a period.

Were Standing Order 9(2) to be used during an Adjournment debate, or in the last item of business, a suspension by the Speaker would be unlikely to address the issue of the lack of a quorum. Most Members will have left the Building, and a quorum would be unlikely.

Members may think that such examples are unlikely. However, in the previous session, the Division bell calling for a quorum were rung on a few occasions after lunchtime on a Tuesday. The sitting has always been quorate after the requisite five minutes, but there have been some very close calls. In one instance, a quorum was achieved with only two or three seconds to spare. The lack of a quorum after five minutes, and suspension by the Speaker of, perhaps, an hour, could seriously disrupt business and create the potential for some business not to be taken.

I will take Members through the proposed new Standing Order 9(2), which repeats the essential provision in the current version that, if the Speaker’s attention is drawn to the fact that a quorum is not present, the Division bell must be sounded to alert Members and call them to the Chamber.

That is an important provision, as votes cannot occur if a quorum is not present. There has been no change to that essential provision, bar a few grammatical amendments. One such amendment is the modernisation of the term “be present” to “is present”. The Committee discussed the issue of the five minutes allowed for a quorum to be present and decided that it should not be extended. Five minutes is adequate for Members to get to the Chamber. If a quorum is not present after five minutes, it is highly unlikely that it will be present after 10 minutes.

The proposed Standing Order 9(3) amends the provision whereby the Speaker has the option only to suspend the sitting to a later time and provides him with the discretion either to suspend the Assembly to a later time or to adjourn the Assembly to the next sitting day. The proposed new paragraphs 4 and 5 of Standing Order 9 deal with those two options in turn.

The proposed Standing Order 9(4) says that in the event of a suspension the outstanding business will be taken first when the Assembly resumes. However, the Speaker will have discretion in that area to allow for situations in which it would not be appropriate for suspended business to be top of the agenda on resumption. For example, if the Assembly resumes at Question Time or if a private notice question has been scheduled.

Finally, proposed Standing Order 9(5) deals with adjournments due to the lack of a quorum. In such situations, the Speaker will have discretion to decide whether the adjourned business is the first business to be taken when the Assembly resumes. For example, it may be more appropriate for the Speaker to adjourn if the sitting is near the end of the business scheduled for that day. The outstanding business will normally be the first business when the Assembly next sits. However, if an important ministerial statement is scheduled for the start of the next sitting, the Speaker has discretion to place the outstanding business elsewhere on the schedule.

That completes my outline on the motion to amend Standing Order 9. I recommend the motion to the Assembly.

**Mr K Robinson:** I support the position of the Committee on Procedures on this important matter. A quorum, or lack thereof, is essential if the business of the House is to be efficient and effective.

I register my support and that of my party for the positive changes that the Committee is bringing forward in this motion by proposing to amend Standing Order 9.

I draw attention specifically to the removal of Standing Order 9(2), which refers to the quorate state of the Assembly and to the insertion of proposed Standing Order 9(2) as shown in today's Order Paper. As I said, the retention of a quorum is central to the work of the Assembly. That paragraph focuses Members' attention on the necessity of a quorum and will — dare I say it? — keep the party Whips on their toes by ensuring that a quorum is always available.

When the quorum, should it be absent, has been restored following the Speaker's order to ring the Division Bells, the time limit of one hour before the issue can be brought to the Speaker's attention again is a wise move since that will surely reduce any temptation that Members may have to abuse the situation by seeking to disrupt the proceedings of the House.

The proposed new paragraphs 3, 4 and 5 of Standing Order 9 are helpful to the Speaker in providing him with that degree of flexibility and discretion to deal with the immediate issue of the lack of a quorum while protecting the business of the Assembly from undue and perhaps unnecessary delay. I support the motion.

**The Deputy Chairperson of the Committee on Procedures (Mr Storey):** As no issues have been raised, I ask that the motion be agreed to.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that motions to amend Standing Orders require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

In Standing Order 9, leave out paragraph (2) and insert —

“(2) If, at any time, a quorum is not present and the Speaker's attention is directed to that fact, he or she shall order the division bells to be rung. If at the expiration of five minutes a quorum is present, it shall not be in order to direct the attention of the Speaker to the absence of a quorum for a period of one hour from that time.

(3) If at the expiration of five minutes a quorum is not present, the Speaker shall, without question put, either -

(a) suspend the Assembly to a later time; or

(b) adjourn the Assembly until the next sitting day.

(4) Where the Assembly is suspended under paragraph (3), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Speaker to the contrary, the first business when the Assembly resumes.

(5) Where the Assembly is adjourned under paragraph (3), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Speaker to the contrary, the first business when the Assembly next sits.”

**Mr Deputy Speaker:** We will move on to debate the second group, which consists of motions (b) and (f), as printed in the Order Paper.

*1.30 pm*

**The Chairperson of the Committee on Procedures (Lord Morrow):** I beg to move

Leave out Standing Order 18 and insert —

“18. MINISTERIAL STATEMENTS

(1) Ministers shall make statements to the Assembly on matters relating to their official responsibilities, which may be either -

(a) oral Ministerial statements (see Standing Order 18A); or

(b) written Ministerial statements (see Standing Order 18B).

(2) A statement shall be oral unless the Minister considers it appropriate to make a written statement, having regard to, among other things, whether the statement relates to a matter of public importance and when the Assembly will next sit.

18A. ORAL MINISTERIAL STATEMENTS

(1) The Minister shall deliver the oral Ministerial statement in the Assembly.

(2) The Minister shall make a written copy of the statement available to members as early as possible and in any event at least 30 minutes before delivering the statement in the Assembly. Where this has not been possible he or she shall state to the Assembly the reason.

(3) The written copy, whether or not embargoed, shall not be given to members of the news media before it is made available to members.

(4) Notice of a statement shall be given to the Speaker not later than, 9.30am on the working day before the day, or in cases of



urgency 2½ hours before, it is due to be made and the Speaker shall communicate such information to members as soon as is practicable.

(5) After a statement has been delivered in the Assembly a period of questions on the statement, which shall last no more than one hour, may then ensue. The Speaker shall determine the period taking into consideration the content of the statement, the number of members wishing to ask questions and the pressure of other business.

(6) Statements shall ordinarily be made outside the time bands specified in Standing Order 10(2) for questions and adjournment debates. However, where a statement is of urgent public importance it may impinge upon those bands. In such cases, the Speaker shall make arrangements for appropriate additional time to be scheduled under Standing Order 10 for questions and/or an adjournment debate unless, by leave, the Assembly determines to dispense with this requirement.

#### 18B. WRITTEN MINISTERIAL STATEMENTS

(1) The written statement shall be delivered to the Speaker not later than 24 hours (or in cases of urgency 2 ½ hours) before it is -

(a) made public; or

(b) given, whether or not embargoed, to members of the news media; whichever comes first.

(2) The statement shall be included in the Official Report (Hansard)."

#### *The following motion stood in the Order Paper:*

In Standing Order 80(2), line 8, after "and answers" insert "and written Ministerial statements". — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

The Committee on Procedures has been considering the position on statements for some considerable time. Although the Committee agreed that the procedure was working well, it also acknowledged that there was room for improvement, which comes in the form of three major amendments. The first increases the notification period — from the current two and a half hours, to one day — within which Ministers must announce their intention to make a statement. Urgent or emergency statements can still be made with only two and a half hours' notice. Secondly, copies of the statement should be made available to MLAs at least 30 minutes before its delivery in the Chamber. Finally, a new provision allows for written ministerial statements.

In addition to those key amendments, a number of minor amendments to Standing Order 18 mostly improve clarity and understanding. The proposed amendment provides for three Standing Orders: 18, 18A and 18B.

Standing Order 18(1) is a gateway provision that allows Ministers to make statements in two ways: orally or in writing. The Committee proposes to move away from the definition in the current Standing Order:

"A member of the Executive Committee shall make statements to the Assembly on matters for which the Executive Committee is responsible."

The amendment simply uses the word "Minister", which is much more straightforward. That still covers

the First Minister, the deputy First Minister and departmental Ministers by relying on the definition in section 7(3) of the Northern Ireland Act 1998:

"In this Act 'Minister', unless the context otherwise requires, means the First Minister, the deputy First Minister or a Northern Ireland Minister."

However, as in the current version, use of the term "Minister" does not allow for junior Ministers to make statements. The Committee discussed that possibility but decided against it, mainly because it could be regarded as diminishing the roles of the First Minister and the deputy First Minister.

Standing Order 18(2) makes it clear that a statement should be made orally unless it is of lesser public importance or if the information must be made available as soon as possible: for example, during recess or in an emergency.

Standing Order 18A deals with oral statements. Paragraph 1 is straightforward and provides that oral statements be delivered in the Assembly. Paragraph 2 is a new provision and allows that Ministers shall make a copy of the statement available to MLAs as early as possible and, in any event, at least 30 minutes before delivery in the Chamber. Where that is not possible, the Minister should explain why.

The Committee on Procedures considered that the early provision of copies of the statements to Members would enable them to digest the information and prepare appropriate questions. However, there is a fine line between providing the information too late and too early — the latter could result in its being leaked to the press and appearing on the news before the Minister has been able to deliver the statement to the Assembly.

The Committee also took into account a presentation from media representatives who said that important statements often received no coverage simply because the media had not been forewarned. Paragraph 2, therefore, is written in such a way that it allows the media to access a copy of the statement at the same time as Members. In the Committee's opinion, that is a good compromise; it gives MLAs time to prepare questions, and it ensures that the contents of a statement are not widely disseminated before its delivery in a plenary session.

Standing Order 18A(4) is a new provision, whereby notice of a statement must be given to the Speaker one day in advance. When a Minister wishes to make a statement on a Monday, he or she should give notice to that effect by 9.30 am on the preceding Friday. The rationale for that provision is that one of the most frequent complaints of Members, media and the public was that no notice was given of oral statements, despite important — even critical — policy decisions often being announced through such means.

Statements do not appear on the Order Paper, and, although the indicative timings paper will include statements, that paper is not widely available outside Parliament Buildings. Therefore, very few people know when a statement is going to be made. Our business must be public business, and the Committee considered that that lack of awareness and information was a weakness that needed to be addressed.

In recommending the new provision, the Committee examined a random sample of 10 statements over a period of some months. It found that, with the exception of urgent statements, most statements could have been programmed well in advance, and there would have been no hardship or major difficulties caused to Ministers in providing increased notice.

Increased notice of a statement will not only provide Members and parties with adequate time to prepare for the statement, but it will help to inform interest groups and the general public who can then attend plenary sittings if they so wish. Although notice of the statement will not appear on the Order Paper, notification will appear on the front page of the Assembly's website. That, at least, will provide some public and media notification. Provision for urgent statements remains at two-and-a-half hours, which allows for Ministers to respond to urgent or emergency situations, such as flooding or an emerging event.

Moving on to the final part of Standing Order 18A, Members will note that paragraphs (5) and (6) are slightly different from the current version. There has been some rewording for clarity and to provide for easier understanding, but the substance and policy of the two paragraphs remain unchanged.

I will now deal with the new Standing Order for written ministerial statements. The Committee took considerable care during its consideration of whether written statements should be allowed, to ensure that such statements would not be used by Ministers as an excuse not to make an oral statement. The evidence gathered by the Committee during its consideration was published in a short report and made available to all MLAs some time ago. It outlines how the Executive, through the Office of the First Minister and deputy First Minister, asked that the Assembly's Standing Orders also allow for written statements.

While acknowledging the role of oral statements, the First Minister and deputy First Minister indicated that there are likely to be occasions when the Executive and individual Ministers will wish to bring matters to the attention of the Assembly, which, by their nature, may not require the same degree of direct ministerial involvement or time commitment as an oral statement. It was suggested that such matters could be dealt with by means of a procedure for written statements.

The Committee was given an understanding that written statements would not be used as an alternative to oral statements and would be used only in certain circumstances, such as: advising the Assembly of Executive decisions that may need to be made public before the next Assembly sitting; the launch of policy consultations or legislative proposals; the outcome of consultation exercises; the intention of Ministers to make visits outside Northern Ireland; the publication of departmental and agency reports or corporate and business plans; and announcements of some public appointments.

After detailed consideration, the Committee agreed that the facility for written ministerial statements would be a useful mechanism, particularly as it could be used by Ministers during recess. The Committee considered that allowing for written ministerial statements would significantly increase the range and frequency of information available to Members.

At the end of its consideration, the Committee decided that the written procedure would allow the Assembly to be informed and to be given its rightful place, and it would formalise, to a certain extent, something that was already happening in an ad hoc way.

The Standing Order for written statements is short and to the point. It outlines that a written statement must be delivered to the Speaker no later than 24 hours before it is made public, and given to members of the news media regardless of whether or not it is embargoed. The statement will be included in the Official Report. Members will receive a copy of the statement in a number of ways. It will be placed in their pigeonholes, and notice of receipt of the statement will be sent to them electronically. That will allow Members to have access to the statement even if they are not in the Building.

There is one amendment consequential to the proposed amendment of Standing Order 18. That is Standing Order 80, which deals with the Official Report. Paragraph 2 of that Standing Order deals with the Bound Volume which holds the Hansard reports for all Assembly sittings, the legislative proceedings of Committee meetings and written answers to questions. It is proposed that that Bound Volume will now also contain the written ministerial statements.

That completes the outline of the proposed amendments to Standing Order 18 and the consequential amendment to Standing Order 80. I recommend the amendments to the House, and look forward to hearing the comments of Members.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chathaoirleach as an obair a rinne sí. I thank the Chairperson of the Committee on Procedures for steering the Committee through the proposed changes outlined today. I am sure

that I speak on behalf of all members of that Committee when I say that he carried out that work very well. I also thank the Committee Clerk and her staff for their professionalism and patience, which were of equal excellence.

The proposed changes — particularly those relating to written ministerial statements — are designed to improve the efficiency and accountability of the Assembly, and to bring clarity to Standing Orders. Therefore, Sinn Féin supports the proposed changes.

**Mr O’Loan:** I also extend my compliments to the Chairperson and staff of the Committee on Procedures, and welcome the creation of a facility for written ministerial statements. Any concerns that Members may have are expressed in the proposed amendment to Standing Order 18, in that it should be the norm for ministerial statements to be made orally, provided Ministers respect the need to come to the House with oral statements on which they can be questioned. Clearly, there may be occasions — both during recess and when the Assembly is sitting — when it may not be necessary or appropriate for a statement to be brought to the Chamber and a Minister to answer questions on it. In such cases, this will be an additional source of information for Members on the intentions of a Minister. In that respect, I support the proposal and hope that it will not be abused by any Minister.

In relation to oral ministerial statements, I welcome the proposal that a written copy of an intended oral statement be available to Members at least 30 minutes before a Minister is due to speak — again, with exceptions being made for unexpected circumstances. I also welcome the fact that the notice period given to the Speaker will be considerably earlier than is the norm at the moment. The more information that can be given to Members by placing matters in the Order Paper, or in the indicative timings, the better.

Furthermore, that proposed change will also be of benefit in getting information about the Assembly to the public. We recognise the duty that we have to make the business of the Assembly more comprehensible to the public, and we have a Director of Outreach — not outrage — and Engagement. This is something that he will take under his notice. I do not think that we do enough to make the business of the Assembly sufficiently comprehensible to the public; that was a point that arose in one of the Assembly roadshows that I participated in recently. The fact that oral ministerial statements will be made available to the Speaker earlier provides an opportunity for that to be made clear to the public earlier. I welcome the proposed amendments to Standing Orders.

**Lord Browne:** I would also like to thank the Chairman of the Committee on Procedures and the Committee staff for their dedication in drawing up the

proposed amendments. It was a very complicated and time-consuming task, but there is no doubt that the proposed amendments will help to clarify matters and assist the Assembly in the smooth running of its business.

Secondly, I refer to the proposal to amend Standing Order 18. It is of immense importance that Members receive written copies of Ministers’ statements as soon as it is possible and practicable for a Minister to so provide. It is to be welcomed that Members will receive a written copy of a ministerial statement at least 30 minutes before the Minister rises in the House to deliver that statement. That will assist Members in their preparation for discussion of the statement. However, one must accept that there may be occasions when that will not be possible, and I welcome the fact that the Minister has to inform the House of the reasons that that will not be possible.

