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Northern Ireland Assembly

Tuesday 2 February 2016

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

Members observed two minutes' silence.

Executive Committee Business

Insolvency (Amendment) Bill: Royal Assent

Mr Speaker: Before we proceed to today's business, I have some announcements to make. I wish to inform the House that the Insolvency (Amendment) Bill received Royal Assent on Friday 29 January 2016. It will be known as the Insolvency (Amendment) Act (Northern Ireland) 2016.

Food Hygiene Rating Bill: Royal Assent

Mr Speaker: The Food Hygiene Rating Bill received Royal Assent on Friday 29 January 2016. It will be known as the Food Hygiene Rating Act (Northern Ireland) 2016.

Assembly Business

Public Petition: Development Proposals to Discontinue Little Flower Girls' School and St Patrick's College, Bearnageeha

Mr Speaker: Mr Alban Maginness has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

Mr A Maginness: Thank you very much, Mr Speaker. It is my honour to present to you this petition in relation to education in north Belfast; in particular, the proposals put forward by the Council for Catholic Maintained Schools (CCMS) and the Education Authority to discontinue Little Flower Girls' School and St Patrick's College — development proposal Nos 440 to 442 — and to amalgamate both schools.

The petition is a spontaneous and genuine expression by concerned parents, particularly at Little Flower Girls' School. The parents have read the proposals and believe that they should be given the option of a single-sex girls' school and, indeed, a single-sex boys' school in the Catholic sector in north Belfast. They feel very strongly about that. They went about obtaining signatures, of which there are now 1,617, and those continue to flow in.

There could be many more signatures, such is the strength of opinion. They are saying that, for girls in particular, it is advantageous to have a single-sex school. They believe that the Little Flower school has had an excellent performance and, in the recent past, it has had excellent inspection reports. Indeed, no later than Friday, the headmaster of the school, Mr Jim McKeever, won the best principal award given by Blackboard. That is some achievement.

They also look at the grammar-school sector and see St Malachy's College, which is single sex, and the Dominican College, which is a single-sex girls' school. They also look at the controlled sector and see that the Boys' Model School — an excellent school in north Belfast — is single sex, as is the Girls' Model School. They look at the cooperation and partnership between St Patrick's College in north Belfast and Little Flower Girls' School. It is a wonderful cooperation and a wonderful partnership, particularly at sixth-form level, and they say, "If it ain't broke, why fix it?" They are saying very strongly to the Education Authority and to CCMS, "Let's leave this alone". So, I am pleased to bring to the Table the petition against the development proposals.

Mr A Maginness moved forward and laid the petition on the Table.

Mr Speaker: Thank you very much, Mr Maginness. I will forward the petition to the Minister of Education and send a copy to the Committee.

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: Consideration Stage

Mr Speaker: I call the junior Minister Ms Jennifer McCann to move the Bill.

Moved. — [Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister).]

Mr Speaker: One amendment has been tabled. Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendment deals with bringing into operation the reduction in the number of Members per constituency by May 2016.

Mr Lyttle: I beg to move the following amendment: In page 1, leave out subsection (2) and insert

"(2) The amendment made by subsection (1) comes into effect on or before 28 March 2016; and has effect in relation to the Assembly elected at the poll on 5 May 2016 (the Assembly election) as well as its successors."

I welcome the opportunity to move the amendment. We had a robust debate on the proposed reduction in the number of MLAs at the Second Stage of the Assembly Members (Reduction of Numbers) Bill. The Alliance Party has long supported the principle of the reduction of the number of MLAs in line with the proposal from 108 to 90; that is, from six to five MLAs for each of the 18 constituencies. Indeed, every political party appears to support that principle.

Today, therefore, is about granting every MLA in the Assembly the opportunity to deliver and vote for that change that everyone agrees with in principle in time for the 2016 election, rather than delay for another five years and waste possibly as much as £11 million on this issue.

Everyone appears to agree that this is the right thing to do. Why do they agree that it is the right thing to do? We can look at over-governance in Northern Ireland and compare it with other regions in these isles. It is my understanding that Scotland has one MSP per approximately 40,000 people, Wales has one AM per approximately 50,000 people, but, here in Northern Ireland, we have one MLA for

16,000 to 17,000 people. That is a drastically different ratio by any assessment.

Secondly, we would save around £11 million over five years. Those may seem like modest savings to some, but, to put it into some perspective, the OFMDFM childcare budget alone for 2011-15 was approximately £12 million. That £11 million is a significant amount of public money that could be redirected to other vital front-line services that are in need of investment at this time.

Thirdly, the change is also in line with wider, ongoing Assembly reform. We are taking through the Assembly reasonably significant changes in the reduction, renaming and transfer of functions within Departments in Northern Ireland and through the introduction of an opposition, all with the aim of creating more efficient and effective Executive and Assembly processes. We, therefore, believe that it is the right time to include the reduction in the number of MLAs in that wider reform. There has been a lot of mention of wanting to see delivery and to have less talk and more action on those issues in the Assembly. Today, Mr Speaker, we are presenting all MLAs with the opportunity to vote in favour of action on this issue, rather than delay.

One of the arguments that was made most notably and emotively at Second Stage was about inclusion. I asked this question at that stage, and I will ask it again today: how will the impact of the change on inclusion be different in 2016 than in 2021? I genuinely do not understand that argument, and I hope that people have perhaps reflected on it.

As I said, Alliance is granting every party in the Assembly the opportunity to deliver the change, which they all agree with in principle, now in 2016, rather than to delay for another five years until 2021. We hope that the amendment will be supported.

Mr Frew: I will speak on the legislation and on the amendment that has been moved by the Alliance Party. I will again put on record our support for the legislation and the welcome change that it will bring with the reduction in numbers of MLAs, as well as the reasons why that is the case. Of course, we rehearsed those at the last debate, and we will not need to go over the same ground — hopefully.

I also welcome the change in stance by the Alliance Party. I very much welcome that it is now on the same plateau as us in the DUP. It is a pity that it has taken all parties so long to get on the same wavelength as us and to get

an agreement on a reduction of numbers. I again welcome that we have finally reached agreement, albeit painstakingly, year in and year out, and then, of course, during the days of negotiations that led to the Fresh Start Agreement.

It is only a small part of the Fresh Start Agreement to have a Bill that proposes a move from six MLAs per constituency to five. Of course, we would like to have gone further. We wanted to reduce more MLAs per constituency, and we would like to have done that before now. In fact, as I said the last time, we would like to have done it yesterday. This party, the DUP, has been campaigning on such a move since 2002. We rejoice that we are here today at this stage of the Bill and that we will get agreement that will see that aim of this party finalised, agreed and realised for 2021.

We wish that we had done it sooner and that we had it now, but we could not do it. We realise that through the agreement that we have made.

One thing that we do in this party is honour the agreements we make. It is not everything we want. Of course we want more. We will keep going until we get more but we will bank the progress we have made and will continue to bank it when we can every time that we can.

10.45 am

I do welcome the change in stance and policy of the Alliance Party.

Mr Lyttle: Will the Member give way?

Mr Frew: Yes, I will.

Mr Lyttle: Will the Member clarify the stark difference that he is attempting to set out in the different timescales of support in relation to this particular policy between the DUP and Alliance? This has been a long-standing policy position of the Alliance Party. My only regret today is that the DUP is unable to stand behind its own policy position in relation to this issue.

Mr Frew: I thank the Member for his contribution. Again, it comes back to the very point that I made the last time we talked about this: we negotiated an agreement. We signed the Fresh Start Agreement and, within that, we banked the progress that we had fought for for so long. The Member talks about his party having this policy for so long. It is a shame that, even as recently as the Stormont House Agreement, the Alliance Party could not support

the DUP in its position of reducing the number of MLAs in each constituency to four. Through the Chair, I ask the Member why that is the case. The Stormont House Agreement was only a number of years ago, and the Alliance Party, along with all the other parties, could not support the DUP in going to four per constituency. Mr Speaker, I will gladly give way on that point.

Mr Lyttle: I thank the Member for his contribution. Why, then, is the Member from the DUP not bringing forward proposals for a reduction to four MLAs in this legislation? We have brought forward constructive proposals that we are debating here on the Floor of the Assembly. I do not see any from the DUP of the nature to which the Member refers.

Mr Frew: The Member will know fine well about bringing any amendment to the Floor of the House without having first sought out the other parties' views on it, spoken to them and negotiated with them to see where they stand on it. He will know fine rightly that the majority of amendments like that will fail, especially when we were all party to the Fresh Start Agreement, which actually settled this point in this mandate and was agreed by the very MLAs who were elected in this mandate.

The Member will know fine well that this amendment of his could be construed as an election stunt. I hope that it is not and that the Alliance Party will stick to this policy, even in the next mandate, when we see this agreement come to fruition. I hope the Member and his party will stick with us in working towards an agreement to reduce it to four Members per constituency. That is where we want to get to, and we will keep going, we will keep working, we will keep influencing and we will keep negotiating with all parties in this House, come what may, after this election in order to achieve that. That is how progress is made.

The DUP could have brought a raft of amendments to this Bill, but we have already agreed what could be agreed as part of the Fresh Start Agreement. We pushed for more, we got what we got and we are going to bank it. Why would any party that agreed the Fresh Start Agreement bring forward amendments? That could well unravel —

Mr Lyttle: Can the Member give way?

Mr Frew: I will in a minute.

It could well unravel or jeopardise the Fresh Start Agreement — not only this aspect of it, but

the whole agreement. The Member will know full well the issues and problems that we had before the Fresh Start Agreement. Does the Member want to go back to those days? Does the Member want to go back to the days when nothing was agreed, government and politics stagnated and the hard decisions were not made for our people? Does the Member want to go back to those days? I worry that amendments like these, which can be seen as stunts, could well unravel and jeopardise the very agreements that we have made through painstaking negotiations.

I will give way, if the Member still sees fit.

Mr Lyttle: I thank the Member for giving way. I ask him to clarify his contribution, which painted a picture that every MLA in this House somehow agreed with the Fresh Start Agreement. As far as I am aware, there are two particular parties that stand behind the Fresh Start Agreement.

I am also becoming increasingly frustrated, Mr Speaker, at being told that MLAs in this Chamber are not allowed to use the Assembly due process of Consideration Stage to bring forward perfectly legitimate amendments to legislation that is coming through the Assembly. That is our job. The other parties are perfectly entitled to respond robustly to those amendments, but the DUP argued vociferously that the public support this position and want to see it happening. If it is an election stunt to bring forward sensible and legitimate amendments that are in the interest of the common good and the public, perhaps the DUP could bring forward some of those types of amendments.

Mr Frew: I thank the Member for his intervention. If the Alliance Party were so keen to see this amendment through — they are speaking passionately on it now, and I am glad that the Member acknowledges that I am trying to challenge the party robustly — why has it come so late in the day? Why was it not in the Fresh Start Agreement? Why did they not stand side by side with us when we wanted these changes? Why did they not speak up in the Stormont House Agreement? Why did they not push this view then, when we could have got agreement on this and could well have had it settled? Maybe we could have got what the Member now wishes for, which is a change at this election.

We are where we are, and we have the Fresh Start Agreement. Again, I ask the Member this: why would we jeopardise that good work and that agreement? Why would this party

jeopardise that when we can see that it will help to move this country and our people forward?

Mr Dickson: Will the Member give way?

Mr Frew: I will give way.

Mr Dickson: I invite the Member to expand for us his concerns about jeopardising the Fresh Start Agreement. Surely any reasonable person would understand and accept that a saving of some £11 million to the public purse is something that we should be moving towards as quickly as possible. There does not seem to be any justification for not supporting the amendment in respect of a reduction in numbers from six to five Members in constituencies. It is a simple matter of an instruction to the electoral authorities that that is the number of Members that the Assembly wishes to return to the next mandate.

I also ask Mr Frew to explain why he would consider using the word "rejoicing" in delaying until the mandate beyond the next one for these changes to take place. It does not seem to be a matter for rejoicing but a matter for regret.

Mr Frew: I thank the Member for his contribution, albeit a wee bit downbeat in demeanour. I apologise for that; I try to rejoice every morning when I wake, and I try to be forward-thinking and positive in my outlook.

Mr A Maginness: I agree with that.

Mr Frew: Mr Maginness acknowledges that and agrees with it, just for the benefit of Hansard.

Mr A Maginness: Every day is a bonus, especially when you are 65.

Mr Frew: Every day is a bonus. I thank the Member for his contribution. That is the way that we should come to politics. That is the way that we should come to the table. We should not be regretful or negative. I would say to Mr Lyttle that, if it is about saving money, why not have in his amendment a reduction to four Members per constituency? That would be more meaningful and it would suit our agenda and our aims and objectives much better. It is not just about simply saving money. I want to sprinkle some of my rejoicing over the way in order to get the Bill passed, get it banked and make progress for the good of all our people.

I have said enough at this point, Mr Speaker, so thank you very much for the time that you have given me.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. I will not detain the House any longer than necessary, so I will not be taking any interventions, thank you.

As the Member who proposed the amendment made very clear in his earlier submission, this matter has been well rehearsed. I reiterate, on behalf of Sinn Féin, that we support the Bill as tabled. That is, to reduce the number of MLAs from six to five per constituency before the elections in 2021. We entirely acknowledge that there is a significant public perception that there are too many MLAs, but that is not a position that we accept at all. We remind people of the original discussions that brought us to the Good Friday Agreement, which wanted to enshrine inclusivity and to maximise participation in a fledgling democratic process.

I think that the events of the last number of months very much underline the need for such prudence, given the fact that we have been, to some extent, alienated from the general public. Perhaps a lot of people feel disaffected towards the Assembly, and that indicates that vehicles are still needed that bring people closer to the political process, so we support the Bill as tabled.

We remind people, as we did in the last debate, that, when we talk about over-governance and we compare here with Scotland or somewhere else, this is not Scotland. Thankfully, Scotland did not experience some of the situations that we have had to deal with here. It is not comparing like for like, so there is a need for continuing, greater inclusivity. Neither I, nor Sinn Féin — or anyone else — knows whether the political process will be more inclusive in 2021 than it is now. I hope it might be, but I do not know. We are certainly prepared to begin the process of reducing the number of MLAs from six to five per constituency, and we do that heartily and gladly.

As I said, we oppose the amendment for that reason, and I would remind people that, when we talk about over-governance, we still have fewer than 200, and more than 150, quangos. Some of those, such as tribunals and other bodies, are very important and need to be in existence, given the nature of them. There are some very professional people providing public service on many of those bodies, but there are also a lot of quangos that should no longer be in existence. They were only ever really there when we had direct rule, when we had a very clear democratic deficit. There is no justification, in our view, for retaining quite a number of those bodies. That is where we need to start making a real difference in

reducing the democratic deficit, because, let us remind ourselves, a lot of those bodies discharge a significant amount of public money. They also discharge quite a number of public services, and, as far as Sinn Féin is concerned, we need to look at the existence of a number of those bodies and remind ourselves that we have over 2,000 persons appointed to those bodies. We talk about the number of elected representatives, but there are a lot more non-elected people involved in discharging public services here and discharging a lot of public largesse, if you like. They are not elected and they are less accountable. On that basis, Sinn Féin supports the Bill and opposes the amendment.

Mr A Maginness: Thank you very much, Mr Speaker. The SDLP opposes the Alliance amendment, and it is right and proper for us to oppose it, as indeed do the DUP and Sinn Féin, as I understand it. There a number of reasons why, in fact, this amendment should not be supported. It is important to remember that we come out of a very terrible history, where this society was engulfed in political and sectarian violence. We suffered appallingly and we arrived at a political agreement called the Good Friday Agreement or the Belfast Agreement. Through that agreement, we worked out a new political system. It might be imperfect — it might not be to everybody's liking — but at least everyone in this Assembly is engaged in it. We brought about a degree of peace, stability and political progress of which we can be rightly proud. I say that as someone who has gone through the whole process, from 1998 until now. Indeed, beyond that, I was involved in all sorts of negotiations.

11.00 am

I am old enough to remember the old Stormont Parliament, a model that did not serve the people of this region well. We should congratulate ourselves on the progress that we have made. Everybody in the House, from every political party, or perhaps most political parties, would say that the involvement of people at the highest possible level in government is very important. The principle of inclusivity, which was referred to by Mr Frew and Mr Maskey, is very important. We must involve our people in order to get greater engagement and build on the peace that we have achieved. That peace should not be taken for granted. If we take that peace for granted, we are on a perilous road. I am absolutely certain that that is not what is intended by the Alliance Party, but, unfortunately, I think that that party is taking for

granted the peace, this institution and the considerable progress that we have made. I do not think that we should do that.

The reduction in the number of MLAs set out in the Bill is, I think, a suitable compromise. We are on a political journey, and politics are organic, not static. We are on a journey to try to improve what we have. We, in the SDLP, buy into the principle of that improvement. The Bill allows for a development in the numbers in the next five years. As Mr Maskey says, he does not know whether there will be greater inclusivity by 2020 or 2021, but we hope for it, and there is consensus in the House on that and on the Bill. As Mr Frew said, we have achieved an agreement, and it was not an easy agreement to reach. The Stormont House talks 1 and 2 were very difficult, but we achieved agreement.

I take it that the Alliance Party amendment is well intentioned. I am not certain that I buy into the point that Mr Frew made — that it is an election stunt. I take it that the amendment is well intended, but the road to hell is paved with good intentions.

Mr Lyons: — positive.

Mr A Maginness: I did not quite hear what my DUP colleague across the Chamber said.

Mr Lyons: Be positive.

Mr A Maginness: I think that the amendment is well intended. However, it misses the point that we have achieved a lot but cannot take things for granted. If we change the number of MLAs for the May election, we will undermine what we have achieved, and it is no mean achievement. The postponement of the reduction to 2020 or 2021 is not unreasonable. A period of four or five years is not too long in our history.

I want to make one further point. It is one that Mr Maskey also raised and it is important. We cannot compare our ratio of representatives to population with that in other jurisdictions in these islands — Scotland, Wales or the Republic.

The reason for that is that we are a society with many different and significant points of view, and they should be articulated. There should at least be the opportunity to articulate them through election to the Assembly. It is up to the people. I do not know what the people will do in May; none of us in the Assembly knows. The commentators might know, because they tend to know more than any of us. However, I

believe that it is within the gift of the electorate to decide, and they are not stupid. They will make their decision wisely.

In five years' time, what will the people be thinking? They may think quite differently, and there may be different political formations. We cannot predict the future. Politics is an organic process, and humankind makes different decisions. We know now that we have a period of imperfect stability and progress. To use Mr Frew's term: we should bank it. It is important for us, therefore, to support the Bill as it stands and to reject the Alliance Party amendment.

Mr Allen: I apologise for coming slightly late to this important debate. The amendment was tabled by the Alliance Party because it was unable to secure agreement in the talks. The Ulster Unionist Party supports the reduction in numbers at the Assembly as part of the wider measures in the Programme for Government to bring about a more streamlined public administration that is more effective and efficient, and delivers better government for all our people. That is what we should all strive for. It is not about whether it should be six, five or four Members; it is about delivering effective, streamlined and efficient government for all our people, making sure that they are represented to the best of our ability. When I was offered the chance of coming into the Assembly, I thought long and hard about it. What made me come in was my passion and desire to deliver a better Northern Ireland for our people.

We need to make sure that the Assembly is diverse and inclusive, which is why the amendment is too important to get wrong and why we in the Ulster Unionist Party will not support it. We would love to have been able to support it, but we believe that it has been brought in too late in the day. We want government that delivers the best for our people.

Mr Lyons: I welcome the opportunity to take part in today's debate. It is good that we are at another stage along the process to cut the number of MLAs and, hopefully, to make our government more efficient and effective.

The amendment tabled by Alliance Party Members has come forward for one of two reasons: either it is a genuine attempt to cut the number of MLAs in time for the 2016 election, or it is a case of political grandstanding. I think that it is political grandstanding. If the Alliance Party wanted to cut the number of MLAs in time for the May election, it might have taken a different approach in the talks. Perhaps, both at

Stormont House and during the Fresh Start talks, it would have brought the issue forward and tried to convince the other parties. It would have tried to gain consensus with other people. Of course, the Alliance Party would pride itself on trying to get consensus and agreement among parties before anything is pushed forward. It would never want to push any amendment through if a wider consensus could first be agreed.

The reason why I think that this is happening only because we are in the run-up to an election is that it did not bring forward these proposals at an earlier stage. Indeed, when this was discussed at the Stormont House talks and the DUP asked the other parties who wanted to go for four MLAs in 2016, not a single party put its paw up. They did not want to agree to that at all. So, as much as the Alliance Party talks about wanting to save money and all the great things that can be done with that, it is a shame that, earlier in the process, it did not agree to a cut that would have taken place sooner and —

Mr Lyttle: I thank the Member for giving way. I appreciate that the DUP is attempting to find a fig leaf to cover its lack of immediate delivery on this issue by introducing the idea of four MLAs and all the rest of it at this stage. What is a more genuine approach to delivering on an issue than by interacting with the legitimate legislative processes of the Assembly?

Mr Lyons: I completely agree that the Member has every right to bring amendments here. It is a good thing for people to use the democratic process that we have in the Assembly. However, the system in which we operate requires consensus and the support of more than one party, so, of course, this was the right way to bring this forward. We have a Bill in front of us, for goodness' sake. We are using the proper legislative processes in the Assembly to bring this forward.

Mr Frew: I thank the Member for giving way. Is the Alliance Party comparing the work that it has put into what will be a failed amendment with the progress that this party, the DUP, has made over those years in securing the agreement, banking it in this mandate, and ensuring that this will come to pass? Is it comparing that work and energy with an amendment that is clearly going to fail in the House?

Mr Lyons: That brings me to a very important point. We know that we need to get proper support in the Chamber if anything is to pass.

To be fair to the Alliance Party, it brought it to the Assembly in a private Members' motion. In fact, Mr Dickson was very exercised with the Deputy Speaker at that time because it did not even go to a vote in the Lobbies as it was not able to get enough support. The fact that it proposes an amendment at this time demonstrates even more that it is an election stunt. The Alliance Party brought it to the Floor within the last few months and was not able to get the necessary support.

I have another query for the Alliance Party. I have 'A Fresh Start' here, an agreement that the Alliance Party did not sign up to. It quotes from the 'Stormont House Agreement', which it did support. It says very clearly:

"The number of Assembly members should be reduced to five members per constituency, or such other reduction as may be agreed —"

— which could have been four —

" — in time for the 2021 Assembly election".

I did not hear any opposition 12 months ago; I did not hear any complaints from Alliance Party Members. However, it is coming up now, and I think that that is grandstanding because we are in the mouth of an election. Although it is the DUP that has been championing reform of this place for well over a decade, the Alliance Party is trying to jump on the bandwagon now, get some of the plaudits, and make themselves be seen as great reformers.

I do not agree with all that Mr Alban Maginness said, but he is right that this has been a process. It takes time. There are a number of concerns that need to be taken into consideration when we talk about adjusting the structures of this place. I think that we are doing it in the right way. To be very honest, I would be more than happy to see the number of MLAs reduced for the election this year. I have no objection to that, and that is well known.

Mr Dickson: Support it.

Mr Lyons: Mr Dickson asks why I will not support the amendment. I will not support it, first, because, as I said, I believe that it is nothing other than political grandstanding.

The second reason is that we have an agreement. We worked at it and negotiated it. It was long — very long — and difficult. A lot of work went into it. Perhaps we would like to see a few changes. Perhaps there are some things

that we might like to see happen sooner. But the deal was made. It was agreed, and we are going to stick to it.

11.15 am

I welcome the Alliance Party's desire to see the reform of government. I hope that this debate can be taken up again in the next mandate and that we can go further. Cutting the number of MLAs does not necessarily mean that we will have the most efficient or effective government, but, hopefully, it will help and will be a move towards it. Let us have that discussion and debate. In the meantime, as my colleague Mr Frew said, we have made progress and we are banking it.

Mr Frew: I thank the Member for giving way. It is important that we acknowledge the movement that the Alliance Party has made to come on to our ground. We hope that it will stay there and will work with us in the new mandate to make even greater progress.

Mr Lyons: I certainly agree with the comments that Mr Frew made. Indeed, there is great rejoicing in heaven over a sinner who repents.

The Alliance Party may say, "Oh, we've been calling for this for a long time". We have been calling for it since at least 2002, if not before. The Alliance Party has joined us late, but we welcome that very much indeed. It has obviously proposed the amendment because it wants to cut in 2016. We want to stick to the agreement that we made. I do not know; maybe there is some fear on behalf of the Alliance Party and it wants to stop the march of the Green Party, or it is fearful of increased support for —

Mr Lyttle: Will the Member give way?

Mr Lyons: I will give way to Mr Lyttle.

Mr Lyttle: It is my understanding that the Green Party supports this policy, but it can clarify that for itself. Maybe we should welcome the new-found agreement and cordiality between the DUP and Sinn Féin. The Member is, in effect, saying that he is blocked from supporting his party policy on this today because of a deal that he has with Sinn Féin.

Mr Lyons: Not at all. We have made an agreement. We are getting towards where we want to be. It is going to happen in 2021. Could we have had that sooner? Yes, but we

are where we are. We have a deal, and we are going to stick to it.

The time has come for me to finish my remarks. I am very pleased that we have this Bill. It should proceed unamended. I think that it is a significant change that we have guaranteed overall in what we are doing. Yes, the reduction of MLAs is important, but I think the changes happening with Departments will be where the real efficiency is.

Mr Dallat: Will the Member give way?

Mr Lyons: Of course I will give way to Mr Dallat.

Mr Dallat: I realise that the Member is coming to a conclusion. Before that, will he perhaps agree with me that, given the very nature of Northern Ireland and its history, we need the broadest possible representation? That is something that we should always put at the forefront in the representation in the House and in the wider community. I regret that the Civic Forum has been, apparently, buried. We cannot function without as inclusive a body of people to support this place as we can get.

By way of finishing, I express amazement that the Alliance Party is so worried about reducing the number of Members when, for the last decade or so, it has enjoyed having two ministerial posts with eight Members when my own party, with 14 Members, has only one.

Mr Dickson: That is called sour grapes.

Mr Dallat: Apparently, that is called sour grapes. It might also be called hypocrisy.

Mr Lyons: I thank the Member for his intervention. I am not going to get involved in any spat between the SDLP and the Alliance Party.

The Member made a point about making sure that people feel included and that there is proper representation. I welcome the SDLP support for the Bill. I understand why it is making some of the points that it is making. I think there should be an awful lot of concern for people if we were moving to a first-past-the-post system. However, we are going to continue to have a PR system. There may be fewer MLAs in the Chamber, but it will be a PR system, which means that the Chamber will roughly reflect the population. I think that is why the Bill has broad support. It is not as though you are saying, "Right. We are going to get rid of 10 or 12 Members. We will get rid of

the SDLP Members." The system will still be a proportional one, which I think is to be welcomed.

As I said, reducing the number of MLAs is part of a wider package of reforms. It is not just about reducing the number of MLAs and the number of Departments; it is about making sure that functions are located within the right Department. That is why I will support the Bill as it makes its way through the House and why I will be unable to support the Alliance amendment.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): Go raibh maith agat, Mr Speaker. I oppose amendment No 1, which is the only amendment tabled. The purpose of the amendment is to have the proposed reduction in the number of MLAs returned from each constituency come into effect in time for the May 2016 election, rather than in 2021. That has been subject to lengthy discussion and debate over the last few weeks and months, most recently last week during the Second Stage debate.

The time that the Bill's provisions should take effect was first raised in the Chamber on 23 November last year, less than a week after the publication of the 'Fresh Start Agreement' and the Executive's agreement to the Bill. At that time, a private Member's motion from Alliance Party Members, whose party tabled the amendment today, was debated. That motion, in common with the proposed amendment that we are discussing today, called on the Executive to ensure that the proposed reduction in the number of MLAs applies to the 2016 election. Following a full debate, that proposal was resoundingly defeated without even the need for a Division.

Next, we had consideration of the Bill by the Assembly and Executive Review Committee on 19 January, when my colleague junior Minister Pengelly and I explained to the Committee why the Bill needed to progress by accelerated passage. During that discussion, all but one of the Committee members supported the provisions of the Bill, including the proposed timescale for them to take effect.