*1.45 pm*

It should also be noted that, regardless of whether there is an embargo, written copies of Ministers’ statements should not be given to members of the news media before it is made available to Assembly Members. I recognise that it will be given to both parties at the same time. That will be effective, because it will keep the public better informed, and they will be able to take part in the debate. I welcome that change.

I also welcome the fact that notice of a statement will be given to the Speaker not later than 9.30 am on the working day before it is due to be made and that the Speaker will communicate such information to Members as soon as is practicable.

Standing Order 18A(5) states that a maximum of one hour should be allowed for questions, following the Minister’s delivery of a statement to the House. I am glad that the Speaker will determine the period by taking into account the content of the statement, the number of Members who wish to participate and, of course, the pressure of other business.

Standing Order 18A(6) recommends:

“Statements shall ordinarily be made outside the time bands specified in Standing Order 10(2) for questions and adjournment debates. However, where a statement is of urgent public importance it may impinge upon those bands. In such cases, the Speaker shall make arrangements for appropriate additional time to be scheduled under Standing Order 10 for questions and/or an adjournment debate unless, by leave, the Assembly determines to dispense with this requirement.”

I welcome the proposal in Standing Order 18B:

“The written statement shall be delivered to the Speaker not later than 24 hours (or in cases of urgency 2½ hours) before it is —

(a) made public; or

(b) given, whether or not embargoed, to members of the news media;

whichever comes first.”



I support the motions to amend.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that motions to amend Standing Orders require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

Leave out Standing Order 18 and insert —

**“18. MINISTERIAL STATEMENTS**

(1) Ministers shall make statements to the Assembly on matters relating to their official responsibilities, which may be either —

- (a) oral Ministerial statements (see Standing Order 18A); or
- (b) written Ministerial statements (see Standing Order 18B).

(2) A statement shall be oral unless the Minister considers it appropriate to make a written statement, having regard to, among other things, whether the statement relates to a matter of public importance and when the Assembly will next sit.

**18A. ORAL MINISTERIAL STATEMENTS**

(1) The Minister shall deliver the oral Ministerial statement in the Assembly.

(2) The Minister shall make a written copy of the statement available to members as early as possible and in any event at least 30 minutes before delivering the statement in the Assembly. Where this has not been possible he or she shall state to the Assembly the reason.

(3) The written copy, whether or not embargoed, shall not be given to members of the news media before it is made available to members.

(4) Notice of a statement shall be given to the Speaker not later than, 9.30am on the working day before the day, or in cases of urgency 2½ hours before, it is due to be made and the Speaker shall communicate such information to members as soon as is practicable.

(5) After a statement has been delivered in the Assembly a period of questions on the statement, which shall last no more than one hour, may then ensue. The Speaker shall determine the period taking into consideration the content of the statement, the number of members wishing to ask questions and the pressure of other business.

(6) Statements shall ordinarily be made outside the time bands specified in Standing Order 10(2) for questions and adjournment debates. However, where a statement is of urgent public importance it may impinge upon those bands. In such cases, the Speaker shall make arrangements for appropriate additional time to be scheduled under Standing Order 10 for questions and/or an adjournment debate unless, by leave, the Assembly determines to dispense with this requirement.

**18B. WRITTEN MINISTERIAL STATEMENTS**

(1) The written statement shall be delivered to the Speaker not later than 24 hours (or in cases of urgency 2 ½ hours) before it is —

- (a) made public; or
  - (b) given, whether or not embargoed, to members of the news media;
- whichever comes first.

(2) The statement shall be included in the Official Report (Hansard).”

*Resolved (with cross-community support):*

In Standing Order 80(2), line 8, after “and answers” insert “and written Ministerial statements”.

**Mr Deputy Speaker:** We now come to the debate on the third group, which consists of motions (e), (c) and (d), as printed in the Order Paper.

**The Chairperson of the Committee on**

**Procedures:** I beg to move

Leave out Standing Order 27 and insert —

**“27. VOTING — DIVISIONS**

(1) The Speaker shall direct that the lobbies be cleared and the division bells sounded if —

- (a) he or she is unsure whether or not a question is carried following the collection of voices under Standing Order 26; or
- (b) his or her judgement as to whether a question is so carried is challenged.

(2) Three minutes after this direction, the Speaker shall put the question again, and if paragraph (1)(a) or (b) still applies, he or she shall proceed as set out below. Otherwise he or she shall judge whether the question be carried in accordance with Standing Order 26(3).

(3) If, in the Speaker’s opinion, his or her judgement is unnecessarily challenged, he or she may take the vote of the Assembly by calling upon the members who support and who challenge his or her judgement successively to rise in their places and he or she shall thereupon, as he or she thinks fit, declare the determination of the Assembly without proceeding as set out below.

(4) The Speaker shall call for the nomination of two tellers for each side of the question but, if within a reasonable time after this call —

(a) two tellers for one side but not the other have been nominated, the determination of the Assembly shall be that of the side which has nominated the two tellers;

(b) two tellers for each side have not been nominated, the question shall not be carried.

(5) After tellers have been nominated, the Speaker shall direct the Assembly to divide, ‘ayes’ to the right and ‘noes’ to the left, and that the division bells be again sounded.

(6) Four minutes after this direction, the Speaker shall direct that the doors from the corridors to the Chamber and lobbies are secured.

(7) When all members in the lobbies have voted, the tellers shall bring the division lists to the table clerks who will announce the result.

(8) A member may vote in a division although he or she did not hear the question put.

(9) A member shall not be obliged to vote.

(10) If the votes in a division are equal the question shall not be carried.

(11) If any member is present within the precincts of the Assembly and is disabled by infirmity from passing through a lobby, his or her name may be communicated by his or her party whip to the lobby clerks and tellers and may be included in the numbers counted.”

*The following motions stood in the Order Paper:*

(c) In Standing Order 26, leave out paragraph (3) and insert —

“(3) Subject to Standing Order 27, the Speaker shall judge whether the question be carried or not by collecting voices.” — *[The Chairperson of the Committee on Procedures (Lord Morrow).]*

(d) In Standing Order 26, leave out paragraph (5). — *[The Chairperson of the Committee on Procedures (Lord Morrow).]*

**The Chairperson of the Committee on Procedures:** Standing Order 27 is currently titled ‘Voting Where the Speaker’s Decision Is Challenged’. That title suggests that the procedure in the Standing Order is used only when the decision of the Speaker is challenged. However, the Speaker has discretion to use the procedure if he considers that the voice vote is unclear and a Division is needed. In practice, the Speaker’s decision is rarely challenged, and the most common use of Standing Order 27 occurs when the voice vote is unclear.

In order for a Division to go ahead, two Tellers must come forward for each side. As it is currently worded, Standing Order 27 does not address the possibility of Tellers not being nominated. However, current practice is that if either side fails to nominate two Tellers within a reasonable period, the Speaker may declare the result in favour of the Tellers who have come forward. The amendment codifies that practice.

The amendment also provides for a further matter, in connection with securing the doors. As it is currently worded, Standing Orders 27(3) states:

“After the lapse of four minutes from putting the question again he or she shall direct that the doors giving access to the division lobbies be secured.”

That requires the Speaker to direct that only the doors giving access to the Division Lobbies are secured. In practice, as Members will be aware, the doors to the Chamber and those leading from the corridors to the Division Lobbies are closed, which is a contravention of Standing Orders. The proposed amendment reflects current practice, which is what Members are comfortable and familiar with.

The Committee considered abstentions on a number of occasions and decided against allowing for the formal recording of those, but only after a good deal of thought and discussion.

I will now take Members through the detail of the amendments. Proposed new Standing Order 27(1) reflects the provisions that are in the current version of Standing Order 27(1). However, the current version allows the Speaker to use the provision only if his decision is challenged. The amended paragraph will allow for the process of a Division to commence in two circumstances, as outlined in proposed new Standing Order 27(1)(a) and (b). Proposed new sub-paragraph (a) allows the Speaker to sound the Division bell if he considers it appropriate. That will cover instances when the collection of voices is unclear, as well as other circumstances. For example, it would be normal to allow a Division on a cross-

community vote even if there were only a few dissenting voices. Proposed new sub-paragraph (b) allows for the Speaker’s judgement to be challenged.

Members may wish to note the introduction of the phrase “a question is carried” in proposed new Standing Order 27(1)(b). Currently, Standing Order 27(6) and Standing Order 26(3) use the words “motion”, “amendment” in reference to voting. However, votes are taken not only on motions and amendments but on clauses, schedules and long titles of Bills. The concepts of “motion” and “amendment” would have needed to be extended to cover all possible votes, and that would have been messy. However, the word “question” reflects current usage in Standing Order 27(3) as well as practice in the Chamber, when the Speaker puts the question on the motion, amendment, clause or schedule, etc.

In the proposed amendments, Standing Order 27(2) has been reworded to allow for the two circumstances when a Division is initiated — that is; when the Speaker considers it appropriate and in response to a challenge to his decision.

The provision contained in proposed new Standing Order 27(3) is currently provided for in Standing Order 27(2)(b) but has never been used. It provides a means whereby the Speaker can challenge a Member or Members who challenge his decision by asking for the views of the Assembly. Although there has been some minor rewording of the provision for greater clarity, the suggested amendment does not change the provision in any way. That provision has never been used, but has, nevertheless, been retained. It will allow for the current Speaker, or any future Speakers, to challenge Members who call Divisions in order to be disruptive or to waste the time of the Assembly.

Proposed new Standing Order 27(4) is a new provision to reflect the decision by the Committee to include a governing procedure for instances when there is a lack of Tellers. It states that the Speaker shall call for two Tellers for each side of the question, and proposed new sub-paragraph (a) states what will happen if one side does not produce two Tellers, which is that the question will be declared for the other side. Proposed new sub-paragraph (b) states what will happen if neither side produces two Tellers, which is that the question will not be carried.

Paragraph 3 in the current version contains a number of provisions, and in this suggested amendment, those provisions have been divided into separate paragraphs at (5), (6) and (7). Those paragraphs have had some rewording from the current version to reflect improved grammar, better readability and plain English, but the essence of the amendments recommended at paragraphs 5 and 7 reflect what is in the current version.

Paragraph 6 is changed to take account of the Committee decision on what doors should be secured and, again, there has been some rewording to reflect improved grammar, better readability and plain English.

Draft paragraph 7 provides for a provision that is in the current version at Standing Order 27(3) with no amendment.

The draft paragraph 8 provides for a provision that is in the current version at Standing Order 27(4) with no amendment.

Draft paragraphs 9 and 10 provide for provisions that are in the current version at Standing Orders 27(5) and (6) respectively with no amendment.

Draft paragraph 11 may seem like a new provision, but eagle-eyed Members will have noted that it is currently at Standing Order 26(5). This provision allows for a disabled or infirm Member to participate in a Division even if he or she cannot get into the Lobbies. As it deals with voting by Division, it fits better in Standing Order 27 than in Standing Order 26.

If the Assembly agrees to the amendments to Standing Order 27, there will need to be two consequential amendments to Standing Orders 26(3) and (5).

Standing Order 26(3) has been amended in two ways. The first amendment makes it clear that if a vote by the collection of voices is unclear, the Speaker should call for a Division. The second amendment removes the phrase “by show of hands”. Since the Division Lobbies came into usage, the Assembly has never voted by a show of hands and, therefore, that phrase has been deleted.

Standing Order 26(5) has been deleted because it has been moved to become Standing Order 27(11).

I recommend amendments (e), (c) and (d) as printed in the Order Paper, and I trust that Members followed all those amendments.

**Mr Deputy Speaker:** Thank you, Lord Morrow. That was very clear.

Before we proceed to the Question, I remind Members that all these motions require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

Leave out Standing Order 27 and insert —

“27. VOTING - DIVISIONS

(1) The Speaker shall direct that the lobbies be cleared and the division bells sounded if -

(a) he or she is unsure whether or not a question is carried following the collection of voices under Standing Order 26; or

(b) his or her judgement as to whether a question is so carried is challenged.

(2) Three minutes after this direction, the Speaker shall put the question again, and if paragraph (1)(a) or (b) still applies, he or she shall proceed as set out below. Otherwise he or she shall judge whether the question be carried in accordance with Standing Order 26(3).

(3) If, in the Speaker’s opinion, his or her judgement is unnecessarily challenged, he or she may take the vote of the Assembly by calling upon the members who support and who challenge his or her judgement successively to rise in their places and he or she shall thereupon, as he or she thinks fit, declare the determination of the Assembly without proceeding as set out below.

(4) The Speaker shall call for the nomination of two tellers for each side of the question but, if within a reasonable time after this call -

(a) two tellers for one side but not the other have been nominated, the determination of the Assembly shall be that of the side which has nominated the two tellers;

(b) two tellers for each side have not been nominated, the question shall not be carried.

(5) After tellers have been nominated, the Speaker shall direct the Assembly to divide, “ayes” to the right and “noes” to the left, and that the division bells be again sounded.

(6) Four minutes after this direction, the Speaker shall direct that the doors from the corridors to the Chamber and lobbies are secured.

(7) When all members in the lobbies have voted, the tellers shall bring the division lists to the table clerks who will announce the result.

(8) A member may vote in a division although he or she did not hear the question put.

(9) A member shall not be obliged to vote.

(10) If the votes in a division are equal the question shall not be carried.

(11) If any member is present within the precincts of the Assembly and is disabled by infirmity from passing through a lobby, his or her name may be communicated by his or her party whip to the lobby clerks and tellers and may be included in the numbers counted.”

*Resolved (with cross-community support):*

In Standing Order 26, leave out paragraph (3) and insert —

“(3) Subject to Standing Order 27, the Speaker shall judge whether the question be carried or not by collecting voices.”

*Resolved (with cross-community support):*

In Standing Order 26, leave out paragraph (5).



## PRIVATE MEMBERS' BUSINESS

### Voting Registration Process

**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 are called to speak will have five minutes.

2.00 pm

**Mr McKay:** I beg to move

That this Assembly notes with concern the difficulties that many people, particularly young people, are experiencing when trying to register to vote; further notes that the Chief Electoral Officer has decided to seek additional information in all cases, despite the fact that all applicants submit personal identifiers and sign a declaration; and calls on the Secretary of State and the Electoral Office to simplify the registration process as a matter of urgency.

The figure 39,014 is more than the number of votes that were cast in the whole of North Belfast, West Belfast, South Belfast and East Belfast respectively in the last election. It is also more than the number of votes that were cast for the Alliance Party at the last election. To put it in a better context, it is more people than live in either Ballymena or Newry. That figure is the total amount of registration forms that were rejected by the Electoral Office between 1 December 2007 and 1 December 2008.

It is quite clear that it is getting harder and harder to register to vote; especially for three categories of people. The first category is young people. There is no point in reaching out to young people and setting up youth councils and assemblies if we make it harder for young people to register to vote.

The second category is those who have failed to register or who have dropped off the electoral register, and the third is those who have changed their address. In all those cases, the name, address, date of birth, National Insurance number and a signature of declaration are required. However, even when that is required of all those people —

**Mr Brady:** Will the Member give way?

**Mr McKay:** I will.

**Mr Brady:** I thank the Member for giving way. I draw attention to a letter that came to my household from the Electoral Office. It states that the Chief Electoral Officer was reviewing whether my entry in the electoral register was correct. He stated that he was definitely not suggesting that I did anything wrong — it may have been that I was entitled to be registered at the address and simply forgot to inform him that I was no longer resident there. However, if I was no longer

resident there, I would not have received the letter in the first place. That seems to be slightly contradictory.

The letter goes on to state that unless the Chief Electoral Officer received a letter from me within 14 days from the date of his letter, he would assume that I accepted that I was no longer entitled to be registered at that address, and that he would remove my name from the electoral register without further notice.

I assume that the two-week period is an arbitrary decision on behalf of the Electoral Office because, presumably, if someone was on holiday or was away from their house for three weeks and that letter came within the first week and was not returned within 14 days, the person would be taken off the register. That is something that needs to be addressed.

**Mr McKay:** I thank the Member for his intervention. What he said clearly outlines the amount of confusion that people have and the ruthlessness of the Electoral Office in removing people from the electoral register.