Consideration of the matter continued during last week's accelerated passage and Second Stage debates, when, once again, a significant majority of Members demonstrated clear support for the Bill, including its effective date. It is therefore the case that there has emerged a clear majority agreement on a specific point of timing, and the Assembly, including even Members from the Alliance Party, might have

reasonably concluded that it was now a settled matter.

In spite of that level of agreement and evidence of overwhelming support for the Bill taking effect for the Assembly election after that in May this year, the Alliance Party still considers it necessary to pursue the matter through this amendment. After all the debate that has taken place and the arguments that have been aired, it is difficult to do anything other than reiterate that, while we respect the position of the Alliance Party that we should move almost immediately to a reduction in the size of the Assembly, the view of the other parties is that that should be moderated by a period in which the Assembly and the parties represented in it can consider and address the implications for equality and inclusiveness that have also been raised and that are equally valid to the Alliance Party's urgent desire for downsizing.

Therefore, I ask Members to join me in voting against the amendment.

Mr Dickson: We have had an interesting debate this morning on the matter. Indeed, on occasion, it has been somewhat jovial, but it is a serious matter, and I think a serious response is therefore required to the comments that have been made.

This is not a political stunt, and it is not about grabbing headlines. This is genuinely about trying to deliver efficient and effective government for all the citizens in Northern Ireland. If we do not start in this place, I think it will be very difficult for us to start anywhere else.

First, I will comment on the words of Mr Frew. I will describe them as mañana politics. He is quite happy for the change to take place but not now. It seems to me that that is a difficult argument for the DUP and Mr Frew's colleague Mr Lyons, who was not even an MLA when much of these discussions started, to make.

It seems to me that the DUP wants to support the amendment that we are proposing but cannot because it is tied to its so-called Fresh Start Agreement with Sinn Féin. My colleague has already described the words that have been used as a "fig leaf". I think that that perhaps is exactly what the DUP is attempting to achieve for itself today. On one hand, it is trying to compliment us for our move — a genuine move — to try to provide for better government in this place but, at the same time, it has to stick with the agreement that it has made with Sinn Féin. I simply cannot

understand what will change between now and 2021.

Mr Maskey made reference to the fact that much of the public feel alienated from this place and many of the people who act as representatives in it. I do not disagree with him in any way. However, I throw the challenge back to him. How better to re-engage with that alienated public than by us taking a bold and strident initiative to reduce the numbers in this place and to provide for an effective connection with those people who elect us and expect us to do a job for them?

I have a great deal of time and respect for the comments of Mr Maginness, and I wholeheartedly accept and respect the journey that he and his party and, indeed, many of us in the Chamber — I ask him to include the Alliance Party in that — have taken. We all have made that journey to peace together. I respect the comments that he made about his caution in respect of these changes but, equally, I say to Mr Maginness that change is difficult and that perhaps the time has come for us to face up to that change. There are those who are reluctant to face change, and there are those of us who wish to eagerly stride forward and take ourselves into that area of change. While I certainly have respect and understanding for the journey that the SDLP has made, together with many of us in the Chamber, I cannot accept that we must always be looking backwards. The time has come for us not to be afraid of change, to grasp it and to grasp it now. I assure him and those who thought that our amendment may not be well intentioned — I assure every Member — that it is well intended; it is intended to deliver good government for all citizens in Northern Ireland.

Mr Lyons: I thank the Member for giving way. He has said that this is well intentioned and genuine and that he thinks it would be a very positive development for the House to take. Perhaps he could let us know when he consulted with the other parties, how he tried to build consensus and what meetings he has had. Before bringing this to the Floor, and giving us all a few days' notice, what attempts did he or his colleague make to ensure that there would be the necessary support for it to pass?

Mr Dickson: As I intimated, Mr Lyons perhaps is not au fait with all of the discussions that have taken place over an extremely long period. If he checks the records of Fresh Start, Stormont House and many of the discussions and meetings that have taken place, which Mr Maginness has made reference to, he will see

an acknowledgement by the Alliance Party of a need to provide not only inclusivity in this place but effective and efficient government. That is an argument that my party has long made here and in all of those meetings that have taken place outside the Chamber.

I note Mr Allen's comments regarding the Ulster Unionist Party's support for the reduction but I do not understand why, like others, it cannot do it today. Perhaps that is the attitude of a party that seems to have checked out of this place quite some time ago.

It is important that we balance the arguments. Others have made reference to the skills of the Alliance Party in attempting to build consensus. Despite the type of debate that we have had today, that is exactly where the Alliance Party sits in respect of this matter. We are trying to build that consensus. We did not achieve that through all the talks and events that have taken place and which have brought us to where we are today in respect of this agreement between Sinn Féin and the DUP.

11.30 am

However, there are times when it is important for us as a political party to step up to the plate for ourselves and say, "This is what we in the Alliance Party believe is important to deliver for the electorate." I understand Mr Lyons's need to stick to his agreement with Sinn Féin, but, clearly, he and his colleague Mr Frew have indicated very strong support for the change and reduction in numbers, and I think that, in that respect, they have clearly failed in their Fresh Start Agreement. For me and my party, and for many people out there, that is and should be a matter of regret.

I listened carefully to the words of the junior Minister and her reference to debates in the Chamber and also to the so-called Fresh Start Agreement. I respect the mandate of the Chamber and that I failed to gain even a vote in that debate, but what cannot be denied is that the debate took place and that our voice was heard in it and by the public outside. Certainly, it is what we want. For me, it is all about delivering equality and fairness in the Assembly; it is all about giving space to every voice in the community that can deliver a political mandate to sit in the Chamber. Perhaps the junior Minister wants to reflect on the inequalities that her party seems to have delivered in one constituency in the selection of its candidates for Fermanagh and South Tyrone.

On that point, I will leave the debate. I predict the outcome as a further defeat for the amendment. Nevertheless, it reflects, in my view, the failure of the Assembly to embrace change. I encourage the Assembly to embrace that change.

Question put, That the amendment be made.

The Assembly divided:

Ayes 9; Noes 43.

AYES

Mr Agnew, Mr Allister, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Mr Lyttle

NOES

Mr Allen, Mr Attwood, Mr Beggs, Mr Cree, Mr Dallat, Mr Diver, Mr Easton, Mr Eastwood, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Alastair Patterson, Mr Rogers, Ms Ruane.

Tellers for the Noes: Mr McCartney and Ms Ruane.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mrs Foster, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mrs Pengelly, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir

Question accordingly negated.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Assembly Members (Reduction of Numbers) Bill. The Bill stands referred to the Speaker.

Departments Bill: Final Stage

Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister): I beg to move

That the Departments Bill [NIA Bill 70/11-16] do now pass.

This is a very short Bill, consisting of only three clauses and two schedules. Yet, it is a Bill that will have significant implications for the way that our institutions do business in the future. In moving the Bill at Second Stage, I spoke about how, at the heart of 'A Fresh Start: The Stormont Agreement and Implementation Plan', there is a common commitment to a better way of doing business together. One of the ways that the agreement aims to achieve that is by progressing the reduction in the number of Departments from 12 to nine in time for the 2016 Assembly election.

Of course, reform of the structures of government here has been an issue for a long time. In 2012, the Assembly and Executive Review Committee produced a report on the reduction in the number of Departments that identified areas of commonality broadly comparable to the departmental restructuring now being put in place. The policy proposals underpinning the Bill were the subject of detailed consideration during the process that led to the Stormont House Agreement in December 2014. That agreement determined on a nine-Department model to be established in time for the 2016 election, with the future allocation of departmental functions to be agreed by the parties. The Executive discussed departmental restructuring on several occasions in early 2015 and decided on the names and responsibilities of the future Departments. Those names are reflected in the current Bill.

In a statement to the Assembly on 2 March 2015, the First Minister announced the decisions that had been reached by the Executive on the new departmental structures in consequence of the Stormont House Agreement. He set out a future model of nine Departments with all the powers, functions and services of the current 12 Departments. The allocation of responsibilities was further refined during the talks process that led to the

publication of 'A Fresh Start' on 17 November 2015.

'A Fresh Start' offered a way forward on a range of challenging issues and enabled us to look forward to a period of greater cooperation.

With institutional reform, it reaffirmed the commitment to reduce the number of Departments from 12 to nine in time for the 2016 Assembly election and provided greater clarity on the functions of the nine future Departments. It also committed to having a Departments Bill introduced in the Assembly by the end of November 2015.

In fulfilment of that commitment, the Departments Bill was introduced in the Assembly on 30 November 2015. Its purpose is to create a statutory framework for the new model of nine Departments. It sets out the names of the future Departments and makes necessary changes to the Departments (Northern Ireland) Order 1999, which provides the basis for the current departmental system. However, important provisions of the 1999 Order on the legal status of Northern Ireland Departments generally and on the exercise of their functions were not affected by the Bill.

As I said, it is a short Bill that now consists of three clauses and two schedules. Clause 1 renames seven existing Departments and dissolves three Departments — DEL, DCAL and DOE — as required to establish the new structures. There is no reference to the Department of Education and the Department of Justice, which are not affected by the Bill. It applies the Departments (Northern Ireland) Order 1999 to the new set of nine Departments.

Clause 2 references schedule 2, which contains essential repeals. Clause 3 gives the title of the Act and arrangements for the commencement of clauses 1 and 2 on a day or days to be appointed by the First Minister and deputy First Minister.

Clauses 1 and 2 are likely to be commenced very shortly after the election in May 2016. Schedule 1 lists all nine future Departments under the titles that they will carry from 2016. Schedule 2 repeals provisions in the Departments (Northern Ireland) Order 1999, as subsequently amended, and in two other Acts that added the names of the Departments to the Departments Order. It has the effect of removing references to the outgoing 12-Department model.

On 8 December 2015, a motion for the Bill to be progressed by accelerated passage was

debated in the Assembly, with junior Minister McCann and I having previously attended and gained the support of the Committee for the Office of the First Minister and deputy First Minister to the request. During the accelerated passage debate, it was recognised that progression of the Bill, as with other Stormont House Agreement matters, became possible only as a result of the consensus that had been reached on 'A Fresh Start' a few weeks previously. We had moved immediately to have the Bill introduced in the Assembly, consistent with the commitment to do so by the end of November 2015. There was only limited Assembly time available before dissolution in March 2016. The Bill has to complete its passage in sufficient time for statutory processes, including the debate and affirmative motion relating to the separate transfer of functions order, so it was necessary for us to seek accelerated passage. The Assembly agreed and voted with cross-community support to allow the procedure.

The accelerated passage debate was followed by the Bill's Second Stage on the same day. That suggested that there was broad support for the principles of the Bill. No amendments were tabled at the Bill's Consideration Stage on 19 January 2016, and the Bill's clauses and schedules were voted unopposed to stand part of the Bill.

The Bill's Further Consideration Stage was taken yesterday, when two ministerial amendments were agreed. Those were purely technical adjustments that were needed to maintain consistency with the Public Services Ombudsman Bill, which has now reached its concluding stages in the Assembly.

I take this opportunity to thank all those who have contributed, through their support and through constructive debate, in getting the Bill to this point. It will help to put into effect the decisions taken by the Executive on restructuring. The Bill will create the framework for the most extensive reorganisation of the departmental system since 1999. Its passage at this time will help to ensure a leaner, more streamlined and efficient administration from the outset of the new mandate. I commend the Bill to the Assembly.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. I apologise on behalf of the Chairperson and the Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister. They are unable to attend this morning, and I have been asked to speak on behalf of the Committee on the Final Stage of the Departments Bill. I thank the junior

Minister for her opening remarks and welcome the Final Stage of the Bill.

At its meeting on the 30 November last, junior ministers McCann and Pengelly briefed the Committee on the Departments Bill and the rationale for seeking to progress it through the accelerated passage procedure. As has been said, during that meeting we heard that the reduction in the number of Departments from 12 to nine will provide for a leaner, more streamlined and efficient Administration. For example, there will be fewer Ministers, departmental hierarchies, as they have been described — those are not my words — permanent secretaries, central management units and press offices.

12.00 noon

The dissolution of three Departments will involve the reallocation of their existing functions, and there is to be some additional rearrangement of the functions of others. Members will be aware that those details are not dealt with by the Departments Bill. Instead, the reallocation of statutory functions will be provided for in a separate transfer of functions order. The Committee received a briefing on that draft order from departmental officials at its meeting on 27 January. As a Committee, we will give the matter further consideration at our meeting, along with comments from other Statutory Committees. The Committee aims to convey its views on the proposed order and, indeed, the views expressed by other Committees, to OFMDFM by 12 February, as requested.

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

The Bill before us for Final Stage is, therefore, simply about dissolving three existing Departments and renaming some others. Whilst some Members expressed concern at the lack of time to scrutinise the Bill, it is fair to say that there was general support for its principles. On behalf of the Committee, I support the Bill.

Mr Frew: I, of course, support the Departments Bill. As I have said before, I think that it is a good move and a great thing for the Assembly, the Government and the people of Northern Ireland, as it will go some way to streamlining government. I hope that it will go some way towards breaking down the silo mentality that we have in some of our Ministers and parties and lead to a more streamlined, focused Government all going in the one direction, as

opposed to what we have sometimes witnessed and experienced, whereby parties go their own way on solo runs.

It will not happen without Ministers making hard decisions. I share many of the frustrations of other Members, and, over the last number of years, we have seen at first hand that all our people suffer when Ministers do not make hard decisions. We are in the House and Ministers are in the Executive to make hard decisions, and I would like to see that happening more quickly and efficiently.

I hope that the Bill will not be the end. My party has fought hard and struggled long to get a reduction in the number of MLAs and a reduction in the number of Departments. We would like to go further, but we will bank what we have in this mandate and move on accordingly. We will not let up, and our energy will not reduce in trying to meet the aims and objectives of the DUP in that regard. We will push on to get to a point at which we have a voluntary coalition with a proper opposition. I will leave it there. I welcome the Bill.

Mr Allen: The Ulster Unionist Party supports a reduction in the number of Departments. We want to see a more effective, efficient and streamlined Administration in Northern Ireland in order to deliver real change and make a positive difference to the lives of the people. We are content to support the Bill, which will reduce the number of Departments from 12 to nine and which will be the biggest restructuring since 1999.

It is a short Bill, but it will be far-reaching in its implications and consequences. Its passage through the Assembly should be relatively uncontentious and the real meat will no doubt be at a later stage when we come to debate the transfer of functions and decide what the exact responsibilities of each Department should be. That, however, is for another day, and we are content to support the Bill.

Mr Lyttle: The Alliance Party has a long-standing manifesto commitment to supporting the reduction in the number of Departments, on this occasion from 12 to nine, in time for the Assembly election in 2016.

We support the Bill and welcome its progress to Final Stage, hopefully, because it will introduce more efficient, effective government and will allow us to make savings that we can invest in better-resourced public services for the good of everyone in Northern Ireland. We also believe that we need to see further legislation that could

better mandate cooperation and collaboration between all Departments. Ultimately, as other MLAs have mentioned today, we need to see more collaboration and better will between Ministers so that we can have a truly effective power-sharing Government for the common good of everyone in Northern Ireland.

A number of MLAs have mentioned the importance of the transfer of functions order, which will deal with the specific transfer of functions in addition to what we are dealing with today, which is the number of Departments and the naming of Departments. I realise that is not up for debate today, but I would like to put on record my concern about the time given for consideration of the order, which a number of MLAs have consistently mentioned as being the most significant part of this change. The OFMDFM Committee was presented with the draft order on Wednesday 27 January, giving us a little over two weeks to respond by the deadline of Friday 12 February. This relates to something that a number of MLAs have referred to as the most extensive reorganisation of government in Northern Ireland since 1999. As MLAs, we are being given a little over two weeks to consider the detail of the transfer of functions order. I do not think that is acceptable. It is an extremely short time, and there has been no public consultation on the order. MLAs and relevant Committees have a serious task ahead to respond robustly to that transfer of functions order, which will be laid in the Assembly as an affirmative resolution. We will be given the opportunity only to yea or nay the order. That is not good government or a fresh start to government.

We need to see changes to allow the Assembly and its Committees to properly scrutinise something of such significance. However, we welcome the reduction and the process at this stage of the Bill, and we will support it today.

Mr Principal Deputy Speaker: I am happy to call Mr Alex Attwood, but he was not in his place when he ought to have been. There will be a concession this time.

Mr Attwood: I thank the Deputy Speaker for that concession, and I apologise to the House. I was delayed upstairs at another meeting. I will just make three or four points.

First, as everybody will acknowledge, a reduction in Departments is only a reduction in Departments. It is nothing more or less. It does not follow from the reduction in Departments that we will have efficient and effective government. What we will have is fewer Departments with more functions. You

hope that, because of that and because of the evolution of our democratic structures generally, they will end up being more efficient and effective, but it does not follow that what we are doing today leads to anything, unless the evidence is there to back it up in the next mandate.

With the reduction of MLAs, whenever that happens, the reduction in Departments, which is now happening, and, we hope, on the far side of this afternoon's debate, a move further towards having in law an opposition in the Chamber, we need to ensure that we manage the internal democracy of the Good Friday Agreement in a way that does not put some of the reasons why we had the Good Friday Agreement in jeopardy. Whilst we may be changing systems and structures in government, this is not the time to go further down the road in the way that some suggest. We will touch on that this afternoon and in subsequent debates.

Another point of caution based on my experience of government is that there is potential for the people who populate the higher levels of government and will lead the new Departments to argue that, as we now have larger Departments with more functions, we have to leave that to bed in. There is a risk that — I am picking this up already — the bigger Departments could lead, in the short term, to a degree of paralysis as those Departments settle themselves and embed into the wider life of government. While there are many good officials, there is a tendency at some levels of government management to err on the side of caution and conservatism. As I said, I make that point because I am picking it up that, in some places in government, at a senior management level the scale of what senior managers are about to undertake in terms of having wider functions in fewer Departments is already being used as an argument to tread slowly, when the people of Northern Ireland are looking for government to tread boldly. Too often, in too many Departments, that has not been the character of devolution over the last 10 years.

I concur with Mr Lyttle's point. It will be difficult to make this point, because it is not really that relevant to today, but it is a related matter. When the transfer of functions order comes to the House, it will be by way of affirmative resolution, which means that you take it or leave it and you will not have the opportunity to change it. There are issues around the transfer of functions order when it comes to individual Departments that, on the face of it, do not make much sense, yet we will not have the

opportunity to amend it. That is the nature of the democratic processes of the House, but we will not have the opportunity to amend it. Indeed, when OFMDFM officials brought the processes around this to the attention of the OFMDFM Committee last week, as Mr Lyttle indicated, the Committee agreed, as far as I can recall, that individual parties rather than Committees would be given the opportunity to respond to what may or may not be in the transfer of functions order. That is inevitably the consequence of doing all this work very quickly as we run down to the end of the mandate, but what does that mean?

We have a situation now arising — this was touched on at Question Time yesterday — where significant functions of OFMDFM are going to the Department for Communities, but OFMDFM will retain the power of appointment of the heads of the public bodies that will be part of the responsibilities of other Departments — to name two, the Commissioner for Older People and the Children's Commissioner.

Mr Dallat: Will the Member give way?

Mr Attwood: Yes.

Mr Dallat: Does the Member agree that, in dismantling what is called the scaffolding of this place, there is a danger that we dismantle the structures that were embodied in the Good Friday Agreement, which sought to give ownership of this place to the wider community through the Civic Forum and other institutions? Does he also agree that Stormont is not Wales, Scotland or England, where democracy is quite different, and we still need to embrace the widest possible support for these institutions, which, to some degree, are still in their infancy?

Mr Attwood: I very much agree with what Mr Dallat said. People should listen to Mr Dallat. He is about to leave the Chamber, and he is one of the wisest, most experienced and longest-standing politicians in Northern Ireland. Those points should be taken fully on board, not least because the reasons, the sentiments and the principles behind the structures of the Good Friday Agreement that were, in our view, falsely changed at St Andrews and then further changed with the devolution of justice were born of decades of bad experience, bad politics and a denial of democratic standards to too many people in this part of Ireland. That is why those structures were created. Given that they were born as a consequence of decades of misrule, we should be careful about how far we go and how quickly we go in changing the structures born of that experience, unless we

are convinced that the current experience of our people of parties, of government and of democracy in Northern Ireland is such that they should be changed.

12.15 pm

To go back to the point that I was making before Mr Dallat's intervention, this Chamber cannot change the transfer of functions order. Therefore, we will have to take it or leave it that, when functions go to one set of Departments, OFMDFM retains the power of appointment for those senior public personnel. At the Committee, the officials could only name one example of why that was the case. Indeed, it was me who had to prompt the officials to remind them that there was actually at least one other case — namely, the appointment of Victims' Commissioner — where OFMDFM had that responsibility. Why keep the power of appointment over the Older People's Commissioner and the Children's Commissioner when you give every other responsibility in that area of our life lock, stock and barrel to a different Department?

You would wonder why that one power is retained by one office, when everything else is given to the Department for Communities — mindful, of course, that in the abortive negotiations on legacy matters, which the junior Minister will be very familiar with, if there was something that seemed to emerge, it was that OFMDFM would not appoint the Historical Investigations Unit (HIU) director. On one hand, it seems that OFMDFM, or the DUP and Sinn Féin, are moving away from having power of appointment in those negotiations but, when it comes to the transfer of functions, they retain it. I do not understand what that is all about, so maybe the junior Minister, or her officials, might want to explain it sometime or other because, to me, they did not seem to give a very convincing explanation when they were at Committee.

Mrs Pengelly: I am grateful for the contributions that we heard today and I will deal with those before making my final remarks about the Bill. I will attempt to clarify any queries that have been raised, but I should highlight that I do not intend to get into the substance of the transfer of functions order issues, as those matters have the option to be aired in the Chamber in due course.

Regarding Mr Alex Maskey's comments on behalf of the Committee for the Office of the First Minister and deputy First Minister, I welcome the Committee's support. I also welcome the remarks by Mr Andy Allen about

his support for further streamlining. I am very pleased to be able to stand here today to confirm the delivery of these measures that will help to support better streamlining of our Departments.

A range of other matters was raised by my colleague Mr Paul Frew, Mr Chris Lyttle and Mr Alex Attwood. Turning first to Mr Frew's comments; I absolutely agree. This is a significant step but it will only work with dedication and hard work. We need to break down the silos within Departments, and we need to push forward for a better way of working.

Mr Lyttle echoed many of the sentiments of the comments from Mr Frew and Mr Attwood. We absolutely agree that these measures are welcome and necessary but they will not resolve everything. We have been very clear: we want to see better processes; we want to see better collaboration and cross-departmental, cross-policy working; and we want to see an increased focus on outcomes, ensuring that all we do focuses on improving people's lives. We also want a focus on delivering excellent public services for all. Today, this piece of legislation and the reforms that we are bringing in are a critical and important step in making that happen.

On his specific points about the transfer of functions order, as I said, I am not going to get into the detail of that. I understand that it was sent to the Committee on 19 January, not 27 January, for consideration, and I highlight to him that, although there is considerable detail in that order, it has been clear that there are only a small number of issues on which people have a range of different views. I suspect that the Committee will focus on that small range of issues in due course. Certainly, the organisations involved in those, should they be arm's-length bodies or others, have communicated their concerns and issues and have already brought about some changes in relation to them, up to the point of the transfer of functions order.

In relation to the specific comments by Alex Attwood, I can confirm to the Member that this work must happen. I know that from my experience of working with a couple of key policy areas, as special adviser and, now, as junior Minister. Those two examples are the Delivering Social Change agenda and the social investment fund. Both of those big policy areas were cross-departmental. They have a number of different policy objectives, touching on a number of different Departments and agencies, and they were incredibly difficult to

bring about because of that. We have faced this in the Office of the First Minister and deputy First Minister. We are convinced that, in order to find a new way of working and to bring about better outcomes and changes, this work must happen. It is worth the difficulties that we face but it requires a change of culture for officials, for the way that Departments do business and also, perhaps, in the way that Ministers speak to, and work with, one another in bringing forward collaborative policies and initiatives with, perhaps, collaborative working on funding.

I thank Members again for their contributions to the Final Stage debate on the Departments Bill and for the issues they have raised. It is only a short Bill, but it is one that will have significant implications for how our institutions do business in the future. Reform of the structures of government here is overdue. It has featured as a Programme for Government commitment since 2011. The Assembly and Executive Review Committee carried out a review in 2012 and identified areas of commonality broadly reflective of our current proposals. Together with the reduction in the number of MLAs, which we are also legislating for, this shows our commitment to a leaner and more efficient structure of government here. This is a good day for government in Northern Ireland. This is a good day for a better way of doing business, and it is a good day for delivery.

Question put and agreed to.

Resolved:

That the Departments Bill [NIA Bill 70/11-16] do now pass.

Rates (Amendment) Bill: Final Stage

Mr Storey (The Minister of Finance and Personnel): I beg to move

That the Rates (Amendment) Bill [NIA Bill 75/11-16] do now pass.

Before providing Members with a recap of the content of the Bill in its final form, I will briefly take the opportunity to thank Members for the support that has been shown for the passage of the Bill through the Assembly and the Finance and Personnel Committee for all the work that has been undertaken to date. I look forward to continuing that working relationship.

Yet again, we have an example of a piece of legislation that has come through the House with good practice in the relationship between the Committee, which has a statutory

responsibility to scrutinise legislation, and the Members of the House, who have a duty to ensure that they are content with the legislation brought forward.

As I said in earlier debates on the Bill, I, along with many other Members, would have preferred that it had been possible for the Bill to have been progressed by normal means. However, factors outside my Department's control contributed to the need for accelerated passage. I thank Members for the efficiency with which they have conducted affairs at this busy time for the House.

As I have already explained during previous debates, and as Members will be aware from their consideration, the Bill is short, and I trust that that has facilitated Members' consideration. I see the Bill as the conclusion of a series of fundamental changes to the rating system since devolution was re-established.

The House can be proud of its work on rating matters, including the delivery of an Executive review of rating that implemented a series of critical measures between 2008 and 2010; the implementation of intervention measures during the economic downturn; a non-domestic revaluation; and adjustments to respond to the reorganisation of local government. The non-domestic review will ensure that the new Executive continues that work with a renewed evidence base, which is vital.

I turn to the detail of the Bill, which makes some final adjustments in respect of commercial rating. First, there is the sport and recreation provision, which I have already mentioned. By amending the article 31 sports and recreation exemption in the Rates (Northern Ireland) Order 1977, the final version of the Bill provides a power for the Department to provide full rate relief for many sports clubs, subject to conditions. The conditions that I have in mind are that the club in question should be unlicensed and registered as a community amateur sports club. Following the outcome of further consultation, I will set these out in regulations, subject to affirmative resolution, after assurance was sought that they would be brought to the Assembly.

This approach recognises the competition issues that have already been raised with my Department and the Finance Committee by the hospitality sector. I know that this does not satisfy everyone in the House and that many sports clubs with bars feel that they are disadvantaged by the measure. We also need to be mindful of business interests when we take forward policy in this area. Aside from this

being the right thing to do, I also need to protect the Department from the risk of challenge should we wish to adopt a more lenient policy. That said, I know that there are community amateur sports clubs that operate a small bar for members and visiting teams after a match, and I am sure that my successor will be happy to review that issue at a later stage. I do not think, therefore, that there is any way we can develop a balanced, sound, effective and workable policy to allow some clubs with bars to get 100% rating relief and for the regulations to be taken through the Assembly by September, as I noted in my comments at Further Consideration Stage. Policy may well develop in this area over the next mandate, informed by the ongoing review of rating policy.

There is one other point that I would like to make about rating relief for sports clubs, and that concerns the amendment carried yesterday, which at a stroke extends the list of prescribed sports to pigeon racing — the issue almost had us all in flight. There are lessons to be learned on due process in policymaking from the short but eventful journey of this Bill. One is starting to discern that Members do not apply the same standards to private Member's Bills and tabled amendments as they do to Bills from Departments. That leads to poor policy, and Members need to remember that rates revenue pays for vital public services; there is a knock-on effect where that revenue is reduced; and some standards need to be brought to bear on taxation policy. My party took the exceptional step of opposing the private Member's Bill with a petition of concern during its passage through the Assembly. That was on the grounds that proper consultation had not taken place and that there was an alternative, and more appropriate, legislative vehicle available for changing policy.