**Mr Storey:** I thank the Member for giving way. Perhaps he will clarify this in the substance of what he will say, but he talks about the ruthlessness of the electoral process and he challenges the Electoral Office for including what he regards as very challenging requirements. However, medical cards were illegally produced and electoral fraud occurred in the past. In fact, some people almost had printing booths outside voting stations, so does the Member not accept that we are in the current position because of that very action? It is a bit sweet for the party opposite to now be concerned about that particular issue.

**Mr McKay:** I thank the Member for his intervention. I recall how a member of the DUP was convicted of electoral fraud in the Coleraine area. No member of Sinn Féin has ever been convicted of electoral fraud. The Member should bear that in mind, but he is correct: electoral fraud is something that needs to be tackled, but it should not be tackled to such an extent that genuine people lose their votes.

Thousands and thousands of people — including many people who have voted their entire lives — simply cannot or will not provide the information that has been requested from them. It is their civil right to vote, but the Electoral Office has taken away that right. In recent weeks — and my colleague has already referred to a letter that his household received — the Chief Electoral Officer has sent letters to households in which unusually high numbers of adults are registered.

So, according to the Electoral Office, if a person is part of a family of seven, eight or nine, he or she is unusual. What does the Chief Electoral Officer want to do with those bigger households? In contrast with smaller households and families, it seems that the bigger households and families are being singled out for persecution. If family members do not respond

within fourteen days, they are erased from the register — there is no vote for them any more.

It is clear that if someone comes from a large household, he or she is more likely to lose his or her vote, and that is discrimination. Sinn Féin believes that that process is an abuse of the legislation and may be in breach of equality and human-rights legislation. Those people are legitimately on the register; they filled in an application form and signed a declaration. However, it seems that that is not good enough, and the Chief Electoral Officer wants to rob more people of their right to vote.

One of the demands made by the Electoral Office is that an individual must produce evidence of having lived in the Six Counties for at least three months. That three-month qualification does not apply in England, Scotland, Wales or the rest of Ireland, but the head of the Electoral Commission has confirmed that it applies here, despite the fact that the Chief Electoral Officer is of the opinion that the requirement serves no useful purpose. If it serves no useful purpose, why do young people, those who are not currently on the register and those who are changing addresses have to jump through hoops to prove that they meet the three-month residency requirement? The situation is preposterous.

Recently, Sinn Féin wrote to the Chief Electoral Officer to challenge legislation that excludes Irish citizens who were born in the North but who live abroad from voting in the European elections in June. The Good Friday Agreement provides for the legal right of people in the North to have their rights as Irish citizens fully recognised. That means that there should be no barrier that prevents Irish citizens from the North from exercising their democratic right. However, documentation from the Electoral Office specifically discriminates against Irish citizens who are born in the North by denying them the right to apply to be added to the electoral register and to vote if they are living abroad, while extending that option to British citizens only. Again, that is discrimination.

The Electoral Office has an overly bureaucratic, and sometimes threatening, approach to people who are trying to register to vote. Any attempt to deny citizens, including Irish citizens born in the North, the right to vote must be rejected. Discriminating against those in the North who choose Irish citizenship would turn the clock back 40 years, and that must not be allowed to happen.

It is worth reflecting on the comments made by my colleague Mr Brady. People are losing their vote, week in and week out. Given the history of the North of this country, where people had to fight for many years for the right to vote, it is an absolute shame and scandal that an attempt is being made to take the vote from people by stealth.

**Mr Kennedy:** I am grateful for the opportunity to take part in this debate, although I believe that the motion has not been properly considered. It suggests that the process for voter registration is somehow not fit for purpose and that it needs radical change. The evidence is simply not there to substantiate that claim.

First, I will mention the 11% decrease in electors that resulted from the shake out that was initiated by the new legislation. Of course, that figure will include some genuine voters who have been disenfranchised by the switch-over. However, the point of the new system was to decrease the number of registered voters. Given that 64% of people in Northern Ireland thought that fraud was so rife that it was affecting the results of elections in some areas, we can be certain that there were names on the register that should not have been there. As far as we can tell, the decrease in the number of electors removed most of those bogus electors from the role, and we should all be glad of that.

That happened because, for the first time, some people were required to individually register to vote and satisfactorily identify themselves before a ballot paper was issued. Those measures are in place for a sound purpose, and they are working. Our task now is to ensure that people who are not registered — for whatever reason — become registered. The Electoral Commission has done some work to improve registration rates among students, but more can be done.

It is dangerous to call for a simplification of the process, as the motion does. What does “simplification” mean? Does it mean watering down the safeguards? Does it mean removing the checks and balances that are in place to prevent fraud? If there is a way of slimming down the registration process while keeping the integrity that the new system has brought to the register, we should take that measure, by all means. However, we on this side of the House have doubts about whether that is possible.

A snap relaxation of the rules is not what is required; it would be more sensible and responsible to carry out a full evaluation of the current approach. It is not responsible to take ill-considered decisions to simplify a system that is, on the whole, working. It is thought that the names that are recorded on the electoral register are 95% accurate and that the register comprises 84% of the valid electorate. Those figures are not bad — indeed, the figure for accuracy is quite good. However, there is room for improvement in the register’s comprehensiveness.

**Mr Brady:** Does the Member agree that, in any system, the office issuing guidance or notification should understand the rules? I contacted the electoral office in Banbridge, and the people there seemed to be even more confused than me.

**Mr Kennedy:** I accept the Member's point to an extent, but it is important that the process is handled by an independent body — such as the Electoral Office — that is not under any influence, political or otherwise.

We cannot know at this stage whether a better register can be achieved through simplification, and, therefore, we need to properly evaluate the current practice. Given that the system of continuous registration is only two years old and only beginning to bed in, we should take time to consider emerging patterns and evaluate changes as we go along. To make large-scale changes at this stage would not be sensible or reasonable.

The fact that Sinn Féin tabled the motion leaves little room for the belief that it was done in good faith. The Northern Ireland public had little confidence in the old system of registration. They were suspicious about Sinn Féin's role in electoral fraud, which stemmed from that system, and the use of medical cards.

**Mr O'Dowd:** Will the Member give way?

**Mr Kennedy:** No; I have already given way. Sinn Féin is now looking for the rules to be loosened, and that does little to inspire confidence in its intentions. By and large, the public trust the electoral system — from registration to the counting of votes. If there is room for improvement, let us take the required time to look at all the options rather than rushing into bad decisions.

**Mr P Ramsey:** I welcome the motion. We had hoped to table an amendment in respect of the criteria and information, but we are happy to support the motion.

The SDLP is determined that there should be a one-person-one-vote system across Northern Ireland. We urge everyone who is eligible to vote to register and to use their vote in elections and referenda. The SDLP acknowledges the Electoral Office's work in getting people onto the electoral list. Indeed, the Electoral Office's recent initiatives resulted in 16,500 people being added to the electoral register in 2008.

2.15 pm

That includes a huge increase in the number of 17-year-olds. Last year, there were 244 registered 17-year-olds, and this year there are 7,738. That is mainly the result of the Electoral Office's Get on the List campaign, which was aimed at schools across Northern Ireland.

As a result of recent legislation, there has been a broadening of the groups that are entitled to postal votes, a relaxation of the requirement for photographic ID to be current, and additional use of information that schools can supply to facilitate the inclusion of new voters. That does not sound like the work of an organisation that is trying to prevent legitimate registration. We need to be careful not to suggest that the Electoral Office discriminates deliberately against a legitimate

group of people. However, I accept Daithí McKay's relevant and important point about large families.

The job of organising and running fair and democratic elections in Northern Ireland has been difficult and sometimes very dangerous. For decades, the SDLP and other parties have experienced deliberate and widespread abuse of the electoral system. Our workers have witnessed habitually — and tried to prevent — registration information being carried out from polling stations on Post-it notes. We have reported personation, and the result has been that our workers have suffered bullying and intimidation. As a result of those anti-democratic and intimidating practices, we campaigned for stricter control over the voting and registration processes.

We are also concerned that there may be cases in marginal seats where voters are registered in locations where they are not normally domiciled. We know the extremes to which some parties and individuals go to achieve political goals, and it is right that the Electoral Office should protect democracy against such abuse.

However, it is important that the registration process does not become so arduous that it prevents people from being able to access their legitimate right to vote. It is important that the Electoral Office ensures that no community — or large family, for that matter — is disadvantaged differentially as a result of the rules that it applies. If there is a differential disadvantage for any of the groups that are identified in section 75 of the Northern Ireland Act 1998, mitigating action should be taken.

I understand that people who have been refused their legitimate right to register have complained because they have been unable to provide the prescribed evidence of normal residence. That is a matter of concern to all democrats, and the Electoral Office must ensure that people are able to register to vote. When we took up certain cases with the Electoral Office, we were informed that the legislation on the necessity to produce additional evidence as part of an application leaves such decisions to the discretion of the Chief Electoral Officer. He has made the decision to implement what can be best described as a stricter policy. He and his office need to address that issue.

As Daithí McKay pointed out, Electoral Office proposals to investigate families where seven or more members may be on the register should be re-evaluated to ensure that there is no negative impact on those large families that are genuinely entitled to be on the register. Indeed, such action must be justifiable. We support the motion.

**Dr Farry:** The Alliance Party has a lot of sympathy with Sinn Féin's motion. We recognise that it addresses a genuine problem that a number of people in Northern Ireland face. However, I question how realistic it is to conduct a review within a short time frame, but perhaps that is a matter for others.



It is worth stressing at the outset that electoral registration is an integral part of the democratic process. Democracy is not just about voting and determining who wins elections. In the rest of the world — and in democracies that are much less fragile than our own — who is and who is not on the electoral register are recognised as genuinely important questions. That was the case in the most recent presidential election in the United States, where a major feature of the Obama campaign was a drive to register people in the run-up to the election. In the United States, there are such drives to get people to register, not just drives to get people to go out and vote.

In that sense, it is about ensuring that the register is as comprehensive as possible and fully up to date, and that people who wish to participate in elections are able to do so. We therefore avoid the situation in which people are only motivated to seek to get on the register in the run-up to an election, rather than throughout the years between elections.

It is worth stressing that in Northern Ireland we have a particular context for elections. During the course of the Troubles, elections here were generally recognised as being free and fair by international standards, not least because the electoral process was taken out of the immediate control of the political process and placed under independent control. There has been respect for the integrity of what has unfolded. That said, major questions have been raised regarding fraud on the fringes of the electoral process. Quite rightly, that has been a concern for many people. As a consequence of that, Northern Ireland has, in some respects, been a pioneer of some of the changes that have been made to the electoral process. I wish to highlight and give my full support to two of those changes.

First, there is the process of individual registration rather than family registration, and that has been an important reform. Secondly, there is the process of continuous registration, which, potentially, means that a full audit of the register happens once every 10 years. That is a sound decision and avoids the repetitive process whereby people are obliged to fill out forms every year.

**Mrs Long:** The Member mentioned the issue of individual registration rather than family registration. However, there is a specific issue with regard to larger, blended families where there are adults sharing a household, and who are a family, but who perhaps have different surnames. Those adult children may not have any utilities registered in their name. Proving that they live at that address can be quite difficult for the young people who fall into that category. Surely that is something that could be addressed proactively by the Electoral Office in order to try to ease that process.

**Dr Farry:** I am grateful to my colleague for that, and I welcome her back to the Chamber. That was a useful intervention, which brings me to my next point. I stress that although it is important to recognise and support the importance of individual registration, in itself, that may throw up other problems. Individual registration needs to be properly thought through, and, where it is clear that problems have been identified in the system, further reforms made.

For large families, there may be a difficulty in ensuring that everyone in the family has the opportunity to prove that they live at that address and that they are qualified to vote. In the context of large families, we should bear in mind that there are, as my colleague pointed out, blended families made up of people with different surnames and from different backgrounds. Households in Northern Ireland are no longer purely made up of the nuclear family of 50 years ago. There are a whole range of different family arrangements, all of which are of equal value. We should not work on any assumptions about what is, or what is not, the norm. We have to bear in mind that younger people can have particular problems in proving a number of the criteria, in that they do not necessarily have access to the range of documentation that perhaps older people would have.

Finally, there is the issue of ethnic minorities. We welcome the fact that Northern Ireland is becoming a much more diverse society. However, people from ethnic minorities may have difficulties in accessing some of the necessary documentation. There is an issue with respect to the recognition of passports that are neither British nor Irish. For example, Indian passports are not recognised. India is a sovereign state and a member of the Commonwealth, and we respect its democracy. However, for some reason, those identifiers are not recognised by the Electoral Office as being watertight. That is perhaps something that we need to look at.

I recognise the issue that Sinn Féin is putting forward, and I appreciate that a further review is required. I am sceptical as to how quickly that can be done. However, there is no harm in highlighting the issue on the Floor of the House.

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. I speak in favour of the motion. It is an unfortunate reality of our past that, not so long ago, the state employed a variety of jackboot tactics to deny people in our community the right to vote, from gerrymandering to batons and bullets. It was clear that the then unionist regime was not prepared to surrender that most democratic of principles, which was termed, at the time, as “One man, one vote”.

However, the nationalist and republican community refused to be cowed and broken; and, today, we are

equal partners in a Government that is founded on partnership and equality. That should be, and is, welcomed by all. There will be no going back.

The tactics being employed by the Electoral Office today may be a lot more subtle than those used in 1969, but the end results are largely the same. Many thousands of people are being disenfranchised by the unnecessary and obstructive bureaucratic hurdles that are being placed in the way of those who are attempting to register.

**Mr O'Loan:** Will the Member give way?

**Ms Anderson:** I cannot; the time will not allow me. I would give way, but the Deputy Speaker has told me how much time I have. I will give way later.

Even after filling out a registration form and providing their name, address, date of birth, national insurance number and signature, people are still being denied their place on the register. Sinn Féin has found that hundreds of registration forms submitted in the past year were rejected by the Electoral Office. It is clear that Douglas Bain, rather than doing all he can to ensure that everyone entitled to vote is on a live register, is making it harder. Now, we have learned that the Electoral Office is targeting people who live in larger family households for special scrutiny, and there are real fears that many of those people will be systemically removed from the register.

Douglas Bain must explain what is irregular about a family of six or seven adults living in the one household. He must explain why he hounded a 68-year-old man through the courts for electoral fraud because of a failure to provide a national insurance number. That cost the public purse many thousands of pounds in a court case, and it resulted in a fine of one penny for the so-called offender. Is that a proper use of public resources and public finance? Was that unfortunate individual the closest thing that Douglas Bain could find to electoral fraud?

Electoral fraud is practically non-existent in the North of Ireland. An independent survey carried out by the Electoral Commission showed that the electoral register here is 94.3% accurate. That is widely accepted as the most accurate anywhere in Ireland and in Britain. Despite that, the previous annual report from the electoral office identified almost 200,000 people here who are entitled to vote but who are not on the electoral register. One would think that the Electoral Office should do all that it can to help those people to get registered, rather than making it more difficult for them to do so.

A clear denial of the right to vote is happening, and I have to question the motives of the Electoral Office, which is accountable to and funded by the NIO, and, therefore, far from independent. The Electoral Office has access to databases from the Central Services Agency,

local authorities and the Housing Executive. It has access to information on all deaths and on people turning 18. Using that information, it should be able to track changes itself, rather than forcing people to jump through hoops in an over-complicated and bureaucratic process.

Many people, particularly those from disadvantaged areas, are turned off by the process. They already feel detached from the system, and excessive demands for unnecessary additional evidence are a further disincentive. Rather than hounding pensioners through the courts for 1p fines and targeting larger families, the Electoral Office must proactively bring forward initiatives to assist people, particularly those from disadvantaged areas, to get on the register. I support the motion. Go raibh míle maith agat.

**Mr Deputy Speaker:** Order Members. As Question Time begins at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue immediately after Question Time, when the next Member to speak will be Mr Jim Shannon.

*The debate stood suspended.*

2.30 pm

*(Mr Speaker in the Chair)*

## Oral Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Victims' Commissioners: Work Plan

1. **Mr Attwood** asked the Office of the First Minister and deputy First Minister if it has approved the work plan for the victims commissioners; and, if not, to detail the reasons why this approval has not yet been given. (AQO 2346/09)

**The deputy First Minister (Mr M McGuinness):** The agreed final draft of the Commission for Victims and Survivors' 2008-09 work programme was approved on 16 February. That approval was conveyed to the Committee for the Office of the First Minister and deputy First Minister on 17 February. As the work programme covers the period from June 2008 to March 2009, the Department has been working closely with the commission on the development of the plan in order to enable it to commence and continue its work throughout that period.