On the face of it, the pigeon racing amendment is probably a worthy measure, but it could and should have been subject to consultation and taken forward through a change in the regulations containing the list of prescribed sporting activities — not as part of this primary legislation.

Everyone outside my party voted for the amendment because, of course, no one wanted to appear to be against it. That is all too easy, and, forgive me for saying it, but it is not the way that we should be making laws. We need to reflect on what has happened, but, as the saying goes, we are where we are.

12.30 pm

The second policy contained within clause 2 came as a result of a suggestion from the business community. Thankfully, this amendment has proved a lot less problematic. This provision will ensure that, where shopfronts or shop-window displays are used in empty retail premises, the shop owner will effectively continue to receive 50% empty property relief. This measure is novel and unique to Northern Ireland. For this reason, it is time bound within the primary legislation but can be easily extended if the policy proves successful. I thank Members, in particular Ms Hanna, who recognised the innovative nature of this measure, which builds on other positive policies delivered during this mandate, such as the empty shops rates concession.

In summary, this is a short Bill that helps amateur sports clubs and shopping areas by providing further rates concessions. I look forward to Members' support in ensuring that the Bill clears its Final Stage. I commend the Bill to the House.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. If I can, I will make some personal comments and comments from a party perspective before speaking on behalf of the Committee. I first undertook to introduce legislation to reduce the rates burden on amateur sports clubs three years ago. The end result after the regulations are introduced, three years and two Bills later, will be a better deal for amateur sports clubs. I would not say that it is a fair deal, but it is a better deal. I welcome the fact that we will see the new regulations in place in the coming months.

Community and amateur sports clubs without bars will benefit to the tune of a maximum of £750,000. That will cover pitches, clubrooms, storage facilities and sports club stands. The clarity provided by Brian McClure on that is very welcome. From the consultation that I carried out for the private Member's Bill, I know that there is a lot of confusion amongst clubs about what is rated, what is not rated, and what relief is applied in the present system, so that clarity is very welcome. I look forward to the targeted consultation that will take place in the coming weeks regarding amateur sports clubs rates. I welcome the commitment from the Minister and the Department to review the issue of clubs that run a small bar to serve a few pints and operate on a much smaller scale than some of the cases that were highlighted to the Finance Committee by Pubs of Ulster. Again, I thank the Minister for his cooperation with me in recent weeks during the passage of the Bill.

As for the Committee perspective, I welcome the opportunity to briefly reflect on the work of the Finance Committee in relation to the Bill. Admittedly, because of the absence of a Committee Stage, the scrutiny has been fairly cursory in nature. Nonetheless, I believe that the work of the Committee prior to the introduction of the Bill has facilitated stakeholders in airing some key issues for consideration. This was especially so in the evidence sessions with the sporting bodies and hospitality sector in relation to the provisions in clause 1. This work has, in turn, helped to inform the subsequent passage of the Bill through the House. Whilst, ideally, a Committee Stage would have enabled some of the policy issues to be bottomed out at this point, the Finance Committee recognised the merit of ensuring that the passage of the Bill is completed before the end of the mandate. With that in mind, and having received the necessary assurances from the previous Minister, the Committee gave its unanimous support to accelerated passage.

Turning specifically to the envisaged regulations under clause 1 to provide enhanced rate relief to prescribed sports clubs, I welcome the enabling power in the Bill and believe that it will result in tangible benefits for the wider community. Given the complexities around the issues to be considered on the scope of the enhanced relief, it will be important for the various stakeholders to input to the forthcoming consultation on the regulations. There will also be a need for the successor Finance Committee to actively engage in this process, with a view to helping inform and influence the development of the regulations that will flow from clause 1.

The provisions under what is now clause 3, which applies a disregard to the commercial use of window displays, are seen by Committee as a positive and innovative initiative given the challenges facing the commercial sector. In more general terms, we, as a devolved Assembly, must continue to look for innovative measures that help to support and nurture businesses in and around our towns. Therefore, I welcome the review of the non-domestic rating system and look forward to the outputs from that and seeing how those will translate into concrete proposals that will benefit the wider economy. In so doing, we will, of course, need to ensure that the revenue-raising potential of the rating system is utilised judiciously for the benefit of the public.

The new clause 2, in regard to pigeon racing, has not been considered by the Committee, and it does not have a view on it. However, I

take the opportunity to congratulate Mr Cree and Mr Swann on what has turned out to be a bit of a coup in terms of the amendment. On behalf of the Committee, I support the Bill.

Mr I McCrea: In respect of the Bill and the work of the Committee, alongside that of the Minister and his officials, if nothing else, it has certainly been evidenced that, where people are of a similar mind, we can get business done and deliver something of benefit to our community. A lot of debate and discussion has happened around amateur sports clubs with the sector and officials and whatnot in the Committee. Whilst the Chair does not believe it to be a fair deal, when it is realised and put into practice, the benefits that the community amateur sports clubs will see as a result of the change in legislation will be welcomed.

Carrying on from the Member's final remarks, I think we got a lesson yesterday on pigeon racing; I learned things that I never knew. I learned that pigeons are used as a means of dealing with gang culture in America. If that is the case, whilst we maybe do not have the gang culture that they have in some parts of America, who knows what this will do for the future of pigeon racing in Northern Ireland and the benefits that it will have in combating criminal gangs and whatnot? Maybe we will see them all going out of business. Maybe they should have introduced this some time ago and we would not have had the struggle in Northern Ireland over the last 40 years. Nonetheless, maybe we will see a pilot scheme happening at some stage soon in Northern Ireland. Hopefully, it will deal with the culture of crime and whatnot that we have. In respect of the community amateur sports side of things, it is to be welcomed.

The provisions on window displays and the 50% rate relief is a good news story that the Assembly will send out today. I think that Claire Hanna said in a previous debate that we should not want this type of measure and that we should be trying to ensure that our shops are filled and we do not need to provide this rate relief for empty shops. However, it is trying to show the business community, which has struggled over the last number of years, that the Assembly is listening and will do what it can, where possible, under the constraints that it has financially, to help that community. It is certainly something that will be welcomed across our town centres.

For a number of years, I was on Cookstown District Council, which successfully marketed our town with the "Cookstown, Looking Good, Looking Great" slogan. This legislation will

bring even more benefits than that strategy. For example, with empty shops, if there is some form of advertising on the windows and the owners receive the 50% rate relief, it will help. All in all, I commend the Minister for bringing the Bill through the House. He had little to do with it in its early stages, but he certainly had plenty to do with it as it went through. It is good legislation, and people will see the benefits as soon as it is introduced.

Mr Diver: I welcome the opportunity to contribute to the debate at the Final Stage of the Rates (Amendment) Bill.

As has been outlined, there are two substantive clauses in the Bill, and the SDLP is supportive of the Bill in general. My colleague Claire Hanna made a significant contribution to the debate and referenced the use of accelerated passage. We are content with the use of accelerated passage, but we urge caution on its use generally, as, in our considered view, it does not give legislation the scrutiny that we should aim for in the House.

The Bill had two clauses when it was first introduced in the House. We had the addition of clause 1A yesterday to include pigeon racing, and we flocked to support it when it was voted on. Perhaps we will all end up being amateur ornithologists after this.

The first clause provides for a power to enhance rates relief for community amateur sports clubs. That is subject to criteria that will be prescribed in subordinate legislation and subject to affirmative resolution in the Assembly.

The second clause enables commercial window displays to be disregarded from occupation for rating purposes. As we heard at Committee Stage, that clause was mainly proposed by the business sector. I agree with other Members that its inclusion shows that the Assembly is responsive to the needs of the business community and that the Department has made some efforts in that regard. The measure is untried anywhere else in the UK, and it is time-bound in the new clause until 31 March 2017, with the potential for extension. Obviously, we hope that it will be successful.

The law on rates already provides for 80% relief in the case of charitable purposes. The Bill proposes to extend that to community and sporting clubs, and we welcome that. A private Member's Bill was introduced during this mandate, the thrust of which was that community and sporting clubs should have 100% rates relief. The SDLP supported the

principles of that Bill and the proposals in the Bill before us today.

The hospitality sector raised competition issues with the proposals in the private Member's Bill. Those concerns were over the fact that any proposal to enhance sport and recreation relief to 100% could place licensed sporting clubs, particularly those with an alcohol licence, in a very advantageous position. The train of thought was that that advantageous position would have a large effect on other businesses working in that sector. Those concerns were outlined to the Committee on a number of occasions. The issues over the sale of alcohol and profitability should not be a barrier to the progression of relief. It is for that reason that we supported the Sinn Féin amendments at Consideration Stage and Further Consideration Stage.

As was referenced at Second Stage, in England and Wales registered community amateur sports clubs receive 80% relief on the rates for premises that are wholly or mainly used for the purposes of that club. In Scotland, mandatory rates relief is given to registered charities and registered community and sports clubs where the premises are wholly or mainly for charitable or club purposes. It is right and proper that we too extend rates relief, and I welcome the fact that the Bill has reached its Final Stage.

In reference to clause 2, it is a good idea that we will help owners plagued by vacancy. The measure will not regenerate the local economy with sweeping effect. However, it is a small part of the range of measures that we need to bring forward in the House and that will need to be adopted to help our businesses, many of which are struggling at this very difficult time with the state of the economy. Vacancy rates are still much too high and profitability rates too low.

The SDLP has been supportive of this legislation since it was introduced. It will provide good relief and assistance to organisations whose purpose is not financially driven. I hope that the outstanding issues around the sale of alcohol and profitability will be resolved in the coming mandate.

12.45 pm

Mr Cree: At this stage, everything has been said. I was pleased to be able to help Mr McCrea with his knowledge of things in the west. He certainly needs to get out more, but, again, I will help any time that I can.

This is a good example of where democracy works. There are problems with accelerated passage, but I think that we have demonstrated that democracy, despite what some people may think, is still alive and well in the House. The Chairman covered all of the points in depth. It has been a good example of where a Committee has worked with the Department and produced a good result from both ends. I hope that that will continue. We are happy to support the Bill, as amended. Again, I thank the Minister for the undertaking that he has given us this afternoon.

Mr Storey: I thank the Members who have made a contribution on the Bill this afternoon. I want to make a number of brief comments.

I want to touch on the point that was made by Mr Diver. Obviously, he made a point about his concern about using accelerated passage and how there was no opportunity for the House to give the scrutiny that was due. However, he and his colleagues went through the Lobbies yesterday to vote for an amendment on which there had been no consultation or due consideration. Even the Chair said that he was not going to comment on the issue.

That brings us back to the issue of pigeons, which were much to the fore. I have to say that I smiled when I noticed that, in a new survey, Northern Ireland ranks as the happiest place in the United Kingdom. The "Top of the morning" feeling peaks in Fermanagh and Omagh. I do not think that that has anything to do with the fact that we will pass legislation in the House today in relation to pigeon clubs; it might have more to do with the fact that we now have a First Minister who is from Fermanagh. I am glad that that has brought happiness to the people of Northern Ireland.

In closing, I want to take the time to thank the Speaker's Office and the Bill Office as well as the Assembly staff and all who have done so much to facilitate the passage of the Bill. I also note and place on record our thanks to the Office of the Legislative Counsel and the staff in the legislative programme secretariat in OFMDFM for their work in supporting my Department through the passage of the Bill. I also thank my officials who have worked tirelessly on the preparation of the Bill and on the extensive deliberations they have had with the Committee. I want to ensure that they are thanked for the work they have done. I also commend the work of the Finance and Personnel Committee. Mr Cree made a valid point: this is an example of how, for all the deficiencies, Bills can come forward in the House, there can be agreement and we can

find a solution, even when there are difficulties. I conclude by thanking all who have been involved in the process and everybody who has helped us to bring the Bill to this stage. I commend the Bill to the House.

Mr Principal Deputy Speaker: Before we proceed to the Question, I remind Members that the Bill requires cross-community support at Final Stage.

Question put and agreed to.

Resolved (with cross-community support):

That the Rates (Amendment) Bill [NIA Bill 75/11-16] do now pass.

Mr Principal Deputy Speaker: As there are Ayes from all sides of the House and there are no dissenting voices, I am satisfied that cross-community support has been demonstrated. The Rates (Amendment) Bill has passed.

Public Service (Civil Servants and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016

Mr Storey (The Minister of Finance and Personnel): I beg to move

That the draft Public Service (Civil Servants and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 be approved.

Schedule 13 to the Pensions Act (Northern Ireland) 2015, introduced in June 2015, now provides for the abolition of contracting out by way of amendment to the Pension Schemes (Northern Ireland) Act 1993. The 2015 Act modifies the definition of cessation date and introduces a specific date of 6 April 2016 for the abolition of contracting out for salary-related schemes.

Members should note that the regulations relate specifically to the Northern Ireland Civil Service pension scheme. However, as Finance Minister, I should inform you that, following my Department's instruction and that of Her Majesty's Treasury, this change to the Pension Schemes (Northern Ireland) Act 1993 will apply to all public-sector pension schemes in Northern Ireland. Indeed, Members will be aware of the debate that took place on 19 January 2016 on the Police Pension (Consequential Provisions) (Amendment)

Regulations (Northern Ireland) 2016, which were affirmed without issue.

The changes are technical in nature. They ensure provision for the continued protection of increases in guaranteed minimum pensions for employees who were contracted out of the second state earnings related pension scheme between 6 April 1978 and 5 April 1997. The draft regulations before the House were the subject of a targeted four-week consultation that ended on 16 November 2015, and no responses were received. The regulations were subject to an equality screening exercise, and no equality issues were identified.

On 13 January 2016, the Committee for Finance and Personnel agreed that it was content with the draft regulations. It is with its support that I bring the draft regulations before the House. I therefore commend these modifications to the House.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister has outlined the purpose of the regulations. These are subject to affirmative resolution because they modify provisions in the primary legislation.

The Committee considered the proposal to make the statutory rule at its meeting on 9 December 2015. Noting that, in response to DFP's short, targeted four-week consultation, the representative trade unions had no objections, the Committee agreed that it was also content with the policy implications of the regulations. The formal statutory rule that is before the Assembly was subsequently considered at the Committee's meeting on 13 January 2016, together with the accompanying report from the Assembly's Examiner of Statutory Rules. The Examiner raised no issues by way of technical scrutiny. The Committee therefore agreed to recommend that the Public Service (Civil Service and Others) Pensions (Consequential Provisions) (Amendment) Regulations (NI) 2016 be affirmed by the Assembly. On behalf of the Committee, I support the motion.

Mr Storey: Maybe this should be the duration of most debates on changes to legislation. I thank the Chair for his comments and want to place on record my appreciation for the help given when the issue was brought to the Committee for Finance and Personnel. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the draft Public Service (Civil Servants and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 be approved.

Mr Principal Deputy Speaker: The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The sitting was suspended at 12.54 pm.

2.00 pm

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

Oral Answers to Questions

Social Development

Mr Deputy Speaker (Mr Dallat): Members, questions 13 and 14 have been withdrawn.

Supporting People Review

1. **Mr McAleer** asked the Minister for Social Development to outline the work his Department has undertaken following the publication of the final report of the supporting people review. (AQO 9523/11-16)

Lord Morrow (The Minister for Social Development): The Supporting People review final report included 13 recommendations for improvements to the efficiency and effectiveness of the Supporting People programme. My Department has established an implementation steering group to drive the implementation of the 13 recommendations while working with key partners. I will publish an action plan in March of this year setting out implementation scales for my Department and for our delivery partners, including the Northern Ireland Housing Executive and the Department of Health, Social Services and Public Safety. My aim is to have the implementation process largely complete by March 2018.

Mr McAleer: Go raibh maith agat. I thank the Minister for his answer. What measures will his Department be taking to implement the recommendation of the Equality Commission report?

Lord Morrow: In keeping with all recommendations of the report, my Department will apply itself to all the recommendations. As far as it lies within it — I hope that it is in totality — it will be implementing that aspect of it completely.

Women's Centre Childcare Fund

2. **Mrs D Kelly** asked the Minister for Social Development, given that it provides 88,000 childcare places, to outline how he will ensure the future of the women's centre childcare fund, which is due to end on 31 March 2016. (AQO 9524/11-16)

Lord Morrow: The women's centre childcare fund was introduced as a temporary emergency funding package, pending the implementation of a coordinated childcare strategy for Northern Ireland. It was established in April 2008 following on from the children and young people's fund as part of an emergency departmental response to ensure that key childcare services provided in women's centres were kept open, pending an Executive decision about their future funding. The fund supports 14 women's centres across the region at a cost of approximately £850,000 per annum.

My Department stepped in over the last number of years to provide funding in a way that has ensured continued delivery of the women's centre childcare fund. I remain committed to that position. My predecessor Minister Storey indicated last year that, in terms of the Budget process, this would be the last year. However, given that we have an OFMDFM childcare strategy that will not come into operation until 2017, there is the issue of what we do in the interim. To that end, my officials recently submitted a bid for funds to DFP; unfortunately, however, it was rejected. This issue remains a priority for me, and I have to work now to ensure that we have a transition that, as far as possible, is not detrimental to the delivery of the service.

Mrs D Kelly: I welcome the Minister's commitment, but the people, particularly women, who work in the sector and those who depend upon the service that it provides need some surety and guarantee. We are, after all, in the month of February, and people will be getting redundancy notices shortly. I am sure that the Minister will agree that the service provided promotes social inclusion etc. In exploring other funding options, given that the social investment fund has been unable to spend its money, might that be a source that

the Minister could tap into at least to assure women's centres of funding for the year ahead?

Lord Morrow: I thank Mrs Kelly for her question. Let me assure her that I am totally committed to that matter. She mentioned the social investment fund. I am not quite sure whether that can be applied there or not, but I assure her that no stone will be left unturned. I accept what she says about the staff all being on their exit notice. That brings a degree of uncertainty. I hope that I will be able to get gap funding, but, at the moment, I cannot give any guarantee, except that I will do my best. I hope that, in this instance, my best is good enough.

Ms P Bradley: I thank the Minister for his answers so far. I agree with Mrs Kelly on the essential need for more information. I welcome the Minister's commitment to do his utmost to secure that funding for women's centres, but what is his assessment of the work that is supported by the women's centre childcare fund?

Lord Morrow: My Department recently commissioned an evaluation of the women's centre childcare fund, which has been an emergency measure since 2008, as I said. The evaluation concluded that the programme provided a wide range of positive impacts in relation to the development and well-being of children and in supporting parents to access services and opportunities.

Before I came into the Department, I was totally committed to this scheme. Now that I am in a position to do something about it, I can assure the Member, and the previous Member who asked the question, that this is something we are going to move — well, not literally heaven and earth, but we are going to make strident moves to ensure that it does not collapse.

Mr Beggs: The Minister will be aware that childcare provides an essential service to enable many to move from welfare into employment. In many areas, there may be under-provision of childcare facilities. Does the Minister acknowledge that the staff involved, and the parents currently being supported, will get little comfort from the thought that there is a strategy to be implemented in 2017? What is going to happen before then?

Lord Morrow: I thought I answered that. The present scheme has been receiving year-on-year funding from 2008. We are now in 2016 and funding has been available, and is continuing. I am very hopeful that I can continue that funding for a further year. By

then, hopefully, the childcare strategy will have kicked in, but that will be a new situation and will be for the Minister at that time. However, I am determined that 2016-17 will be funded, and I hope that I have not overstated that.

Girdwood Community Complex

3. **Mr G Kelly** asked the Minister for Social Development to outline the timescale for further progress on the Girdwood community complex in North Belfast (AQO 9525/11-16)

Lord Morrow: I would like to confirm my Department's ongoing commitment to the delivery of the agreed master plan conceptual framework in its entirety. My Department is finalising the site infrastructure at Girdwood Park, which has facilitated the delivery by Belfast City Council of its flagship community hub, and the provision by Apex Housing Association of 66 new houses. As the Member will be aware, the Department's infrastructure project includes the provision of a new multisport pitch.

My officials have already been engaging with other statutory bodies and stakeholders in the wider community to take forward important preparatory work for an indoor sports facility and mixed-use economic facilities. Delivery of those elements of the master plan conceptual framework will, of course, be subject to satisfactory business cases and the availability of budget. I am pleased to note that Belfast City Council has set aside £6 million for the development of the indoor sports site, and I am confident that, with cross-party support, the Executive will be able to commence the next phase of delivery in the spending review period beginning in April 2017.

Mr G Kelly: Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers up to now, and welcome that the Department is still committed to the entire project. Does he have any comment to make on departmental engagement with local communities on the management of the facilities?

Lord Morrow: My Department is investing £6 million in essential infrastructure, including roads, services, landscaping and a synthetic pitch to support the wider development at Girdwood Park. This is in line with the agreed conceptual development framework.

This work is scheduled to be complete by March 2016. The infrastructure works will support the Belfast City Council community

hub, which recently opened new social housing units by Apex Housing Association that are due to be available around May 2016, and the future development of the remaining sites.

Mr Anderson: I thank the Minister for his answers so far. He may have touched on this. What plans are there for future housing development on the Girdwood site?

Lord Morrow: In line with the agreed conceptual framework, an area of land along Cliftonpark Avenue has been identified for housing. The site is currently not listed for development due to lack of demand. Following the allocation of a social housing scheme on the nearby Oldpark Road by Choice housing association, demand in the area will be reviewed in the coming months. It is envisaged that affordable homes will be delivered on this site.

Mr A Maginness: I thank the Minister for his interesting reply, and I congratulate him on his appointment. I did work with him before in various guises and I know that he brings a lot to this position. As you know, housing on the Girdwood site has been a contentious issue. How soon will the review that the Department intends to undertake on housing take place, and what progress does the Minister feel might be made in augmenting the proposals for housing on the site?

Lord Morrow: I thank the Member for his comments and, as I am aware that it is not his intention to return to the Assembly, I wish him all the best for the future, wherever the future takes him.

On the future of this site, I have to say that, as I am sure he will readily agree, this has been a matter for some debate and discussion over recent times. It has still some distance to go, but my Department is totally committed to the development of the site and the review. I hope to be in a position to come back very soon or whoever is the Minister then should be coming to this, certainly within this calendar year.

Regeneration Powers: Transfer Timescale

4. **Mrs Overend** asked the Minister for Social Development for an update on the timescale for the transfer of regeneration powers to local government. (AQO 9526/11-16)

Lord Morrow: The decision to transfer regeneration and community development

powers to local government ultimately rests with the Executive. The new Department for Communities (DFC) will have a much wider range of responsibilities. In this context, it would be prudent to wait until the new functions have been assimilated in the DFC and then the Executive can determine when any of those responsibilities would best be delivered at a local level. The timing would be subject to the successful completion of the legislative process. The fundamental aim of the reform programme remains the same: to transform local government, putting decision-making on local matters in the hands of locally elected representatives. Ultimately, the Executive will decide the way forward in the context of the newly formed Department for Communities.

Mrs Overend: I thank the Minister for his response. Will he agree that, while there is ambiguity about the timescale for the transfer of these powers to our local councils, they will remain in some sort of limbo and that there should be some sort of commitment to a timescale for the transfer of these powers in the Programme for Government?

Lord Morrow: I do agree with the sentiments expressed by the Member that it is important that the uncertainty is dealt with as quickly as possible. I do accept that it is important that we come to this situation as quickly as humanly possible. We had hoped that we would be coming to it in 2016, but the truth of the matter is that we will not be. However, we can look then to 2017 and, hopefully, we will be. I assure the Member that I and my party are totally committed to this, and we will be making every effort to ensure that it happens in as short a timescale as possible.

2.15 pm

Mr Campbell: Will the Minister outline whether the resources originally envisaged to be allocated to local authorities for the important duties that will be transferred across will be reflected in reality?

Lord Morrow: Councils had been advised of the budgets anticipated to transfer to them should the Regeneration Bill have successfully completed its legislative passage. Unfortunately, we know that that will not be the case. However, as this is no longer the case, there will be no specific allocation to councils to deliver services to tackle deprivation in 2016. That responsibility remains with my Department.

Mrs McKeivitt: I congratulate the Minister on his new position; this is my first opportunity to do so.

Mr Campbell has already touched on the resources. Will the budget for the delivery of that function also transfer to local government? What guidance is his Department giving to, and what discussions is it having with, local government in order for it to be ready?

Lord Morrow: I thank the Member for her kind remarks and well wishes to me for the future in this Department.

I think that there would be something very amiss if the budget were not transferred at the same time. It has to be, otherwise it will not be an effective form of government. Given that the Executive have only recently agreed the final Budget for 2016-17, I now need to consider the impact that the settlement will have across my Department's remit. Yes, the budget is a very important factor. If it does not go with the powers, why should powers transfer at all?

Independent Advice Centres: Funding

5. **Mr Lyttle** asked the Minister for Social Development for an update on funding for independent advice centres. (AQO 9527/11-16)

Lord Morrow: Through its community support programme, my Department provides £1.6 million of funding to front-line advice services each year. That is supplemented by approximately £1.9 million from local councils, which then commission front-line advice centres for their local areas. Additionally, my Department provides funding of £1.3 million annually for regional support services for front-line advisers. Budget allocations for 2016-17 have not yet been agreed.

Mr Lyttle: I thank the Minister for his answer. Does he agree that independent advice services provide vital assistance to ensure that people in our community receive the social security assistance to which they are fully entitled? In my constituency of East Belfast, the independent advice centre works on a shoestring budget of £70,000 per year and generates multi-million-pound take-up, to which people are fully entitled. Is the Minister, therefore, willing to follow up on a commitment given by his predecessor to meet the Northern Ireland independent advice service sector and me to ensure that advice centres have adequate resources to achieve what they are able to achieve?

Lord Morrow: Mr Lyttle talks about the advice centres having limited resources. I can rub thumbs with him on that: I have a finite budget also. However, I am quite prepared to meet with him and those who provide the service to discuss the issue in the future. As Mr Storey has already given that commitment, I am prepared to stand by it.

Mr Diver: Will the recommendations from the recent Evason panel regarding funding for advice centres be implemented in full? Can people have assurances that they will have high-standard advice on an ongoing basis?

Lord Morrow: I thank the Member for his question. I also wish him well, having recently come in to the Assembly in place of, I think, Mr Ramsey.

Professor Evason's report recommended additional funding for front-line advice services of £1.25 million per annum for four years. The Executive have now agreed the implementation of the recommendations, and I have asked my officials to consider how best to take them forward.

Mrs Cameron: I thank the Minister for his answers so far and welcome him to his new role as Minister for Social Development.

When will the funding for front-line advice services be confirmed?

Lord Morrow: I thank my colleague Pam Cameron for her well wishes.

The Budget allocations for 2016-17 have not yet been agreed. Front-line advice providers and local councils will be advised as soon as is humanly possible.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for his answers thus far and also congratulate him on his new role.

I, like others, had intended to ask the Minister about the additional resources, but he has already answered that. How confident is he that vulnerable people will be well served in the new arrangements?

Lord Morrow: I thank the Member for her well wishes. As for attending to, looking after and providing a service for vulnerable people, I believe that society owes it to them and, as one who has an advice centre, like many others in this Chamber, we deal with those sorts of

issues on a daily basis. They are very close to my heart and, if it is down to me to do it, I assure you that it will be done, and there will be no gap in that service.

NIHE Dwellings: East Londonderry

6. **Mr McQuillan** asked the Minister for Social Development how many Northern Ireland Housing Executive dwellings in East Londonderry are inhabitable. (AQO 9528/11-16)

Lord Morrow: The Housing Executive has 4,444 properties in the East Londonderry constituency area, which all meet the standard.

Mr McQuillan: I thank the Minister for his answer and congratulate him on his elevation to the Front Bench. What investment is being made in Housing Executive properties in East Londonderry?

Lord Morrow: I thank Mr McQuillan for his well wishes. I suspect that this honeymoon period will end some time, but I will enjoy it while it is happening.

In line with the interim investment planned, the Northern Ireland Housing Executive has five schemes already under way or planned to commence in the next year in East Londonderry worth a total investment of approximately £1.483 million. Further necessary investment has been made in properties in East Londonderry and continues to be made through planned and response maintenance, with around £21 million committed to schemes during the last two and a half years.

Mr Deputy Speaker (Mr Dallat): Mr Chris Hazzard is not in his place.