The work programme reflects the fact that the commissioners were formally appointed on 2 June 2008. They have been heavily involved in the work to create a new commission from scratch. As well as the establishment of the commission, the work programme covers areas such as the initial review of the needs of victims and survivors; formulation of a draft aim and set of objectives for a victims' and survivors' forum; and a design plan for that forum.

The commission is working on its draft 2009-2010 work programme, which will build on the current approved programme. We expect to receive the draft from the commission shortly.

**Mr Attwood:** I thank the deputy First Minister for his answer. Given that that funding is essential to victims' groups, will the deputy First Minister give a cast-iron guarantee it will be in place and will be released within the next 10 days in order to guarantee continued funding for the range of victims' and survivors' groups across the North during the next financial year?

Has the deputy First Minister had any conversations with his colleague the First Minister about bringing forward new legislation on the Floor of the Assembly

that will amend the Victims and Survivors (Northern Ireland) Order 2006 and change the definition of the word "victim" that has arisen from the conflict in Northern Ireland?

**The deputy First Minister:** We intend to make £12.5 million available for work with victims and survivors during the next financial year. That represents an increase of 50% on this year's allocation and forms part of the £36 million announced previously. We will work to ensure that that money supports the important work carried out by victims' groups and provides much-needed support for individual victims and survivors.

We have agreed that under the core funding scheme an additional 10% will be made available to groups in line with verified expenditure under the terms of the scheme. Obviously, we will endeavour to get that money to groups as quickly as possible.

As regards the definition of a "victim"; it is, as the Member has identified correctly, contained in the 2006 Order. In February and March 2008, we confirmed that we would be seeking the views of the proposed victims' and survivors' forum and the victims' commissioners on the matter and that any proposed change to the definition and subsequent amendment to legislation would require the agreement of the Executive and the Assembly.

**Mr Kennedy:** I am grateful to the deputy First Minister for his reply on the work of the victims' commissioners. He will be aware of the controversy surrounding victims' commissioner Patricia MacBride's recent comments on the 'Shared Troubles' website. Does he consider it appropriate for a victims' commissioner, who is tasked with serving the entire community, to use language that appears to glorify terrorism? Will he and the First Minister bring those concerns to Ms MacBride and make her aware of the huge offence that her remarks have caused to genuine victims?

**The deputy First Minister:** My understanding — and I hope that I am correct — is that those comments were made when Patricia MacBride was 14 years of age and in the aftermath of a number of traumatic experiences that she endured in her own life. Her reasons for posting the story on the 'Shared Troubles' website are, undoubtedly, personal and, of course, are now a matter of public record.

The commission will provide people with an arena that has the structure and strength to record their stories, whether it is through a forum or through another method.

**Mrs Long:** Mr Speaker, I request some latitude before I ask my question. I thank you, other Members and the secretariat for the many kind words spoken and the deeds done during our recent bereavement. My



family and I appreciated the support of those who sympathised with us at that time.

We now have a victims' service, a victims unit and a Victims' Commission. In the deputy First Minister's judgement, has that simplified or complicated the arrangements for those who want to access services?

**The deputy First Minister:** The establishment of the Victims' Commission has been important. The commission has drafted an initial work programme and continues to work strategically to achieve the targets outlined in the draft work programme. It has held a series of public meetings with individuals and various groups inside and outside the sector, and commissioners are engaged in supportive work with a broad range of victims. Moreover, the commission has developed corporate governance structures and has drafted and agreed standing orders.

Although it is still early days, a tremendous amount of work has been done. Victims' groups throughout the community undoubtedly welcome the commissioners' level of accessibility. I am confident that the commission will go from strength to strength and will be of real benefit to all those who have suffered as a result of conflict.

## Security Situation

2. **Mr Moutray** asked the Office of the First Minister and deputy First Minister whether it plans to meet with the Chief Constable of the PSNI in the next month to discuss the current security situation.

(AQO 2347/09)

**The deputy First Minister:** As the Member may be aware, after the shooting of two soldiers at Massereene barracks on Saturday 7 March and the PSNI officer who was on duty in Craigavon on 9 March, the First Minister and I met the Chief Constable, Sir Hugh Orde, and the Minister of State, Paul Goggins, at Stormont Castle on Tuesday 10 March. That meeting was useful, and we will continue to keep the situation under review and hold further talks as necessary.

**Mr Moutray:** Does the deputy First Minister agree that it is paramount that anyone with any information should relay it to the PSNI in order to apprehend those murderous thugs? Will he support the Chief Constable's deployment of whatever resources he deems necessary to prevent further attacks?

**The deputy First Minister:** The three killings were terrible events carried out by people whose sole purpose is to destroy the peace process, the political institutions of which we are part and, effectively, to attempt to plunge our community — and I do not speak about two communities; we represent one community — into mayhem and destruction.

As democratically elected representatives of the people, we cannot allow that to happen under any circumstances. I believe that the people who carried out those acts wondered how Sinn Féin would respond. Undoubtedly, they hoped that their acts would create huge difficulties for Sinn Féin. Furthermore, the unionist community, and unionist elected representatives, may have wondered how Sinn Féin would deal with the situation.

We take our responsibilities seriously, and I take my responsibility to work jointly with the First Minister in the Office of the First Minister and deputy First Minister very seriously. In a situation in which people are determined to destroy a peace process and a political process that has been painstakingly built over many years, and when one is asked to take sides, there is only one side to take — that of peace and democracy. That is what the Chamber and the political institutions are about.

The entire community supports the process overwhelmingly. Communities and parents do not want our society to be plunged back into conflict. People overwhelmingly reject a return to the old days. Parents are concerned about their children's future, and about how we move forward.

We are charged with a responsibility to lead the political process, and we have to take our responsibilities very seriously indeed. I have made it quite clear that I agree with Stephen Moutray: anybody with any scrap of information whatsoever that will lead to the apprehension and conviction of those responsible for trying to plunge our society back into conflict should give that information immediately to the PSNI. There are no ifs, buts or maybes about that.

In the last few days, a number of unionist representatives have said that it has been a difficult time for me over the course of the last two weeks. It was a more difficult time for those who lost loved ones. It is difficult being a political leader, but if one is chosen by the people to lead, one has to lead from the front — one cannot lead from the back. I have attempted to lead from the front. I have made it absolutely clear that under no circumstances will we see these groups — and I see that one of those groups has issued a statement in today's 'The Irish News' that distances it from the killings of the last two weeks. That group calls itself the INLA. Those are people who killed three citizens in my city in the course of the last 12 months —

**Mr McNarry:** How many did the Provos kill?

**Mr Speaker:** Order.

**The deputy First Minister:** — with ongoing speculation that they were also involved in the killing of a sheep farmer in Claudy in County Derry.

We stand here in the face of what was, undoubtedly, a full frontal assault on these institutions — the institutions with which we have agreed to move forward, alongside the Irish Government and the British Government and with the support of the full international community.

When we take sides, we take the side of peace and democracy. We take the side of every Member in the House who wants to move forward in a positive and constructive way. None of us can do anything about the apprehension of the killers. All that we can do is give our full support to Hugh Orde, who is charged with a very difficult responsibility — to bring those perpetrators to justice. That is what we will do. We will support the Chief Constable as he moves forward, through policing structures and through lawful and transparent policing, to ensure that everybody recognises that that sort of activity is totally and absolutely unacceptable.

**Some Members:** Hear, hear.

**Mr McKay:** A Cheann Comhairle, I concur entirely with what the deputy First Minister has said. Does he support the view that there is no need for the return of any British Army personnel of any sort to the streets of the North, and that the proper avenue to go through is that of the PSNI?

**The deputy First Minister:** I heard Hugh Orde state that he is not going to countenance a situation in which British soldiers will be back on the streets of the North. Of course, the other aspect of the activities of those groups, who claim that they want to see the reunification of Ireland, is effectively bringing about a set of circumstances in which tens of thousands of British soldiers would be returned to the streets of the North. For what? To what end, and to what purpose?

It is my view that the strategy that they have embarked on will not find favour in the broad nationalist/republican constituency on this island. Under no circumstances do we want to see a militarised situation. The British Army is off the streets of the North. We have a policing service that is acting in the interests of all of our people. The people who need to get off the streets, laneways and highways of the North of Ireland are those who are trying to plunge our society back into conflict.

**Mrs D Kelly:** I welcome the comments of the deputy First Minister, and ask that — in any discussions that he plans to have with the Chief Constable in his role as deputy First Minister — he and the First Minister agree to support work with young people in the constituency, and the channelling of additional resources to Craigavon. I am sure that he saw from the scenes of the last few days that there is a determined effort from those who would draw us back into the worst of the past to corrupt our young people. We need

additional resources — in policing, in youth work, and in community reconciliation — in the Craigavon area.

2.45 pm

**The deputy First Minister:** I agree with the Member. It is vital that the political process and all its attendant aspects are in touch with our young people, whether in Craigavon, Derry, Belfast or anywhere else. We have a huge responsibility to recognise that some of the mouthpieces of those organisations are targeting our young people and are looking for support from 14-, 15-, 16- and 17-year-olds. In the course of a number of interviews over the past couple of weeks, I said that I knew some of those mouthpieces — people who were absent from the conflict for 20 years, and who, in the aftermath of the IRA ceasefire of 1994, went back onto the streets and accused others of selling out and blah, blah, blah.

We must recognise that those groups are attempting to prey on young people in society. The First Minister and I will do whatever is required, in conjunction with our Executive colleagues and the PSNI, to ensure that those groups are not allowed to succeed.

I do not believe that they are succeeding, by the way. They are having an effect on only very small groups of impressionable young people. The vast majority of our young people have absolutely nothing to do with that type of activity, and they will be huge supporters of the peace process as we move forward. There are Members here, for example, who chair community engagement committees of the Policing Board. The challenge is there for all of us to take up. We all have a duty to see what we can do to further undermine the activities of those groups, which, I am certain, have no support whatsoever in the community, especially among our young people.

Most important of all, I say to them — if they are listening — that they have no prospect whatsoever of success. Their actions, although deadly, and although they bring great grief and hardship to families, are absolutely futile.

It was clear to the First Minister and me when we were in the United States that, although the three killings caused an initial shock, the big story that has flowed from the events of the past couple of weeks — in the United States and on the island of Ireland — was the way in which all the politicians in this House and in the Executive came together to send a strong message that we will not be divided or deflected; nor will we stand idly by and see political institutions, which are overwhelmingly supported by the community, destroyed by people whose only objective in life is to further their own ends.

**Mr Gardiner:** Given the deputy First Minister's statement that people who have information need to give it to the police services of Northern Ireland and

the Irish Republic, are we right to assume that the leaders of the CIRA and RIRA are based in the Irish Republic? Is he aware of any special legislation and procedures that can expedite the arrest and detention of those individuals for trial in Northern Ireland?

**The deputy First Minister:** I have no doubt whatsoever that the gardaí and the police service in the North, who are working closely together, know the identities of the leaders of those organisations. All of us who are in positions of authority have a responsibility to exhort people throughout the island of Ireland to assist the police services, North and South, in the prevention of the activities of those groups. I say without hesitation that people should support the police on this island and help them in whatever way they can. The police services believe that they have the legislative resources to deal with the situation.

So, we should not knee-jerk or overreact. The dissident groups do not have the ability to sustain any sort of a campaign, although that does not mean that they will not be lucky, from their perspective, every now and again in isolated incidents.

Along with the Irish Government and the British Government, we in this House have to keep our nerve. We have to move forward in a way that shows us to be totally and absolutely united in the face of such activities and give our full support to the Garda Síochána and the PSNI.

### Shared and Better Future

3. **Mr McCausland** asked the Office of the First Minister and deputy First Minister (OFMDFM) when a strategy for a shared and better future will be published. (AQO 2348/09)

**The deputy First Minister:** Improving relationships between and within communities here and building a shared and better future remains a top priority for this Department and for the Executive. We are continuing to develop and refine the programme for cohesion, sharing and integration to examine how we can build on the achievements of previous initiatives and programmes.

Our work at ministerial level in OFMDFM, as well as throughout the Department at all levels, has demonstrated our commitment to building cohesive and inclusive communities. The fact that we have been delivering substantial additional funding that was secured in the Executive's Budget is just one of our achievements. We have increased funding by one third for the period 2008-2011 — from £21 million in the previous comprehensive spending review period to almost £30 million in the current one. That means that vital work on the ground and with existing and new communities is better resourced than ever. We also

want to ensure that those resources are used in an effective way, so we have been assessing existing programmes and considering new approaches to ensure tangible outcomes from our funding and actions.

We have increased funding to minority ethnic groups by two thirds and increased funding for youth and interface workers by one quarter. Statistics show that the work that we fund and resource is delivering real and meaningful outcomes. There was a 12·1% drop in racist hate crime between 2006-07 and 2007-08. Likewise, there was a 13·2% reduction in sectarian-motivated crimes and three out of five young people in 2007 reported that relationships between Protestants and Catholics were getting better. However, we are not complacent — we are leading and driving change in our society and in our work, through the Department and the Executive, to deliver a shared and better future for all our people.

The delay in producing a programme for cohesion, sharing and integration is an indication of the depth of consideration that it has been given. We are still determined to bring the programme forward as soon as possible, but not before we are satisfied that we have got the detail right.

**Mr McCausland:** I thank the deputy First Minister for his answer. Will he explain what his colleague Martina Anderson meant when she said in 'Republican News' that the shared future policy was dreamed up by British seurocrats:

"to airbrush their own role in the conflict from the history books."

There is a widespread desire for a strong and robust strategy for a shared and better future, and the events of recent weeks have highlighted the need for such a strategy. Therefore, can we conclude that the delay in publishing the shared future strategy is related to the fact that some leading figures in Sinn Féin have such perverse opposition to a shared future?

**The deputy First Minister:** I cannot accept that. I explained the position of OFMDFM on the issue in my original answer.

**Mr McFarland:** Given the recent dissident threat, does the deputy First Minister agree that there is a need to speed up the shared future agenda? I ask that because slow political movement and, on occasion, paralysis, as we have seen recently in OFMDFM, could encourage those who oppose the peace process.

**The deputy First Minister:** In my original answer, I made it absolutely clear that we are continuing to work on the issue and are absolutely committed to a shared and better future. Obviously, when we are satisfied that we have the strategy right, we will make it public and present it to the Committee. In the meantime, be assured that a tremendous amount of



work is continuing, which is being led by our Departments, the Assembly and the Executive.

**Mr Ford:** I thank the deputy First Minister for his answer to Stephen Moutray and for his firm commitment to support the PSNI's efforts to catch the terrorists who committed the two recent atrocities. I also very much welcome his statement that we represent one community.

That is a vital statement for the future, and he and the First Minister have made that clear in their recent responses.

Is it not vital that we do not have just the negative unity and condemnation, but that we now have a positive unity in promoting the shared future agenda and making it a real priority, not only in the Office of the First Minister and deputy First Minister, but across every Department?

**The deputy First Minister:** I agree with the Member, and we intend to expedite that.

**Mr Dallat:** I welcome the responses from the deputy First Minister. Will he agree that, given our experiences over the past 40 years, a shared future is the single, most critical aspect of life that we must work on, and that any delay in bringing forward the proposals must be examined immediately?

**The deputy First Minister:** I hope that the leadership shown — not just by the First Minister and me in the course of what was a major challenge to these institutions but by all of the politicians and political parties in the House — is a very clear statement of where we need to go. In the aftermath of these terrible killings, we are in a different place. The challenges before all of us, in the context of what the Member has said, are obvious.

### Special Economic Taskforce

4. **Mr McCallister** asked the Office of the First Minister and deputy First Minister to detail the remit of the Special Economic Taskforce. (AQO 2349/09)

8. **Mr Cree** asked the Office of the First Minister and deputy First Minister for how long it is planned that the Special Economic Taskforce will operate. (AQO 2353/09)

**The deputy First Minister:** With your permission, a Cheann Comhairle, I will take questions 4 and 8 together.

Members will be aware that, in the last six months of 2008, the First Minister and I met with a series of stakeholder groups to hear at first hand about the problems emerging as a result of the deepening economic crisis. Those meetings were most informative and useful

in helping us to design and construct the package of measures that we announced on 15 December 2008.