Equality Obligations: DSD

8. **Mr McKay** asked the Minister for Social Development, following the recent publication of the Equality Commission's investigation report on the Department for Social Development's compliance with its equality scheme commitments, to outline the progress that has been made by his Department on meeting its equality obligations. (AQO 9530/11-16)

Lord Morrow: My Department is continuing to work with the Equality Commission for Northern Ireland to take forward the four recommendations that were made as a result of its investigation. The breaches related to the Department's 2001 equality scheme. No breaches were identified against the current

equality scheme. As recently as 22 January, a meeting was held with representatives from the Equality Commission to ensure that the Department was addressing the concerns raised.

On a general note, my Department adheres to its equality scheme and received positive feedback from the Equality Commission on our section 75 annual progress report, which set out the work undertaken to meet our equality obligations in 2014-15.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I also congratulate the Minister on his appointment.

Is he satisfied that the current legislative and policy framework on procurement of housing support services in relation to Supporting People is delivering the required outcomes?

Lord Morrow: I thank the Member for his well wishes, too. He has asked a very direct question; he asked whether I am satisfied. The answer is as direct, and it is yes.

Mr Douglas: I thank the Minister for his answers so far. Will the Minister outline the current position of the Department's equality scheme work and the work on the housing strategy?

Lord Morrow: The Department has published the final version of the housing strategy, alongside a midterm update on the 33 actions in the housing strategy action plan and an updated equality screening exercise. The midterm updates shows that 27 screenings had been completed to date. The action plan update shows that the strategy is delivering on its vision to ensure that everyone has the opportunity to access quality housing at a reasonable cost

Social Housing: Funding

9. **Mr Diver** asked the Minister for Social Development to outline the funding his Department will provide to increase the building of social and affordable housing. (AQO 9531/11-16)

Lord Morrow: I have just approved the Housing Executive's new social housing development programme for the three-year period 2016-17 to 2018-19. Budgets for the 2016-17 social housing development programme and beyond have yet to be agreed.. However, the Housing Executive has based its

indicative programme for 2016-2020 on delivering 8,000 new starts over that period.

The Northern Ireland Co-ownership Housing Association continues to be my Department's main delivery partner for affordable housing. My Department has secured nearly £95 million of financial transactions capital (FTC) loan funding for the co-ownership scheme for the period from 2015 to 2018-19. It is anticipated that that funding, in conjunction with its private funding, will permit the Northern Ireland Co-ownership Housing Association to deliver over 2,600 additional affordable homes across Northern Ireland.

Mr Diver: I thank the Minister for his assurances. Anybody on the housing list will welcome the fact that new homes are being built. There is debate and consultation about housing associations potentially acquiring former Housing Executive properties. If there is such a policy decision, can current Housing Executive tenants be assured that they will not be detrimentally affected by that process or change?

Lord Morrow: I want to be fair to the questioner. That is a question that I want to look at before I give a definitive answer. I think that I am right when I say that that is the case. However, I will come back to you on that and provide a full answer because I recognise that it is an important issue, not only for Members but for tenants and those who are hoping to buy their own homes one day.

Mr G Robinson: I congratulate the Minister on his elevation to his new post. How is housing need calculated?

Lord Morrow: I thank the Member for his well wishes, too. It is good that so many are wishing me well, right around the House. I hope that, in the months to come, it will also be that way and that, when I have maybe not delivered something for them in their area, they will still be prepared to wish me well. I suspect that that might not be the case.

Housing need is calculated through a process. As someone who has been a long-time councillor in his area, as I was in mine, the Member will know that that is a subject that keeps coming up. I assure him that there is a very fulsome and robust method that determines how that is done. I will send the Member the exact details. I think that he will be convinced, as I am, that it is a true and trusted method that ensures fairness and equality in the whole scheme.

Mr Deputy Speaker (Mr Dallat): I call Mr Phil Flanagan for a very short supplementary question.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I will dispose with wishing the Minister well, if that is your intention.

Can the Minister provide us with an update on how his Department and the Housing Executive are trying to overcome the barriers faced by people who are trying to develop social and affordable housing in rural places like Ederney in Fermanagh, where the waste water treatment plants are full and no further development can be connected?

I genuinely do wish the Minister well; I was only joking.

Lord Morrow: I thank the Member for his well wishes, too. He has raised an issue about rural areas that I, too, am concerned about. I am not sure whether he was at the latest development in Fivemiletown the other day, where we have upgraded the sewage treatment works.

Those are the sorts of scheme that we want to see developed. I accept that the infrastructure in certain places prohibits development in rural areas. If the Member knows of an area of great concern to him — he mentioned Ederney — he can contact my office, and I will look into it in person to see how we can ensure that homes are provided for rural communities. Rural communities are as entitled to homes as urban ones.

2.30 pm

Mr Deputy Speaker (Mr Dallat): I am sure that it is superfluous for me to assure the Minister that I did not wish to deprive him of good wishes. *[Laughter.]* The time is simply up for listed questions, and we will now move on to topical questions. Topical question 1 has been withdrawn.

Bangor Town Centre: Regeneration Update

Mr Dunne: I too welcome the new Minister and thank him for his recent visit to north Down. We are looking for a lot of good things from him.

Mr Deputy Speaker (Mr Dallat): Is there a question?

T2. **Mr Dunne** asked the Minister for Social Development, while recognising work to date by DSD, for an update on the regeneration of Bangor town centre, including the long-awaited Queen's Parade development. (AQT 3422/11-16)

Lord Morrow: I thank Mr Dunne again for his good wishes. He is right: I spent a very good day in Bangor last Thursday. It was good to see the sparkle back in Bangor, something, as I said on that day, that had been missing in earlier years. In response to the Member's question, let me say that, over the last three years, my officials have been working in partnership with the council to design, develop and deliver a major £8 million public realm improvement scheme for Bangor. Significant progress has been made to the works programme, and these are due to be completed three months earlier than expected, on 31 March 2016. It is not often that you hear something like that. During my recent visit to Bangor to officially open the YMCA's new premises on High Street, I saw for myself how this substantial investment is already beginning to inject renewed vibrancy into the town centre, making it a modern place to visit and spend time in.

Significant progress has been made on Queen's Parade since my Department stepped in and took direct control of the scheme. In March 2015, my Department obtained planning approval for a scheme that would provide for in excess of 25,000 square metres of floor space. The new development includes a mix of residential, retail, commercial and hotel accommodation, restaurants, cafés, a courtyard plaza and public open space for marine gardens. The plans will complement the public realm works and restore the area as an attractive, vibrant and inclusive place for everyone to enjoy. It will also enhance the town's reputation as a key tourist and shopping destination.

Mr Dunne: Thank you, Mr Deputy Speaker. I am assured that your visit has already paid off, but can the Minister clarify the actual start date for Queen's Parade? We would prefer it in writing, Minister. The project has gone on so long, and we would like to see work begin on site as soon as possible.

Lord Morrow: I do not know about the writing aspect, but I suspect that whatever I say now will go down in Hansard. I am not sure whether that is enough to satisfy the Member.

The granting of planning permission in March 2015 was a key step in the development process. The next major step is to complete site assembly. The majority of the property is now in the ownership of DSD. My officials have been negotiating with the three remaining property owners for over 12 months to achieve agreement by mutual consent. I do not know whether the Member can assist us with that or not. Negotiations are ongoing. However, it is unlikely that agreement will be reached for all the properties, and the Department has issued notices of intention to vest the remaining properties. My Department has requested a public inquiry into the decision to adopt a development scheme for Queen's Parade and the issue of vesting notices. That is set for 3 February 2016. A final decision on the making and enacting of the vesting order will be made following the public inquiry. My Department is working closely with the council and hopes to appoint a private sector development partner in September 2016 to take forward the proposals. It is estimated that the groundwork will commence about 12 to 18 months after the appointment of the developer.

Mr Deputy Speaker (Mr Dallat): I call Mr Adrian Cochrane-Watson, who has just got to his place.

Mr Cochrane-Watson: Is this a topical question? Question number 2, Mr Deputy Speaker.

A Member: We are on topicals.

Mr Cochrane-Watson: I apologise, Mr Deputy Speaker. I have been away all morning at a hospital appointment. I do not have a question.

Housing Benefit Fraud

T4. **Mr Lyons** asked the Minister for Social Development what action his Department is taking to deal with housing benefit fraud and what progress has been made. (AQT 3424/11-16)

Lord Morrow: The issue of fraud, whether it is housing benefit fraud, social welfare fraud or whatever, is one that my Department and I take very seriously, as should every MLA. I assure the Member that it is very high on our list of priorities because the money taken away by fraud means that there is less to go to those who really deserve it. I assure the Member that, like him, I am concerned about the scale of fraud. Whether it is at a low or a high level, it

has to be tackled, and I assure him that it will be tackled.

Mr Lyons: I thank the Minister for his answer. A specific case brought to my attention was that of the resident of a Housing Executive property. She abandoned the property but continued to claim housing benefit and left her dog there to starve to death. Obviously, that is not acceptable on a number of levels. Can the Minister assure me that his Department will take every action possible to ensure that people claiming housing benefit are entitled to it? Will he also assure me that his Department will continue to invest so that action can be taken against housing benefit fraud? As the Minister rightly says, any welfare money that is spent on those who do not need it is taken away from those who do.

Lord Morrow: I thank the Member for his question. Frankly, I found the story that he related absolutely horrendous. I say to him and everyone else within the sound of my voice that, if they are aware of any of this sort of behaviour going on, we all have a moral and civic responsibility to report it to the authorities to ensure that it is stamped out immediately.

The estimated level of benefit fraud has reduced from £60.9 million of public money back in 2001 — I took up the conversation in 2001 when I was last in DSD — to an estimated £25.2 million in 2014, with a further estimated £18.4 million lost through housing benefit fraud. My Department has a dedicated team of fraud investigators who work right across Northern Ireland, so there is no let-up on that, Mr Lyons, I assure you. The incident that you reported is horrendous. If you have any information that can help my Department or the police, please speak to us.

Private Rented Sector: Review

Mr G Kelly: Go raibh maith agat, a LeasCheann Comhairle. In continuance of the warm glow around you, Minister, I add my best wishes as you take up your responsibilities in the Department.

T5. **Mr G Kelly** asked the Minister for Social Development to outline the areas that will be covered in his Department's recently announced review of the regulation of the private rented sector. (AQT 3425/11-16)

Lord Morrow: I thank the Member for his well wishes. The review that he speaks of will be very comprehensive. It will take in all aspects and, if there are areas that the Member has

concerns about or he feels that he could feed into and would like to see considered, we are ready to listen to him and hear what he has to say on this issue.

Mr G Kelly: Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for his answer and, indeed, his offer to feed into the review. He said that it would be comprehensive. I ask for some assurance that the antisocial behaviour issue is looked at. As he knows, there are some regulations in the social housing sector that give the ability to deal with that when it happens. At times, perhaps not often, that can destroy a whole street or area. If we could look at that in the private sector, it would be very helpful.

Lord Morrow: Antisocial behaviour comes up constantly as one of the big issues that public representatives get through their door, with complaints virtually on a daily basis. I think that the message that antisocial behaviour is not acceptable in this day and age still does not seem to have got out. I want to make it very clear that, as far as my Department and me are concerned, antisocial behaviour has to be tackled head-on. Sometimes, that means putting our heads above the parapet, but that has to be done. I will ensure that, in this review, which, as I have already said, will be comprehensive, antisocial behaviour will be one of the issues looked at from every angle to see how it can be reduced. It would be better if it could be stamped out altogether.

Holylands: Regeneration

T6. **Mr Ó Muilleoir** asked the Minister for Social Development about an issue that he would remember from his last stint as Minister, which was the Holylands, where there are continuing efforts to create a family friendly and vibrant community, and, given that, as he knows, the city is changing, with up to 5,000 purpose-built units for students, would he consider revisiting the efforts to regenerate the Holylands as a vibrant community. (AQT 3426/11-16)

Mr Ó Muilleoir: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liomsa fosta tacú agus tréaslú leis an Aire as a cheapachán. I also congratulate the Minister on his appointment. Your predecessor tells me that he left a little note for you to deal sympathetically with my questions, so I hope you received that, Minister.

Lord Morrow: I did not understand part of the Member's question, but I did take from him that it was well wishes, too. One thing that has

struck me since the First Minister appointed me to this Department is the number of people there who remember me. I thought that there was nobody still living to remember me there, it was that long ago. *[Laughter.]* Now that you speak of the Holylands, I do remember, and I have some memories of that. However, I do not remember the details, to be truthful. I think that, if I am going to come up to speed on that one again, you should bring it to my attention, and we will certainly have a look at it. I have listened to it in the news in the past, and I know that there are some quite unsavoury things that have been going on there. Those things need to be looked at and tackled.

Mr Ó Muilleoir: Thank you very much, Minister, for your response. I did not mean to spring that on you. I suppose it is topical because St Patrick's Day is coming round, and you will remember that that is always a very tough time for the families and residents of the Holylands. Perhaps, Minister, in the time remaining before Parliament breaks up, I could invite you to come back to the Holylands. Maybe you will visit south Belfast and meet some of the residents. In short, Minister, I presume that you would like to see a vibrant, family friendly community that does not have the sort of antisocial behaviour that we have seen on St Patrick's Day in previous years.

Lord Morrow: Yes, I think it would be very good if we could avoid what has happened on St Patrick's Day in previous years. I am not sure whether I can be there before St Patrick's Day. I suspect that, even if I were there, it may not totally influence what is going on or what might go on. Suffice it to say, let us hope that the behaviour that has been witnessed there in the past is not a feature this year, and that people show respect and regard for others.

Housing Executive Maintenance Delays

T7. **Mr Frew** asked the Minister for Social Development whether Housing Executive maintenance and capital delays are unique to the North Antrim constituency, where there have been massive delays over the last number of years, some of which have lasted for over a year and a half and counting, including roofing schemes in Ballykeel and Harryville and some external works in Cullybackey and Ballymena north; and whether he will investigate these delays. (AQT 3427/11-16)

2.45 pm

Lord Morrow: I do not think that those delays are unique to North Antrim. Having said that, I do not say that they are on a par with everywhere else. If the Member wants to come and talk to me, write to me or send me a question about it, I will get a look at it and see exactly what is going on in the North Antrim constituency that he cherishes so much. If there is something unique about the delays in North Antrim, we will take action to change it.

Mr Deputy Speaker (Mr Dallat): Time is up. I remind Members to keep their questions short and then, perhaps, more people will have an opportunity to ask questions.