To allow us to continue that dialogue, and to tap into the well of local economic and other talents, we have set up a task force under the title of the cross-sector advisory forum. The forum will be jointly chaired by the First Minister and me, and will have 29 members. Its remit is to make recommendations for addressing problems arising from the economic crisis.

With regard to how long the group will last, the simple answer is that it will last for as long as it is needed. The terms of reference for the group allow that the First Minister and I will keep the existence of the group under review to assess the need for ongoing meetings. A copy of the terms of reference and membership of the group will be placed in the Assembly Library for information. The first meeting of the forum is scheduled for 6 April 2009.

**Mr McCallister:** Does the deputy First Minister agree that immediate action on the economic front is what is called for, rather than waiting for a report? Unemployment now stands at 75% above last year's level. The Executive's failure to meet for almost half of that period, and the Finance Minister's recent U-turn in reordering the Programme for Government to take account of the new circumstances —

**Mr Speaker:** I ask the Member to come to his question.

**Mr McCallister:** Does the deputy First Minister not agree that we need more immediate action now?

**The deputy First Minister:** The stakeholders that the First Minister and I were privileged to meet were very positive and constructive, and are very supportive of the establishment of the forum. I hope that the first meeting of the forum will show that we are very determined to take on board the advice that is coming from a wide range of people in society.

**Mr Cree:** I thank the deputy First Minister for his answer. Speed is of the essence in this matter. Is it anticipated that the task force will be able to make interim reports so that urgent action can be taken to improve the economy?

**The deputy First Minister:** We will certainly consider that.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Will the deputy First Minister provide an assurance that the forum will not be a mere talking shop? Will he acknowledge that we need solutions to our current economic difficulties? Will he tell the House if there will be an emphasis on releasing public contracts sooner rather than later, and on job retention and job creation?

**The deputy First Minister:** Members of the forum will be nominated by the stakeholder organisations with whom we have met over the past six months. We intend that it will reach across the full width of interests, collecting the range of talent and insight that we need to address the economic crisis.

The economic situation, as we all know, is volatile. Its problems emerge, deepen and change. The group must be wide and flexible enough to address the full range of problems that have arisen or might arise in future. We feel that the wide remit of the group contains a clear message that there is nothing that we are not prepared to consider to protect the interests of local people and businesses, and that includes the points made by the Member.

3.00 pm

## ENVIRONMENT

### Gold-mining: Cavanacaw, Omagh

1. **Mr Doherty** asked the Minister of the Environment what action his Department is taking to stop the removal of surplus rock from the gold-mining operation at Cavanacaw, Omagh (AQO 2366/09)

**The Minister of the Environment (Mr S Wilson):** The Department of the Environment has followed its general approach to enforcement, and in this instance, the operator has shown a willingness to remedy the breach of planning control. Therefore, it has not been necessary to issue any statutory notices.

Recent negotiations have resulted in the cessation of surplus rock being removed from the site, pending the outcome of a planning application to vary the condition in the original planning approval K1992/0713. The removal of rock ceased on 6 February 2009, and assurances have been given to the Department that removal of surplus rock will not recommence until such time as the current application has been determined.

**Mr Doherty:** I thank the Minister for his answer. Perhaps he will be able to find time in his schedule to visit the area so that he can meet local residents and see for himself the destructive reality of what has happened there. Why has Omagh Minerals been allowed to apply for a retrospective amendment to the planning decision without the Planning Office having first completed its investigation into the numerous breaches of the current planning application, especially given that that planning permission was granted only after years of consultation and a public inquiry?

**The Minister of the Environment:** With respect to my hearing the story behind this matter, the Member

will be aware that I have met people from the area already who drew it to my attention. Shortly after that meeting, enforcement action resulted in the submission of the current application, which includes a closure plan for the site. Of course, a closure plan was a condition of the original planning permission, and the company was in breach of that condition because no such plan was lodged. Part of the purpose of the new planning application was to submit a closure plan.

I must say that it is not unusual to receive a planning application after enforcement action has been taken; indeed, in many cases, enforcement actions generate applications for retrospective planning approval.

**Mr Buchanan:** The Minister will be well aware of the concerns of Cavanacaw residents about the removal of large volumes of rock from the quarry. What formal enforcement notices has his Department served on the operators of the gold mine, who are currently in breach of a number of conditions in their original application? Is the Minister satisfied that there is sufficient surplus rock on site to restore, as part of the overall closure plan, that beautiful part of the Sperrins to its original state?

**The Minister of the Environment:** The Department served formal warning letters on the operators to advise them of the initial breach in the planning conditions. Subsequently, the operators submitted a planning application to remedy that breach. In addition, the Department issued a breach-of-conditions letter to advise of other breaches of conditions, and the operators responded by providing additional information to satisfy the requirements relating to the highlighted breaches. The Department is investigating that additional information.

With respect to surplus rock, as I said earlier, the operator is no longer removing any rock from the site. Surveys have been carried out on the size of the hole in the ground and the amount of material that is there, and the operator has to submit the information from those surveys.

The Department will then make an assessment, which will go to construction branch and a decision will be taken whether there is surplus rock on the site. Until all that work has been done, I cannot say whether rock can be taken off the site or whether the rock that is there can be used to make good the damage.

**Mr Elliott:** I thank the Minister for that update. I note that in the last portion of his answer he said that assessments must be carried out by the owners and developers. Will the Minister confirm that the Department has carried out its own assessment on the site? Have any of those reports been finished? If so, are they available to the House and the public?

**The Minister of the Environment:** The Member knows that the normal method of dealing with a planning

application is, first, to get the applicant to supply the information that the Department requires to process an application. The size of the hole in the ground must be ascertained, as well as what material is on site.

Once that information has been received, it will be for construction branch to advise the Department on whether there is sufficient material on site to deal with it. In dealing with the planning application, once the required information has been received, the Department must consider all the points raised by objectors and consultees. The Department cannot make an assessment and subsequent determination of the application until all that has been done.

**Mr Gallagher:** Will the Minister provide the date on which the notice to cease excavation at the site was issued by his Department? Have enforcement officers been to the site since that notice was issued, and have they furnished reports to the Department?

**The Minister of the Environment:** The notice was given prior to 6 February. I cannot give the Member the exact date, although had I known that that amount of detail was to be requested, I would have sought it. However, I will write to the Member with the date on which the enforcement decision was issued.

The site is being monitored, which is why I can say what I have today. If the Member is aware of any other information that shows that my statements are incorrect or if the Member has received information to the contrary, I would like to know, because I regard this as a serious issue. From the reports that I have received, I can say that no further rock has been removed from the site since 6 February. I can give assurances that when the matter was drawn to my attention, I immediately contacted officials and I believe that prompt action was taken.

## Planning Policy Statement 21

2. **Mr Boylan** asked the Minister of the Environment for an update on the work of the Independent Working Group on PPS 21, and if its work will be completed within the specified time frame. (AQO 2367/09)

**The Minister of the Environment:** The independent working group held its first meeting on 3 February 2009 and it is required to report to me by 26 June 2009. All the information that I have thus far is that the group will complete its work by that stage. I make it clear to the Member that 26 June is not an aspirational date — it is a date that has been given to the group to report to me.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his response. When does he envisage the publication of the finished policy? Will that report include the completed work of

the independent working group? Will it also include the new rural design guidelines? Ba mhaith liom mo bhuíochas a chur in iúl don Aire.

**The Minister of the Environment:** In response to the last part of the Member's question, I do not think that the publication of the group's report and work on the design guidelines will coincide. The Department has not set a firm date for the publication of the design guidelines. The review group will report to me on 26 June. That report will go to the Executive review group for consideration, and a final decision will be made after which the report will be published.

Given that the summer period will intervene — and, again, I am not trying to avoid the question, but I do not have an exact date, because that will really depend on the work of the Executive subgroup — realistically, we are looking at autumn, possibly September, for the final publication.

**Mr Weir:** How does progress on Planning Policy Statement (PPS) 21 compare with progress on the overall planning reform process?

**The Minister of the Environment:** PPS 21 is taking considerably longer than we had hoped. It is the nature of this place that one must get cross-community support for new policies, and a lot of that happens before anything is ever brought near the House. Sometimes, when issues are difficult and contentious, it takes longer than some people would expect, and I would prefer, to address those.

Of course, some people will not even engage in the process at times, which makes it even more difficult. I have been frank with the House before about the fact that we are having difficulties with the planning reform proposals. I intimated that to the Environment Committee when we last met. I can only hope that those difficulties will be cleared, so that the planning reform proposals can be put out to consultation fairly soon.

I want to reiterate that I understand that people want to get this right and that they want to ensure that they have an input; however, there is a strict timeline for planning reform. If councils are to receive the planning powers that are essential for the work of the new councils and that the House wants them to have, these planning reform proposals must go through.

Secondly, if we want to make the planning system more streamlined in order to facilitate the kind of economic role that planning can play in Northern Ireland, we must get the planning reform proposals through. I hope that the issues will be resolved quickly so that the time that we have lost already — about two months — can be regained.

**Mr Dallat:** Now that the era of building mansions in the countryside has come to an end, will the Minister agree with me that the pendulum has swung to the



other extreme? Does he accept that the pressure from the planners across Northern Ireland to restrict the size of new homes to 100 sq m or 1,100 sq ft makes them far too small to meet the needs of a modern family?

**The Minister of the Environment:** I am not so sure that the Member is correct. I must say that SDLP members — although they wave their green credentials around their heads fairly frequently — seem to be the ones that most vigorously campaign for unbridled development in the countryside in Northern Ireland.

**Some Members:** Hear, hear.

**The Minister of the Environment:** Even the Member from the Green Party nodded in agreement when I made that comment; I must have hit the issue just about right.

As far as the size of new buildings is concerned, draft PPS 21 makes it clear that replacement dwellings will be allowed to go outside the curtilage or footprint of the building that is to be replaced if that is necessary in order to build a house to modern standards. As far as I know, the figure is 150 sq m, but, of course, the consultation period has not yet finished. I hope that the SDLP, rather than simply griping about draft PPS 21, will actually make some constructive proposals and provide input to the consultation. That might be one of the things that it could do, although I will not, as Members opposite are indicating, be holding my breath, given past experience.

3.15 pm

### Planning Service: Ministerial Representations

3. **Mrs O'Neill** asked the Minister of the Environment how many representations he has made to the Planning Service since coming into office.  
(AQO 2368/09)

**The Minister of the Environment:** Since coming into office, I have made 135 representations to the Planning Service, and I am glad that the Member gave me the opportunity to say so. That works out at about 15 representations each month, and I hope that it demonstrates that, despite holding ministerial office, I still do my best to carry out my duties in the Assembly and on behalf of my constituents.

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. Given that previous Ministers of the Environment did not consider it necessary to become involved in the planning process, does the Minister not find such involvement strange, particularly that of his colleague and predecessor, Arlene Foster? Does the Minister acknowledge that a conflict of interest arises when a Minister becomes involved in planning decisions?

**The Minister of the Environment:** No one can say that I take my lead from anyone else in the Assembly — I am my own person, and I do my own thing.

The Member should not find it odd that I wish to carry out my constituency duties as rigorously as possible. Just because I am a Minister does not mean that my constituents do not come to me with planning applications and other issues. If I were to show my constituents the door — to tell them that I am sorry that, as the Minister of the Environment, I am so important that I cannot take up their cause with the planners — that would be odd. I always seek to be as tough and as fair as possible in such representations to the planners.

**Mr Beggs:** In response to a question for written answer, the Minister stated that he had simply sought an update on the planning application to build a supermarket and cinema in Larne. In his constituency news-sheet, however, he stated that he worked to bring a cinema and supermarket to the town. Will he clarify whether he lobbied the planners on that matter?

**The Minister of the Environment:** The Member may infer from my answer to the previous question that, of course, I spoke to the planners about that application.

**Mr Neeson:** So did I.

**The Minister of the Environment:** I acknowledge that another colleague from East Antrim Mr Neeson also works extremely hard.

It may be that the Member who asked the question is rather miffed at not being on the bandwagon. People in Larne are keen to have a supermarket; 56% leave the town to shop elsewhere. If the Member missed being on that bandwagon because of his indolence, he should not use the Floor of the Assembly to demonstrate an attitude of sour grapes. As one of my neighbours, he should be glad that I acted, and I am sure that he will use the supermarket when it has been built. He should be pleased that he has such a good representative who is ensuring that he will have a proper shopping opportunity in Larne.

**Some Members:** Hear, hear.

**Mr T Clarke:** Does the Minister expect that he and other Ministers will stop representing their constituents because of potential conflicts of interest?

**The Minister of the Environment:** Absolutely not, and it would be interesting to see, for example —

**Mr Kennedy:** The Minister is being flattered.

**The Minister of the Environment:** I am, and I greatly enjoy a bit of flattery.

It would be interesting to see whether the Minister for Social Development has stopped representing her

constituents to the Housing Executive or on social security issues? *[Interruption.]*

**The Minister of the Environment:** I heard an allegation that she never started making such representations, but I cannot comment on that.

Has the Minister for Regional Development stopped making representations to the Roads Service on behalf of his constituents? I suspect not. Has the Minister of Health, Social Services and Public Safety stopped making representations on behalf of his constituents? I suspect that, if I were to ask every Minister in the Assembly the same question, I would find that none of them are slow to make representations to their respective Departments on constituency issues. Why on earth people consider that the Minister of the Environment should be singled out because of representations on planning applications, I do not know.

**Mr McCarthy:** What impact does the Minister think that it has on his staff whenever he lobbies on behalf of his constituents one day, and the next, he lobbies in his role as Minister with responsibility for the Planning Service? Does he not think that it is a contradiction in terms if he lobbies on behalf of his constituents one day and is the boss of that Department the next?

**The Minister of the Environment:** Sometimes I only think that I am the boss of the Department. Whenever one gets into ministerial office, one finds that the roles are not always so clear-cut. Whenever I make representations to planners on behalf of constituents, and those representations highlight significant planning issues, identify proper parts of planning policy, and point to the way in which matters should be taken into consideration before the application is determined, the planners will respond.

I have made representations on 135 cases so far, and on many occasions, the planners said that, despite the views that I expressed, it remains their view that I am wrong and that their decision is right, and I abide by that. Equally, at times, they agreed with points that I made. However, I think that planning officers are experienced enough to understand that they will receive representations from me and that they will then make a judgement on the basis of the representations that I have made. The only case where I have the final say is in article 31 applications, and at that stage, I seek to avoid getting involved in the process until the report on the matter in question comes to me.

### Republic of Ireland Counterpart

4. **Mr Brady** asked the Minister of the Environment to detail what contact he has had with his counterpart in the Republic of Ireland, since coming into office.  
(AQO 2369/09)

**The Minister of the Environment:** On 26 June 2008, which was about one week after I came into office, I had a trilateral meeting in Stormont with Jim Fitzpatrick, one of the GB Parliamentary Under-Secretaries of State in the Department for Transport, and the Republic's Minister for Transport, Noel Dempsey, to consider the position on the mutual recognition of driving disqualifications between the UK and Ireland.

John Gormley, who is the Republic's Minister of the Environment, Heritage and Local Government, wrote to me to welcome me to my position. Mind you, I think that it may have been a tongue-in-cheek welcome, but nonetheless, he welcomed me. He suggested that we have an informal meeting ahead of the North/South Ministerial Council meeting, which was held in the autumn. However, at that time, the Member's party was denying me the opportunity to meet in North/South Ministerial Council mode because it refused to do any Executive business, with the result that we could not clear any papers for those meetings. Indeed, it was not until last Friday that I had the opportunity to meet that Green Party Minister in the Republic. As I said to him, it was a glorious morning in Dublin, and I had not been in Dublin for 22 or 23 years.

**Mr Shannon:** You were there protesting.

**The Minister of the Environment:** That was about 23 years ago. At least I had the opportunity to dispel the myth that is sometimes believed by people on my side, which is summed up in the old saying: "We will never forsake the blue skies of Ulster for the grey mist of an Irish Republic"

Indeed, I found that the skies were blue down there as well. *[Laughter.]* I intimated that to the Minister in my opening remarks to him, and I think that he was quite pleased to hear such a positive comment.

**Mr Brady:** I thank the Minister for his answer. Given that the Minister espouses such green policies, does he think that he and Mr Gormley might save not only this island, but the whole planet?

**The Minister of the Environment:** I am neither Barack Obama nor Gordon Brown, both of whom think that they are Superman and that they are going to save the world. My aspirations for a working relationship with the Minister in the Republic are probably more mundane, practical, and much more achievable than saving the world, because there are a lot of cross-border issues that we need to deal with. Indeed, on Friday, I made it clear to the Minister that, although I have no great love for the formal structures of North/South Ministerial Council meetings — and the mandate for those meetings is fairly limited anyway — I would prefer it if we were to have

bilateral meetings whenever problems arise, so that we can deal with them in a comprehensive way.

I assure the House, as I have done before, that there are issues on both sides of the border in which we have a common interest. When those issues can be dealt with by Ministers meeting and reaching agreement, I am more than happy to participate.

**Mr Kennedy:** I am grateful to the Minister of the Environment for regaling the House with his previous visit to Dublin, which I believe was to promote “Ulster Says No” posters. Perhaps, given his new environmental responsibilities, he may not have been doing that on his latest visit.

Will the Minister detail what co-operation he has had with his counterpart in the Republic of Ireland in the fight against illegal fuel launderers and smugglers? Furthermore, will he detail the extent of environmental damage caused as a result of fuel launderers dumping chemical residue? Moreover, will he advise the House whether he is completely satisfied with the level of co-operation that he and his Department are receiving in the tracing of illegal dumping of waste material in Northern Ireland from the Republic of Ireland?

**The Minister of the Environment:** I do not wish to say too much about what happened at the North/South Ministerial Council meeting, not because I wish to keep the details secret but because I will be making a statement about it next week. It would be discourteous to the House to give details now. Next week, I will be quite happy to receive detailed questions about what was discussed at the meeting.

It is sufficient to say that three issues were discussed: joint research, and the possible adoption of a common database; river basin management; and the dumping of illegal waste, originating in the Republic of Ireland, on sites in Northern Ireland. I will be happy to give a fuller report on those issues next week.

**Mr Ross:** Cross-border co-operation on practical measures is very important. However, is it not the case that on many wider environmental issues — such as those emanating from the Kyoto protocol or EU directives — the Minister’s Department has a very limited role to play in relation to cross-border co-operation? It is our national Government, at Westminster, which takes the lead role.

**The Minister of the Environment:** The Member is quite right. Those are member state commitments, and there is not a great cross-border role in dealing with those issues.

I hold totally different views from my counterpart in the Republic of Ireland on the causes of climate change and on the ability of Governments to do anything about changing what is happening to our climate. However, as I travelled to Dublin following a long period of

absence, I noticed that a number of new roads had been built — new roads that facilitate more cars and increase CO<sub>2</sub> emissions. The Ministers in the Republic were quite rightly proud of the road network that they have around Dublin, and there seemed to be no sense of irony that in creating it that they were probably producing a lot more CO<sub>2</sub> emissions than in the past.

## Environmentally Sensitive Sites

5. **Mr P J Bradley** asked the Minister of the Environment to detail the number of landowners with whom his Department has entered into management schemes for the protection of environmentally sensitive sites. (AQO 2370/09)

## Areas of Special Scientific Interest

8. **Mr W Clarke** asked the Minister of the Environment for his assessment of the importance of declaring new Areas of Special Scientific Interest, as well as maintaining and protecting existing ones, as valuable havens for wildlife species at risk from the effects of climate change. (AQO 2373/09)

**The Minister of the Environment:** With your permission Mr Speaker, I will answer questions 5 and 8 together. I consider areas of special scientific interest (ASSIs) to be a cornerstone of the nature conservation effort in Northern Ireland. The Northern Ireland environment agency has a statutory duty under the Environment (Northern Ireland) Order 2002 to declare qualifying areas of land as ASSIs.

The Order also requires the agency to ensure that ASSIs are afforded appropriate protection and are managed in a manner that will secure the continued existence of the scientific interest for which they have been declared. Landowners in ASSIs are invited to enter into management agreements under the NIEA’s management of sensitive sites scheme, and there are 96 of those agreements in place.

**Mr P J Bradley:** I thank the Minister for his answer. Will he explain why more than £200,000, earmarked for those schemes, was not taken up by landowners during the current year?

**The Minister of the Environment:** I have heard that that was the case and I checked up on it, because I was very concerned.

Apart from anything else, the Finance Minister, Nigel Dodds, has sought to ensure that Departments have spent all the money that they committed under particular Budget headings. The Northern Ireland Environment Agency has a budget of £500,000 for the management of sensitive sites, and all of that money has been spent. That is the up-to-date position as of lunchtime today. If



the Member is in receipt of information that says otherwise, I would be more than happy to receive it.

3.30 pm

**Mr W Clarke:** Go raibh maith agat, a Cheann Comhairle. Will the Minister inform the House what species of wildlife are under threat due to climate change?

**The Minister of the Environment:** There are no species under threat as a result of climate change. Some people have argued that the habitats of some species of wildlife are under threat, and alarmists have claimed that up to 500,000 species might be under threat. They state that an increase of 2°C will put a lot of species at risk. However, not one species has been lost over the past 100 years — during which time the average temperature rose by almost 2°C. The Member should check the accuracy of some of the alarmists' stories before he gets too concerned.

## FINANCE AND PERSONNEL

### House Repossessions

1. **Mr Burns** asked the Minister of Finance and Personnel what action he is taking to address houses being repossessed. (AQO 2386/09)

**The Minister of Finance and Personnel (Mr Dodds):** As the Member for South Antrim will be aware, the responsibility for housing matters rests with the Minister for Social Development. With regard to actions to address house repossessions, the Department for Social Development (DSD) recently submitted a business case for a mortgage-rescue package. That will be assessed to ensure that it represents value for money and is affordable.

**Mr Burns:** Can the Minister tell the House why he has been unable to find the money to fund the Government-run mortgage-rescue scheme, even though he seems to be a keen supporter of the idea?

**The Minister of Finance and Personnel:** I have not found the money to fund the scheme, because the business case for it was submitted so recently; the Member needs to take that up with the Minister for Social Development. As he is as keen as I am on the mortgage-rescue scheme, he will want the Department that is advocating it to treat it as a priority. I expect the Department that is responsible for housing matters to put resources into the mortgage-rescue scheme, as, I am sure, does Mr Burns. He cannot expect my Department to treat the scheme as a priority, if the Department for Social Development does not give it priority. That stands to reason.

Those matters will be considered when the business case has been assessed properly. Like all business cases, it will be assessed to establish whether the scheme will be effective and offers value for money. Those discussions are continuing, and, no doubt, the case will be processed in due course.

In answer to the Member's question, the business case was received so recently that it would have been improper to do anything before it was subject to due process.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. Does the Minister agree that banks and financial institutions could, and should, provide effective relief to mortgage holders who are unable to maintain their payment system, as a direct consequence of the downturn?

**The Minister of Finance and Personnel:** The question that I answered previously related to possible assistance from the Executive, and that money will come out of public finances and public resources. There are, therefore, other competing demands and pressures on those, so it is important that the banks, building societies and other financial institutions do their bit for households and people who are facing difficulties at this time.

Times are difficult, and money is tight for people. Public bodies, such as the Rate Collection Agency, are discovering that in their efforts to collect money. Therefore we have to be sensitive to those issues.

I am aware that actions have been taken at a UK level and that new protocols are being considered by the courts in relation to showing that certain actions have been taken by lenders before an order for repossession — which is the ultimate recourse — is given. Those new protocols also state that there should be a minimum time before orders are sought. There is a duty on us all — not least on financial institutions such as banks and building societies — to do what we can to help those who face difficulties as a result of the severe challenges that confront us all.

**Mr Shannon:** I thank the Minister for his very detailed responses and for outlining some of the actions that are being taken. Everyone in the Chamber is alarmed at the frightening increase in the rate of repossessions in Northern Ireland. Given his discussions with representatives of banks and building societies, can the Minister confirm what feedback he has received from those organisations? Will the Minister outline whether there are any actions beyond his remit that other Ministers can take to help him to stop repossessions?

**The Minister of Finance and Personnel:** The Member's question relates to the first question about whether I could provide more money to fund the Government-run mortgage rescue scheme, but I do not

provide such money; the Executive do. Therefore, if other Ministers feel that this is an important issue that should be made a priority, no doubt they will want to contribute some of the finances from their budgets to schemes providing help and assistance. It will be interesting to see whether other Ministers attach the same importance to the issue.

The Member asked what else is being done. Earlier, I referred to actions that are being taken at a UK level. The homeowner mortgage-support scheme enables households that experience a significant but temporary loss of income to defer a portion of interest payments on their mortgage for up to two years. The Government will guarantee the deferred interest payment in return for banks' participation in the scheme.

The support for mortgage interest scheme entitles homeowners on income support, income-based jobseekers allowance or income-based employment and support allowance to support on their mortgage interest payments after 13 weeks. Some of the details of those schemes are still being worked through at a UK level, but those measures will be helpful, as will some of the other actions that I mentioned. In our discussions the importance of ensuring that consideration be given to people who are suffering temporary but severe difficulties in paying mortgages was impressed upon the banks and other financial institutions.

## Electronic Tendering System

2. **Mr Weir** asked the Minister of Finance and Personnel for his assessment of the benefits to small and medium-sized enterprises (SMEs) resulting from the launch of the new electronic tendering system.  
(AQO 2387/09)

**The Minister of Finance and Personnel:** The new web-based electronic tendering portal, eSourcing NI, will have benefits for small and medium-sized enterprises; it will provide a one-stop-shop for all the Central Procurement Directorate's tendering opportunities, which are now available online 24/7. There is a supplier online help service, which is backed up with a phone helpline. Suppliers can register their details online once instead of having to provide the same information for each competition. The other centres of procurement expertise (CoPEs) will introduce the portal over the next year, and it is expected that by the end of 2009 all central Government contracting opportunities will be available on the portal.

Those changes will make it significantly easier for our small and medium-sized enterprises to identify future tendering competitions, and will mean that submitting tender responses to those opportunities will require less time and resources.

**Mr Weir:** I thank the Minister for his response. It is important when dealing with such matters to have joined-up government and for schemes to be rolled out across all areas. Can the Minister confirm that eSourcing NI will be used across all the centres of procurement expertise?

**The Minister of Finance and Personnel:** I thank the Member for his question. I know that that issue is a source of interest, particularly to the members of the Committee for Finance and Personnel. It is also important to local firms and businesses in the economic downturn, given that £2.2 billion will be spent on procurement this year alone, with some £1.5 billion being spent on capital. I can confirm to the House that all centres of procurement expertise will be using the common portal by early 2010 — that was agreed at the last procurement board, which I chaired.

It is important that there should be a joined-up approach right across Government, and that all central Government contracts should be available in one single portal. That will make it much easier for our small and medium-sized enterprises, in particular, to access the information and cut time, money and resources that would otherwise have to be spent doing it individually. It is positive for Northern Ireland business.

**Mr O'Loan:** I accept what the Minister said. However, for all the increased capital expenditure, the picture from the point of view of SMEs as I see it, does not appear to be as positive as that. SMEs do not feel that they are part of a public procurement system that is working with them and for them. Does the Minister recognise the picture that I am describing, and does he see meaningful ways in which the system can be made to operate better, so that the SMEs can describe the situation differently?

**The Minister of Finance and Personnel:** I am grateful for the Member's recognition of the capital spend that is happening. It is 30% greater this year than the final out-turn position for 2007-08, which is significant. When one considers that 90% of that is going to local companies — and the vast majority of Northern Ireland's companies are small and medium-sized enterprises per se — that gives an indication of the commitment that I have to our small and medium-sized enterprises.

The Member raised a point that has been raised by a lot by firms, businesses and Members. I am determined that centres of procurement expertise recognise the importance of SMEs — and I believe that they do. They encourage SMEs to join together as consortia to bid for contracts or look for opportunities within supply chains. The Member will be aware that Government clients are required to advertise publicly all construction procurement opportunities estimated to

exceed £30,000 for construction work and £5,000 for construction-related services.

I referred to the eSourcingNI portal, which will be an enormous help to Northern Ireland companies. The recently established construction industry forum and procurement task group, which was set up and meets regularly, is considering how further to maximise the opportunities for SMEs in Northern Ireland to bid for, or benefit from, public-sector construction contracts.

**Mr Gardiner:** In the Minister's reply to my question for written answer — AWQ 5660/09 — he was unable to give me details of the small and medium-sized firms that he has told the House are now able to access the Government's tendering process. How was he able to tell the House that they could access tendering processes if his Department was not able to tell me who they were? Surely his Department has computerised databases.

**The Minister of Finance and Personnel:** I will look into that matter. My Department tries to be as open and transparent as possible, and that fact has been commented on. It may well be, given the vast amount of procurement contracts — £2.2 billion per annum — that the cost of listing every individual company may be astronomical. However, I hope that the Member will be reassured by the actions that my Department is taking already, with 90% of Government procurement projects going to Northern Ireland firms, compared to some 50% in Wales. Northern Ireland's performance is much better. However, not only do I want it to be better — although it is significantly better than other devolved areas — I want it to be the best that it can possibly be. It is important for us to do what we can to ensure that local companies have that access.

Given the amount of procurement value out there, I hope that the Member is reassured by the fact that Northern Ireland companies are getting 90% of that procurement and, given the fact that the vast majority of those companies are small and medium-sized enterprises, that that will also go a long way to reassure him on that point. I am grateful for the Member's nod of acknowledgement.

3.45 pm

**Ms Anderson:** Last week, I facilitated a meeting with the Central Procurement Directorate and SMEs in Derry. They outlined a string of difficulties that they experienced when they tried to secure contracts. Given what the Minister told us about the website and the portal, does he agree that it is important to monitor whether SMEs find it easier to succeed in the procurement process and to secure contracts? Will the process that the Minister outlined be monitored so that SMEs can be assured that they will be able to secure contracts?

**The Minister of Finance and Personnel:** It is not a question of whether that situation will be monitored: it is continuously monitored. The Construction Industry

Forum Procurement Task Group meets fortnightly to discuss all those issues with the construction industry and businesses, so it directly engages with Government on those issues. Public-sector procurement procedures are highly regulated according to UK national law and through European Union directives with which we must comply.

The measures that we have taken — backed up by facts — indicate that Northern Ireland firms and companies are already accessing considerable benefits from public procurement. I hope that the measures will reassure people that substantial work is being done; we take nothing for granted, however. We will continue to work to ensure that local companies can access the best-possible procurement opportunities.

There will also be companies in Northern Ireland that will rightly want to access opportunities outside Northern Ireland. A short while ago, we received the very welcome news that two of our leading developers and construction companies in Northern Ireland won work in Scotland. I do not know whether that will provoke questions in the Scottish Parliament about work not going to Scottish construction companies, but there are opportunities for Northern Ireland firms. When the portal is fully up and running, it will provide information on a UK-wide basis. Companies from Northern Ireland will be able to see opportunities arise from the Olympic Games.

I am delighted that Northern Ireland companies are benefiting from public-procurement opportunities in Northern Ireland and elsewhere.

### Capital Expenditure 2008-09

3. **Mr G Robinson** asked the Minister of Finance and Personnel to detail the expenditure on major capital projects in 2008/09. (AQO 2388/09)

**The Minister of Finance and Personnel:** The latest forecast outturn returns from Departments indicate that they expect to undertake net capital investment of £1.5 billion in 2008-09. Capital investment covers a wide range of expenditure and thousands of individual projects. Some of the major projects that have been taken forward this year are in respect of transport. There are a number of major roads capital investments that amount to more than £90 million, as well as some £37 million on strategic-road improvements and £38 million on local transport and safety measures.

In relation to education, two major PPP projects were completed this year involving £31 million for the Holy Cross College Project in Strabane and £24 million for the Bangor and Nendrum project. The Downe Hospital capital project has also progressed, with almost £26 million in investment due by the end of the year, and about £19 million for phase A of the



redevelopment of the Ulster Hospital. Those examples are only a few of the numerous improvements that are being made in our capital infrastructure by the Executive to support the better delivery of public services across Northern Ireland.

**Mr G Robinson:** Will the Minister outline the degree to which local companies are benefiting from the unprecedented level of Government expenditure on special projects this year?

**The Minister of Finance and Personnel:** I am grateful to the Member for his question. It touches on some of the issues that we discussed earlier in this Question Time in relation to opportunities for local companies. I re-emphasise that, in relation to the indications that have been given to the Central Procurement Directorate (CPD), more than 90% of Government construction contracts have been awarded to local companies in this financial year. That compares very favourably with other devolved regions.

Many Northern Ireland firms benefit considerably from participation in framework agreements. For instance, six Northern Ireland construction firms, supported by four local mechanical and electrical subcontractors, supply 100% of the minor building works and civil engineering contracts operated by CPD. Therefore, that is good news. There are also opportunities for architectural and quantity surveying practices, and so forth. Again, I hope that that gives the Member some reassurance.

**Mrs D Kelly:** I welcome the fact that the Minister listed all the capital builds that will take place, but has there been any reduction in the planned capital spend in 2009-2010 since the three-year Budget was announced? Indeed, are the predicted returns from asset sales in the Budget tied to particular capital schemes, and, if so, what is his plan to replace that money? In particular, is there any information on projects to rebuild schools?

**The Minister of Finance and Personnel:** The Member will have to take up the issue of school rebuild projects with the Department of Education. Each Minister and Department are responsible for delivering their side of the investment strategy, and so on.

As regards asset capital realisation, the Member will be aware, as we all are, of the downturn in the property market. She asked if there have been any reductions in particular areas. As we know, the Workplace 2010 project did not proceed, the fundamental reason being that the cost of money went up and the value of property went down. It would have been foolish for some of the planned asset realisation across a number of Departments to proceed given the current climate. It made sense not to proceed, given that the market was low. However, those assets remain, and they will, in due course — subject to business cases, etc — be available for the realisation of capital sums in the future.

It is a bit like the decisions facing any business or household — if they were able to sell assets and use the money to do other things, they would do so. However, given the current climate, it makes no sense to do that. Our emphasis has been on the fact that the vast majority of the investment in capital projects for this year does not depend on asset sales. It is estimated that £1.5 billion net and £1.6 billion gross will be spent this year, and that is a considerable increase on last year of some 30%. Indeed, it is about 120% more than was spent under direct rule; so by any stretch of the imagination, even with the downturn in the property market, that is a considerable achievement across all Departments.

**Dr Farry:** The Minister talked about £1.6 billion in gross capital expenditure for this financial year. However, the investment strategy mentions £1.8 billion in gross capital expenditure, as does the Budget. What assurances can he give us that, unlike what happened this year, the target gross expenditure figures in the investment strategy over the next two financial years will be met? What is the current status of the figures in the investment strategy, given that the Budget was knocked off course by the inability to realise capital sales?

**The Minister of Finance and Personnel:** I am somewhat at a loss to understand that question — I have already said that roughly £175 million has been accounted for as a result of the Workplace 2010 project not proceeding. I am a bit puzzled: is the Member saying that in order to make up that amount we should simply sell off Government assets, property and infrastructure — perhaps more than we were going to sell? That does not make any sense. The Public Accounts Committee, the Audit Committee and the rest would fall on us like a ton of bricks — and rightly so — if we were simply seen to flog off assets when the market is at its lowest.

The sensible approach is to wait until the market recovers, retain the assets and deal with them when the market is more buoyant. Such an approach will enable us to use that money more wisely. That is what one would do when dealing with household expenditure or one's business — and I hope that that is what Dr Farry would do when dealing with his finances. I do not know whether to assume from his question that that is the case. However, the net investment this year is a massive increase on last year, and certainly on the investment made under direct rule, and it is not dependent on capital receipts.

## Bank Responses to Government Initiatives

4. **Mr Bresland** asked the Minister of Finance and Personnel for his assessment of the response of banks to recent Government initiatives. (AQO 2389/09)

**The Minister of Finance and Personnel:** I warmly welcome the Ulster Bank's announcement that it has set up a £250 million regional fund to support small and medium-sized enterprises in Northern Ireland throughout 2009. I encourage other local banks to follow that example as a matter of urgency. I understand that all four major local banks are now engaged with the European Investment Bank in rolling out loan schemes for small and medium-sized enterprises. I will continue to press the local banks to take full advantage of the available UK Government and European Commission initiatives.

**Mr Bresland:** I thank the Minister for his answer. Is he satisfied that the Government are doing enough to encourage banks to help businesses and households?

**The Minister of Finance and Personnel:** The actions of the Government and banks provoke a considerable amount of discussion. That discussion is not always favourable towards the banks by any stretch of the imagination, and, indeed, it is not always favourable about the Government either. The details of some of the schemes that have been announced at UK level are still being worked through. We want those schemes to be rolled out as quickly as possible, not least the working capital scheme — announced by Lord Mandelson in January — the enterprise finance guarantee scheme and the capital-for-enterprise fund, which is designed to ensure investment in small businesses that need equity.

My colleagues and I continue to meet the banks regularly in order to encourage them to do what they can to help small businesses and households through this very difficult time, not least by extending credit and acting as banks by providing companies with liquidity and cash.

**Mr Neeson:** Like the Minister, I also welcome the intervention of the Ulster Bank and encourage other banks to follow suit. Will the Minister also encourage banks to supply mortgages, particularly to young people who are trying to get onto the property ladder? I believe that there is evidence that the housing market is beginning to restore itself to some extent, and it is important that the banks play their part.

**The Minister of Finance and Personnel:** The Member has raised an important point. I do not want to speculate or talk up the property market, because that always leads to press headlines that can be interpreted one way or the other. One hears reports from banks and financial institutions about the current state of play, and let us hope that the local property market is stabilising.

Nevertheless, the Member is right to point to the importance of banks and financial institutions providing help, particularly by giving mortgages to first-time buyers. There has been discussion with the

banks on that important issue, and the Executive are also playing their part by supporting the co-ownership scheme, which is helping many people to get onto the property market for the first time.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. There has been much talk about the huge amount of public money that has been poured into the banks. As the Minister said, the Ulster Bank has come forward with proposals, and, last week, we heard about the help that is being given to people who are in debt. Is the Minister confident that banks and financial institutions are now treating their personal customers and businesses fairly?

**The Minister of Finance and Personnel:** I do not have responsibility for the banking sector, and, as the Minister, it is difficult for me to comment on the wide range of banks that deal with all sorts of clients individually. What I will say is that the banks have been prepared to meet Ministers and others at Executive level to discuss the relevant matters in considerable detail. Representatives of the banks have appeared before the Committee for Finance and Personnel and the Committee for Enterprise, Trade and Investment, and it is important that that level of engagement continues.

4.00 pm

One of the issues that I raised is that of the European Investment Bank, which makes money available for businesses. Two of our banks are owned by companies that are based in the Irish Republic. It is important that some of the money given for business through those banks is made available to businesses in Northern Ireland, and that it does not disappear entirely into the Irish Republic.

## Northern Ireland Direct

5. **Mr Ross** asked the Minister of Finance and Personnel for an update on the launch of Northern Ireland Direct. (AQO 2390/09)

**The Minister of Finance and Personnel:** NI Direct is an important part of the Civil Service reform programme which aims to improve citizens' access to Government information and services. Phase 1 of the NI Direct programme consists of three elements: the three-digit contact number for access to a selection of services; the new flooding incident line — 0300 2000100 — which has been operational since the turn of the year; and NI Direct Online, which is a single website that brings together information from all Civil Service Departments and agencies.

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

## PRIVATE MEMBERS' BUSINESS

### Voting Registration Process

#### *Debate resumed on motion:*

That this Assembly notes with concern the difficulties that many people, particularly young people, are experiencing when trying to register to vote; further notes that the Chief Electoral Officer has decided to seek additional information in all cases, despite the fact that all applicants submit personal identifiers and sign a declaration; and calls on the Secretary of State and the Electoral Office to simplify the registration process as a matter of urgency. — *[Mr McKay]*

**Mr Shannon:** The vote for everyone is not something that has always been available, and it is not something that should be taken for granted or abused. One need only look at the sham that took place recently in Zimbabwe to understand that it is vital that we have an independent Electoral Commission to ensure that all results are fair. I begin by commending the hard work that is put in, and stress that I am not attacking the Electoral Commission, which does an excellent job. There is, however, a need for some change.

I am concerned at some of the comments made in the Chamber today. They have been inflammatory and unhelpful, and some of them have come from the party opposite.

Over the years, there has been abuse of the system, and that raises concerns. In my constituency, some of the people whom I represent have also been disenfranchised and deprived of the opportunity to vote.

All Members are privileged to have been elected to this Chamber, and all are more than aware of the issues that affect the voting process. A few of us have had constituents approach us on election day, or the day before the election, saying that they are unable to vote because there has been a problem with the regulations. Ineffably, we are forced to tell them that there is nothing to be done and that they are unable to vote.

Although my party was of a mind to support the motion at the start of the debate, having listened to some of the scurrilous comments made, it is now of a mind to oppose it.

Ther er a hael lok o' proablins that ryes oot o' tha present system. Yin a' caun mien fae tha laust roon o' voetin, was twau yung fowk whau haud jist mov'd hoose a' minth afoer tha electshins an they haud boucht ther haem regestar fae ther new address an didnae sen aff ther mail tae sae that they cud nae langer voet. Baith o' theim wunt oot oan electshin dae but wurny alood tae voet An it is this soart o' thing that

haes tae be put aricht. Fowk must unnerstuan hoo they caun mak shair that they caun keep ther voet.

Many problems arise with the current system. During the last round of voting, I recall the case of a young couple who had moved house a month before the election. Unfortunately, the couple who had bought their home registered from their new address and did not forward mail which contained notices warning them that they could not vote. They went out to vote on election day, but were not allowed to. Such situations must be clarified, and people must understand how they can ensure that they keep the right to vote.

**Mr Brady:** I thank the Member for giving way. Does he agree that the point that I raised in an earlier intervention was for the benefit of everyone? The letters that are sent out are very complex. The fact that the Area Electoral Office in Banbridge was not fully aware of what was included in the letter, and could not give an adequate explanation as to how such voters could stay on the register, is significant.

**Mr Shannon:** I am aware of what the Member said, though I am unable to speak for Banbridge. Last week, I contacted the Area Electoral Office in Newtownards to clarify a few matters. I conveyed my requests and concerns into the system to effect change, which is important. I will outline those circumstances now, because they must be addressed.

The first is the matter of electoral ID. If one does not drive or have a passport, he or she must have an alternative form of photographic ID. The Electoral Commission will provide that. However, for example, a voter who has just turned 18, lives in Killyleagh in my constituency, and wishes to vote for Diane Dodds in the upcoming elections as a strong candidate for Europe must somehow make his way up to Newtownards to get the ID, with various documents that can be hard to obtain for someone who lives at home without a credit card or bill to his name. I have conveyed that example to the Electoral Office in Newtownards.

Surely there must be other ways of applying — for example, a photograph signed by a notary is acceptable to the Identity and Passport Service. I know that that is one of the issues being discussed and looked at. The other side of the coin is that all the information is available online, yet not everyone in the Province has access to, or the ability to use, the Internet. When people are told to get the application form online, that can also be problem. I have made the Electoral Commission aware of the issue.

With the European elections coming up, it is more important than ever to ensure that everyone who has a desire to vote will have the ability to vote. That needs to be achieved as a matter of urgency through a campaign of awareness and, in the background, a review and appraisal of the way that things are currently done.



The other issue that I would like to bring to Members' attention —

**Mrs Long:** Does the Member agree that although most of those who have spoken in the debate agree that there are issues around the electoral registration process, it was really quite scurrilous of some Members to insinuate that there was a deliberate attempt by the Electoral Office to try to disenfranchise particular political groups from being able to exercise their vote? That was a reckless comment to make in the current context.

**Mr Shannon:** I thank the Member for her intervention. I agree absolutely, and that is one reason why we will not be supporting the motion.

I am very conscious of time and, unfortunately, I am going to be beaten by it; however, I want to make one more comment. In the last election in the United States, young people were purposely targeted in order to try to get them to vote. There was an excellent and vivid advertising campaign with various celebrities having their mouths taped shut. The message was clear: no vote, no say. That is what they said in America, and it could be that there might be somebody in the Chamber to whom that should apply; however, I would never make any comment in relation to that. *[Interruption.]*

We need a way forward. It is a matter of moving in that direction. Although we want change and have conveyed that to the Electoral Commission —

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

**Mr Shannon:** I urge Members not to support the motion for the very reasons that have come out in their own Members' attempts to promote it; they have got it wrong.

**Mr Deputy Speaker:** I would discourage Members from kick-starting the European election campaign during the debate.

**Mr Elliott:** I certainly would not engage in such tactics. It is good to follow Mr Shannon and to hear the theories that either he has put forward, or that somebody else has put forward and he has portrayed. Clearly, people could have some sympathy with the issues surrounding the motion, and Mr Shannon referred to that. However, I feel that the tone of some of the debate did go downhill somewhat badly.

We all know why the legislation had to be brought in in the first place, and why we need those rules and regulations. To be blunt, it is because of voter fraud at times, and that has been the case. Although we may not be able to identify any such cases, it is clear, even to the dogs in the street, that there have been difficulties with the process. It is unfortunate that the party that has brought forward the motion did not adhere to some

of the ongoing good practices. If it had, we may not have run into the difficulties that we have.

I want to focus on young people. It is mentioned in the motion that we need more young people to get on the electoral register, and I think that that is the basis of the motion. In 2007, I understand that only 244 young people came on the electoral register. In 2008, 7,738 young people came on the register. I hope that those figures are accurate, but I am quite happy to withdraw them if they are not. However, I know that there was a huge increase last year, and one of the reasons for that was the policy and the process that took place with the schools. The vast majority of schools in the Province signed up to that process and allowed the Electoral Office to canvas, and carry out surveys, in schools in order to register many of the young people who were due to come on the electoral register.

That was key to the huge increase last year. Such areas must be developed and progressed. Instead of just having a widespread —

**Lord Morrow:** I agree with the Member and with other Members who have said that, on reading the motion, it seems quite inoffensive. However, the words that have been expressed in the debate tell a completely different story. It seems that some Members want to portray the image that a certain section of the community is being deprived or that jackboot tactics are being used. I hope that that impression will not go out from the Assembly, because nothing could be further from the truth. The Members who said that should be big enough to withdraw those remarks. When members of my party read the motion, we were prepared to support it, but we will not do so because of the views that have been expressed in the House.

**Mr Shannon:** Will the Member give way?

**Mr Elliott:** Yes, but I ask the Member to be brief.

**Mr Shannon:** The Member made a good point about registration in secondary schools; the number of people who registered increased by 31,000. The Electoral Commission put that idea forward, and it has been successful. Does he agree that such ideas can make a difference when people register, especially young people?

**Mr Elliott:** I certainly agree, and I also welcome Lord Morrow's comments. The Ulster Unionist Party saw some positives in the motion, but the tone of the debate from Members on the other side of the Chamber has made it go downhill. Those people need to examine their overall voting practices. In a court judgement, a judge said:

"The incidents which took place at this polling station at the time when the poll should have closed were extremely reprehensible."

He continued:

"nothing can excuse the scenes of threatening intimidation which took place, brought into being by supporters of the candidate who was eventually successful."

He was referring to the election of the Sinn Féin candidate, Michelle Gildernew, and to the Garrison polling station in 2001. Sinn Féin has to stand up and try to defend such incidents. If it tries to defend such behaviour, pity help the rest of us who have to deal with the proper electoral procedure and have to go through the proper system at elections.

I do not want to go back to the slogan to which some Irish republicans adhere: "vote early, vote often". I think that they want to get back to that and to a system that is free and easy for them to abuse. I have no difficulty with simplification, but with simplification comes abuse of the system. I do not want to see that, and that is what concerns me about the motion — that, once again, they will abuse the electoral system and the democratic right of the people of the Province.

**Mr Deputy Speaker:** I remind Members that interventions should be short, sharp and to the point.

**Mr O'Loan:** There is some point to the motion, but it is unfortunate that the SDLP amendment and the Ulster Unionist Party amendment, which had merit, were not selected. The wording of the motion is not perfect, and, as has been said, much of what has been said in support of it has been way over the top. One can certainly spoil a case by overstating it, and when Miss Martina "no, I will not give way" Anderson equated the present conduct of the Chief Electoral Officer with the discriminatory practices of former unionist Governments in Northern Ireland, she took the debate to an absurd level. She should not expect her case to be taken seriously when she uses that kind of language.

**Mr McKay:** Will the Member give way?

**Mr O'Loan:** When I asked the person to whom I referred, Martina Anderson, to give way, she did not give way, so I do not propose to give way to a Member from Sinn Féin. I think that the truth hurts a little bit, which is why there are squeals from certain other Benches.

4.15 pm

The Electoral Office's business plan for 2008-09 states that its objectives are to ensure that the electoral register remains at its current high level of accuracy and that its comprehensiveness continues to increase. I want to focus on those two words: the "accuracy" and "comprehensiveness" of the register. Those represent the Chief Electoral Officer's tasks.

The next full canvass is due to take place in 2010-11. Therefore, in order to ensure that those objectives are met, the office must use other methods at present. The Chief Electoral Officer's intention is most

certainly not to restrict access to the electoral register: anyone who has studied the facts would know that his intention is the exact opposite.

Obviously, the inclusion of young people is critical to the register's comprehensiveness. Of course, they have a fundamental right to be registered. The schools initiative has been mentioned. The Electoral Office now has the right to acquire the names, addresses and dates of birth of all pupils who are over 16 years of age. That initiative — working in conjunction with schools — has been excellent. A large number of young people has been registered; therefore, there are no problems with their personal identities. All Members should encourage and give their total co-operation to that initiative.

The Electoral Office's target was to publish a revised register of electors, which had 11,500 more names, by December 2008. It has more than achieved that target. Its objective was for the register to be at least as accurate as that of December 2007. It should be noted that that target will result in a register that is 86% comprehensive. Therefore, there is still work to be done to ensure that it is fully comprehensive. Even maintaining the current register's accuracy requires making 150,000 changes to it. A lot of work is required to achieve that.

It has been established that there is no problem in identifying school attenders. As regards college students, they often have student loans and bank accounts, which provide a form of identification. If a student lives at home and is under 21 years of age, the Electoral Office will accept a parental declaration of his or her identity. Indeed, it is possible for anyone of any age who does not have the normal identifiers available to him or her to get a simple declaration from a recognised member of the community — a person from the same kind of list of people who can sign a passport application form. That will be accepted by the Electoral Office.

It is possible that there has not been enough communication of those basic facts; certain Assembly Members ought to have such facts at their disposal before they comment on such matters. There may also be an issue as regards getting that information out to the public. That point can be made fairly to the Electoral Office.

As regards large households, it is the case that they may give some *prima facie* grounds for the Electoral Office to look at certain situations. It is possible for a family to move house and to not be taken off the register at that location when a new family moves in. In the case of migrant workers, people may no longer live at an address, but may still be registered there. It is proper for the Electoral Office to look into the issue. I have been told that its current initiative is to write to

households with more than eight members. Obviously, that must be done with considerable sensitivity. Perhaps, there are issues with the phraseology that the Electoral Office uses in its letters.

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

**Mr O'Loan:** Finally, it is a privilege as well as a right to be included on the electoral register and, therefore, to be able to vote. That places a duty on the elector who wants to be on the electoral register.

**Ms Purvis:** On my recent trip to the US, I heard a story about voter registration that relates to the current discussion. In Boston, most houses are built to accommodate two or three families, with each family occupying its own floor of the building. Those houses are known locally as "triple deckers". Not long ago, a President of the Massachusetts Senate, who was also a senior official in the United States Democratic Party, was asked by a journalist why more than 100 people were registered to vote in one triple decker in his constituency. He replied that it was because the top floor was vacant.

That suggests that Northern Ireland is not the only place with a presumed history of abusing the right to vote; we are not the only country that has experienced the medical miracle of the dead voting and of the living voting more than once.

However, an important decision must be made that is a fundamental element of the peace process and the political transformation of our society: is our democratic process, and the voter registration list that facilitates it, about inclusion or exclusion? Where is our achievement? Is it that the largest possible percentage of the population can exercise its right to vote or is it keeping the largest number of ineligible voters off the list? Which is our guiding principle? Since the start of the peace process, Westminster, in particular, has taken the latter approach. Voters who have attempted to register have been presumed guilty and have had to provide evidence of their innocence, and that has led to problems.

Since the implementation of the changes in legislation, voter registration has decreased significantly and turnout at elections is plummeting. Students and people from working-class and deprived communities are not registering in high numbers. The standard of proof is only one hurdle to registration; the other major problem is the reasons for which the voter list can be used in addition to validating a person's right to vote. Those additional functions include what the regulations refer to as crime prevention and detection.

As is well known, the Progressive Unionist Party supports law and order and crime prevention and detection. Given the state of the country's finances, benefit fraud is a problem that we cannot afford and

which must be addressed. However, the voter registration process is not the appropriate place to do that. It is fair enough that Government agencies check data files using information that citizens have willingly provided in order to identify attempts at fraud. However, the voter list must not be included in such data; it should be for the sole purpose of the electoral process.

The other problem is that credit-reference agencies can purchase the voter list to check a person's credit history and borrowing eligibility. When did we decide that being a consumer holds the same venerable status as being a citizen? Our voter list is no longer a register of citizens that confirms and validates their legal right to participate in a country's democratic processes; it is now a credit report that can be used not only to check whether a person is eligible to cast a ballot but whether a person is eligible to buy a new sofa. The legislation that governs voter registration has created real disincentives for people — particularly the young — to register freely and willingly. We should be concerned, but not surprised, that that has affected voter turnout at elections.

I encourage those parties that are represented at Westminster to take an entirely different approach to the legislation that affects voter registration and voting in Northern Ireland. The party that proposed the motion has a responsibility to resolve some of the problems that have been outlined during the debate, and it could do so by taking its seats at Westminster. The process for voter registration and voting must be open and inclusive and protected from all life's other harassments. It should not be an exclusive process — our citizens already deal with enough of those.

**Dr McDonnell:** The issue in the motion affects every parliamentary constituency and every electoral ward in Northern Ireland, and I thank the Members who brought the matter to the Floor of the House.

A robust voter registration system is, without question, the foundation of a healthy and properly functioning democracy, and the voter registration process is a vital vehicle for ensuring that people can access the electoral process. However, to perform that function the system must be user-friendly. I am concerned that in the drive to combat past electoral fraud we are in serious danger of making the voter registration process too complicated, with the result that the system appears to be deterring many people from registering to vote.

The system is robust, but it must be allowed to work. People whose job it is to simplify registration must not place obstacles in the system's way. I have been told that, despite my considerable efforts and those of my colleagues to work with the electoral office to encourage voter registration, thousands of people in my constituency are not on the electoral register.



However, when we have done so, many obstacles have been put in our way and in the way of those who have tried to be included on the register. I am talking about people who have moved house or who have missed out somehow or other when the register was being prepared.

We must ask ourselves why so many people are not on the register, and what factors are preventing them from being included. I have personally knocked on many doors across my constituency and distributed forms to people whom I discovered were not on the register, but time and time again those very same people have returned to me after filling in their forms to tell me that they are fed up with form-filling and sending in documents. Many of them even claim to have filled in the forms when the register was being prepared in the first place, and then, after filling in the forms yet again, they received letters requesting even more documentation to prove that they are who they say they are.

The perceived rigidity and prolific requirements of the voter-registration process are creating a negative relationship between those people and the electoral process. There is a danger of disenfranchising the very groups in our society most likely not to be registered. That includes young people, students, people with physical and mental disabilities, and those living in areas of high social deprivation.

I have recently seen at first hand the impact of rigorous voter-registration processes on young people living at home with their parents. Over the past number of weeks several families have contacted me to express their upset and disgust at receiving letters from the Electoral Office asking them to provide further proof — mid-cycle; those people are legitimately on the register, and were not supposed to be assessed again until 2011 — that they are entitled to stay on the register. They have already provided that necessary documentation to be included on the register in the first place.

In one case, the mother, father and five daughters who have lived at an address for over 30 years have been challenged and questioned. That is the result of procedural, administrative and bureaucratic decisions by the Chief Electoral Officer. I am not sure that there is anything in the legislation or in his instructions stating that he has to do that.

I am told that every individual in a household with seven residents over the age of 18 is being double-checked and treble-checked and asked to provide additional documentation to prove that they live at that address. That is not legitimate even in the case of a student, because — I am told — technically a student is entitled to register both at home and at their place of education, and can then choose where to vote,

depending on the timing of the election. If it is during term time they can vote at a polling station near to their university, and if it is during home time they can vote at home.

The difficulty is that many of those people are now facing demands to produce further evidence of identity and legitimacy within 14 days, or they will be struck off the register. It is important to take steps to reduce electoral fraud — I am not disputing that. I can understand that that may be, in a perverse way, motivating this course of action, but the way it is being approached means that young people and their parents feel that they are being singled out by the Electoral Office just because the young people happen to live at home with their parents. In many cases, those young people have no option but to live with their parents, rather than being caught in the rent trap.

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

**Dr McDonnell:** There are a lot of issues here.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. Daithí McKay opened the debate this afternoon by pointing out the targeting by the Electoral Office of bigger households, the rule on three months' residency, and the provision for overseas registration. Then we had an extraordinary intervention by Mervyn Storey, only for it to be proven that the only person that has been charged with electoral fraud in this state is a member of his own party. This theme has been coming up regularly.

4.30 pm

**Lord Morrow:** On a point of order, Mr Deputy Speaker.

**Mr Doherty:** Danny Kennedy from the —

**Mr Deputy Speaker:** Order.

**Lord Morrow:** Did the Member say that the only person charged with electoral fraud was a member of Mervyn Storey's party? Is that what he said?

**Mr Doherty:** I said that that person was a member of the DUP.

**Lord Morrow:** Further to that point of order, is it in order for a Member to make such allegations in the House? If the Member is talking about the same person that I am referring to, then he is talking about a former member, which is distinctly different.

**Mr Doherty:** He became a former member after he was charged.

Danny Kennedy from the UUP said that the motion was not properly considered, that because of previous instances of fraud there was a need to be vigilant, and that simplification could undermine the integrity of the registration process. He then said that the process was 95% accurate, even though he did not substantiate that

figure, and he claimed that 84% of the people were on the register. He implied and hinted that the need for vigilance was because Sinn Féin had been involved in electoral fraud. However, he never once attempted to explain the growth of the Sinn Féin vote. That is because he cannot explain it — there is a myth around electoral fraud, and it is knocked back at every election as Sinn Féin gets bigger.

Pat Ramsey of the SDLP supported the motion and recognised the good work that the Electoral Commission has been doing for some time. He said that unnamed parties had engaged in electoral malpractice in previous times, but did not name those parties. Clearly, that leaves questions for people to deal with.

Stephen Farry of the Alliance Party said that he had sympathy with the motion. He said that the electoral process and the electoral register should be in independent hands. The problem is that the process is not in independent hands: it is in the hands of the NIO, which is controlled by the British Government, and is therefore not entirely independent.

**Dr Farry:** Will the Member give way?

**Mr Doherty:** Yes.

**Dr Farry:** At the beginning of the debate, my party was minded to support the motion. Like other Members, we are concerned about some of the remarks that have been made in the debate. I have no doubt that some of the people who proposed the motion are sincere. However, before we, and others, can support the motion, we must have an assurance from its proposers that they are in no way, shape or form calling into question the integrity of the Chief Electoral Officer and his staff, and that although there may be problems with the way in which the process is applied, there is no overt agenda of discrimination against any section of society. If the Member can give such an assurance to the House on behalf of his party, the motion will have some prospect of success. I encourage him to make such remarks.

**Mr Doherty:** Members can make up their own minds about whether they want to support the motion. They will decide whether they will have the courage to stick with their convictions or buckle under pressure.

The Member went on to make a good point that the process has been made very difficult, especially for young people, to the point at which they are put off attempting to register. He said that he supported a review of those issues.

Martina Anderson highlighted the case of an elderly man who was fined 1p. She asked whether that was an example of the best use of public money and wanted to know what in God's name the Electoral Office was doing when it pursued that person. The most important point that she made was that 200,000 people are not on

the electoral register, and that that is a denial of their right to vote.

Jim Shannon commended the Electoral Commission, which everyone agreed with.

**Dr Farry:** It was set up by the British state.

**Mr Doherty:** Sorry?

**Dr Farry:** It was set up by the British state as well.

**Mr Deputy Speaker:** Order. Please make your remarks —

**Mr Doherty:** When they do things right, we will praise them. *[Interruption.]* If they do things wrong, we will point it out to them.

Mr Shannon said that his party had considered supporting the motion but had changed its mind. Perhaps the truth hurts: there it is; we are here to deal with that. He said that the Electoral Office would have to deal with the difficulties that young people faced in obtaining photographic ID and that older people were not particularly used to the Internet.

Tom Elliott said that the dogs in the street know of fraud. I do not know about the dogs in the street, but the Electoral Office does not seem to know too much about it. He said that there has been a big increase in young people registering. He quoted some figures, but he did not give them a context or compare them with how many young people are not registered. At that point, Maurice Morrow intervened about the tone of the debate. Tom Elliott then used the phrase “vote early, vote often” — I used to think that that was a unionist saying.

Declan O'Loan said that there was some point to the motion and that Martina Anderson was standing up for those who were deprived of being on the register. I thought that she made her point very well, just as she did when she stood up for Derry. However, I was not sure whether Mr O'Loan was praising or attacking her.

Dawn Purvis talked about her visit to the United States, and she gave examples of the registration processes that are used there and of how empty flats are exploited. She was making the point that no process is 100% accurate, but we need to get nearer to that percentage before we can be in any way at ease in our minds about the issue.

She made a very clear point about presumptions of guilt being attached to people who apply to get on the register, rather than their being dealt with at face value. She also made the very good point that many such presumptions are targeted at people from deprived and urban areas in particular. She said that Westminster had a huge responsibility in that regard, and she urged Sinn Féin MPs to take their seats there and do something about the issue. I say to Dawn Purvis that that is not going to happen — Sinn Féin's task is to build a

democracy on our island and to let that other big island handle itself.

Alasdair McDonnell said that the voter-registration process is too difficult and complicated and that questions on some forms were being asked over and over again. He said that that was directed particularly at young people, and he produced many examples to back up his case.

The Electoral Office is an agency of the NIO, and there is no doubt that it has targeted certain sections of the community. However, those sections are neither unionist nor republican or nationalist. Instead, the people who are being targeted and disenfranchised by the process are the poor and socially deprived, who live largely in urban areas. All Members have a collective responsibility to address that issue.

Sometimes we do not realise how the rest of the world sees the political process and the peace process in the North as a model for moving forward. The core of what has happened here over the past number of years has been the way that people have voted in huge numbers for the various parties. However, 200,000 people are not on the electoral register but are entitled to be. That is a huge indictment on the Electoral Office that must be rectified. The issue is not one of unionist versus nationalist or republican; it is about standing by the poor and the deprived in our community.

*Question put.*

*The Assembly divided: Ayes 27; Noes 39.*

#### AYES

*Ms Anderson, Mr Attwood, Mr Boylan, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mr McGlone, Mr McKay, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey.*

*Tellers for the Ayes: Mr Boylan and Mr McKay.*

#### NOES

*Mr Beggs, Mr Bresland, Lord Browne, Mr Campbell, Mr T Clarke, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Hamilton, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Newton, Mr Paisley Jnr, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.*

*Tellers for the Noes: Mr Kennedy and Mr Shannon.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Dr Farry, Mr Ford, Ms Lo, Mrs Long, Ms Purvis, Mr B Wilson.*

*Question accordingly negatived.*

**Mr Kennedy:** On a point of order, Mr Deputy Speaker. Is it not deeply ironic that the only party that voted in both Lobbies on the issue of electoral registration was the Alliance Party? *[Laughter.]*

**Mr Deputy Speaker:** Mr Kennedy knows well that that is not a point of order. *[Laughter.]*

*Adjourned at 4.51 pm.*