Agriculture and Rural Development

Mr Deputy Speaker (Mr Dallat): Questions 1 and 9 have been withdrawn.

Farming: Administrative Burden

2. **Mr Cochrane-Watson** asked the Minister of Agriculture and Rural Development by how much her Department has reduced the administrative burden on farmers and agrifood businesses since 2007. (AQO 9538/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): A well-regulated industry is vital in underpinning trade and, increasingly, it is a strength that the agrifood industry is exploiting in securing new export markets.

Following a joint DARD/DOE review of better regulation in 2009-2010, DARD implemented an action plan, taking forward 61 recommendations, to reduce the administrative burden on the agrifood sector. By 2013, a 10.4% reduction had been achieved. Since 2013, we have continued to make good progress. Most notable is the recent achievement of official brucellosis-free status, allowing the relaxation of controls and leading to savings in compliance costs for the primary production sector of £7 million per annum, as well as £8 million in savings for the taxpayer. Another area where we have progressed is in completion of land eligibility inspections by remote sensing, using satellite imagery rather than by on-farm inspections. In 2015, DARD completed 86% of basic payment scheme inspections using remote sensing.

Despite my desire for a simpler CAP regime, the new schemes are greater in number and more complex to administer. However, my officials are working to ensure that they are as

easy as possible to understand, with information and tools available to help farmers and others comply with the least amount of bureaucracy attached as possible. I have also made a separate approach to Commissioner Hogan in Brussels in an attempt to make the penalty regime applied in cases of over-declaration in some schemes as simple as possible. I am pleased that there has been some movement on this with the latest announcements from the Commissioner.

I want to continue to focus on ensuring that complying with rules and accessing services is further simplified. The continued roll-out of enhanced digital services with appropriate support will speed up processing and help customers' businesses to succeed.

Mr Cochrane-Watson: I thank the Minister for her response. However, many farmers will be sorely disappointed that there has been an abject failure by the Department to reduce its own administration costs. Previous targets, such as those contained in the 2007-2011 Programme for Government have now been abandoned. Does the Minister feel that it is acceptable that the total DARD administration bill is now over £45 million centrally in this financial year, as supplied by DFP, compared to a reduction of £5 million five years ago?

Mrs O'Neill: I note that your party has taken up this issue and run with it in the media, using figures that it has manipulated for its own benefit to try to pull a headline out of it. I am very happy to explain to the Member the difference in the figures that we are talking about. If he is asking me whether I am apologetic for putting more resources into services that help us to deliver farmers' payments, I am not.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I note and welcome that, in the Minister's response, she expressed a desire for less bureaucracy and more simplification. In that context, will she consider making provision for part payments?

Mrs O'Neill: We all recognise that it has been an extremely difficult year for all sectors across the farming industry. I will do anything I can. A lot of these things are commercial matters and lie outside my Department's control, but some things are within my control and one of them is ensuring that we pay the maximum number of people. Year-on-year, we have seen improvements in the number of people we have been able to pay in December. I want to put on record that I give credit to all the staff, who, in

comparison with all other paying agencies on these islands, have outperformed by ensuring that we have paid 96% of people at this stage. I think that all credit is due to the staff involved in delivering that work.

I also indicated, as the Member said, that part payment is an issue that the industry has consistently asked me to look at, and my focus initially was on making sure that we maximised the payments and increased the numbers inspected with remote sensing. Now that we have been able to do that, I have told officials that my intention is to make sure that we can get to a position where we will make part payments, up to 50% of direct payments, on 16 October, following submission of the single application form. That option, as I said, has not been available until now. I think it is good news for the industry going forward that we will be able to come to the scenario where we will be able to make advance payments to about 80% of eligible farmers in October.

That said, us being able to deliver on that promise will very much come down to working with the industry itself. I need more farmers to apply online. The application process for this year is coming up very shortly. My clear message to the industry is this: help me to help you. The more applications we receive online, the better. Ideally, we would want over 70% to be made online. Last year, there was a significant improvement; I think the figure was over 40%. If we can increase that again this year, the Department will be in a position to deliver those part payments in October.

Mr Deputy Speaker (Mr Dallat): I call Mr Declan McAleer. I am being too generous. I call Mr Jim Allister.

Mr Allister: If the Minister's blind enthusiasm for the EU permits her, will she undertake to publish a schedule of all the administrative burdens and regulations placed upon the farming community and identify which originate in the EU and which originate in her Department? Will she undertake to do that or would that come too close to exposing the hideous burden that the EU puts upon our farmers?

Mrs O'Neill: That is not even a problem. I do not have a problem setting out very clearly what legislation we work under within the EU, but I also do not have a problem with publishing the benefits that our industry receives from the EU, particularly the single farm payments, the rural development programme, the Peace programmes — the list goes on. I am very

happy to publish all that information because it is important that you look at the situation in the round.

There are diktats from Europe that we find very difficult to administer and that we find are very difficult for the farming industry in particular. Is there room for improvement? Absolutely. It is our job to do that; we are elected to do that job, and our MEPs are elected to do that job. We have a job of work to do in reforming the EU. Let us take on that challenge, and let us not rob our rural industry and agrifood sector of much-needed support.

If you look at the most recent statistics on farm incomes, you will see that, without the subsidy and support, farmers would have been in a negative situation. There would not have been one penny of profit; there would have been a negative loss-making scenario. I think that, when we look at the future within Europe, we need to look at it in the round and at the benefits that are there for our local industry.

Mr Beggs: The Minister was unapologetic about increased administrative costs. With a reducing budget and the efficiency savings that we are hearing about, one would expect the administrative burden to go down. Does she accept that farmers expect to get a higher percentage of the funding, rather than it being absorbed by administrative burdens?

Mrs O'Neill: Farmers and the rural community at large can be very confident in knowing that I have delivered the largest ever rural development programme that has been seen in the North. I think that in itself speaks volumes about my commitment and about how I deliver for farmers and rural dwellers.

Where the admin costs are concerned, I am very happy to provide a breakdown of the figures that have been set out and the £5 million that your party is referring to. It is not as simple as subtracting one figure from another, as your party has done. I am very happy to explain the difference in the baseline figures and the figures that they were compared with. I will provide the stats to you in writing, rather than go through them now, but I can give you the headline figure of £2.5 million for depreciation in Land and Property Services valuation. It is very simply explained. I stand over my point that I am not apologetic about putting in more admin resources to make sure that we paid the maximum number of people their single farm payment in December. We delivered on that, and now 96% are paid as a result of my refocusing and making sure that I

had enough people on the front line to be able to deliver the money.

Brexit: CAP Contingency Plans

3. **Mr Lunn** asked the Minister of Agriculture and Rural Development what discussions she has had with her counterparts in London and Edinburgh concerning contingency plans in the event of the withdrawal of payments to farmers under the common agricultural policy should the UK vote to leave the European Union. (AQO 9539/11-16)

Mrs O'Neill: First, a referendum in favour of Brexit would be disastrous for agriculture and rural development in the North because it would hinder access to vital EU markets and lead to reduced agricultural support. That is a point I have made consistently in the House.

As for contingency planning, if there were a Brexit scenario, notification would be submitted to the EU. It would take up to two years following that for a withdrawal to be complete, and I am told that that number of years can be extended. The period between the decision to withdraw and the withdrawal actually taking effect would be used to negotiate the terms of withdrawal from the EU. It would also be used by the Assembly to negotiate with the British Government on what contingency plans might be developed to replace existing EU rules and financial support systems following EU withdrawal.

Over the 2014-2020 EU budget period, pillar 1 payments to our farmers would amount to €2.3 billion. In addition, €228 million of EU funds is devoted to our rural development programme, resulting in a total planned expenditure under CAP of €2.53 billion. Importantly, the Assembly could not maintain this level of funding unless additional funds were provided by the Treasury. The British Government have consistently pushed for reductions in the support going to farmers and rural development under the CAP. They do not regard that spending as value for money, so I believe that the Treasury would be unsympathetic to our calls for some of the money saved from withdrawing as a member state from the EU to be used to maintain support to farmers and rural communities. A significant reduction in direct support would leave many of our farmers in real and long-term financial difficulty. A reduction of funding for farmers and rural communities would have knock-on effects for the environment.

Mr Lunn: I thank the Minister for that answer. Frankly, she has more less answered any

supplementary that I might have come up with. However, for the benefit of others who are present, does she agree with me that this would be an absolute disaster for Northern Ireland and that the British Government would have neither the will nor the ability to replace the payments like for like?

Mrs O'Neill: Yes, I totally agree with that. As I said, we are talking about €2.53 billion of supports for the agrifood sector and rural communities. The current Tory Government have no intention to replace that. We have seen cuts to our block grant year on year. If those are the projections for the future, I do not hold out much hope with the Tories, who have an ideological position opposed to subsidy. They have been trying to reduce year on year. They voted against the financial package in Europe. They voted to reduce the payments that go to the farming and rural sectors. I am not confident about what they would bring into place.

I have consistently said that the biggest concern that the industry has is that there are so many uncertainties. We do not know what the future holds. We do not know what a post-Brexit situation would look like. Without all those certainties, it is hard for anybody to make a rational choice going forward. However, €2.53 billion is significant and speaks volumes on what it means to our local economy, what it means to the agrifood sector and what it means to everybody: if farmers are not subsidised to produce food, all consumers will pay more for food that we will have to import from other countries. Where do we get that from if we cannot trade openly and freely in Europe? We need to consider a number of significant challenges in terms of where we are and how things will be in the future in a Brexit situation.

Mr Campbell: Does the Minister not agree that talking about nightmare situations in the context of a Brexit position does not help the discussion, which should be a rational discussion of whether the UK and Northern Ireland as part of the UK stay in Europe or leave it? The uncertainty about the financial assistance that may be on offer to our farming communities, which she rightly talked about, exists equally whether we stay in Europe or leave it.

Mrs O'Neill: I have made my position clear: we need to have a rational discussion. We need to up the ante in having the debate. We have had this discussion at each of my last two or three Question Times. We need a real and meaningful debate around our future, but €2.53

billion of investment in our local economy speaks volumes. Agrifood is the mainstay of our local economy. It is one of the main drivers of growth. The stats around farm incomes that were published towards the end of last week clearly point to the fact that, without that subsidy and that payment going to farmers and rural people, they would be in a negative situation. We need to be serious about what this means.

I think that we all can agree that Europe needs to be reformed — absolutely. We can all stand and say that there is room for improvement of some of the regulations, the red tape and everything that goes with it, but we were elected to do that job. It is our job to make sure that we challenge where things are not right and could be made better. I was able to successfully challenge on CAP reform for some simplification around greening, so we can point to examples of where we have been able to make a difference. I am elected to do a job. I am the Minister of Agriculture and Rural Development. I will fight my corner for the local industry in Europe. That is what I should be doing. That is the job that I concern myself with. I am 100% concerned, as are the industry and the business community, about what a post-Brexit situation would mean. If we take it purely in terms of the agrifood sector and the rural economy, it would be a significant blow if we were to withdraw from Europe.

3.00 pm

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers thus far. What is the current level of trade between the North and other EU regions?

Mrs O'Neill: The latest available figures indicate that 73% — again, this points to the significance of trading in Europe — of our agrifood and drinks-processing sector trading was to destinations outside the North of Ireland. In terms of exports from the North, 60% of exports of all goods and 90% of food and drink exports go to other EU countries. Therefore, it is no exaggeration to say that the EU markets are critical for the North's agrifood industry.

As well as the trade in processed food products, there are high levels of live animal and raw milk trade across the border with the South. In 2015 alone, almost 28,000 live cattle came North, while 332,000 sheep and around 20% of milk produced in the North went South. When you look at the stats, even those that

have been very quickly put together, you see how important the implications for trade will be in a post-Brexit situation. Our level of trade in the EU is so significant to our local industry. Those are the factors that we need to take into consideration when it comes to deciding on our future.

Wind Energy

4. **Ms Maeve McLaughlin** asked the Minister of Agriculture and Rural Development for an update on her plans to use the forest estate for the development of wind energy. (AQO 9540/11-16)

Mrs O'Neill: A strategic outline case to support the work of Forest Service to commercialise its wind potential has already been approved. I am pleased to report that the next stages of business case work will be presented to me shortly for consideration. It will inform how best to commercialise the potential that exists on the forestry estate. There have been significant policy changes in the renewables area throughout 2015 locally and at Westminster, which has led to inevitable delays as Forest Service considers how best to integrate the changes into its proposals. The proposals coming forward now have taken the changes into consideration. Clearly, revenues for my Department or, indeed, communities will be dependent on sites becoming operational. I am sure that you would all welcome, as I do, the opportunity to generate revenue from public assets, particularly given the current budgetary situation that we find ourselves in.

Mr Deputy Speaker (Mr Dallat): Before taking a supplementary, I appeal to Members to check their mobile phones, please. There is significant feedback, and that, of course, affects the recording equipment.

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Minister for her answer. Specifically in light of policy changes, how does the Department now intend to manage the environmental impacts of wind farm developments?

Mrs O'Neill: Obviously, wind farm development is subject to robust planning assessment by the councils or DOE, depending on the scale of the development. Planning consideration is against robust planning policies, and each proposal on the forest estate will be subject to a full environmental impact assessment. As with any planning application, interested parties have the opportunity to raise concerns or objections. Wind energy development on the forest estate

is likely to involve some felling of trees in the immediate environment of turbines to accommodate the installation of wind farm infrastructure. Any of our proposals will be assessed against environmental standards and the planning standards that already exist for wind farms. In assessing the forest estate for wind energy potential, my Department has shown leadership. As part of its process, Forest Service has excluded environmentally designated areas such as special protection areas, known as SPAs.

All-island Animal Health and Welfare Strategy

5. **Mr G Kelly** asked the Minister of Agriculture and Rural Development to outline the achievements of the all-island animal health and welfare strategy. (AQO 9541/11-16)

Mrs O'Neill: I welcome the progress to date of the all-island animal health and welfare strategy, which has the wide support of industry on the island and is an excellent example of what can be achieved if we take a joined-up approach. It provides a valuable forum that enables discussion and practical cooperation on a wide range of animal health and welfare issues. Positive outcomes include cooperation on contingency planning for exotic disease outbreaks; agreement on a common chapter in the respective epizootic contingency plans for foot-and-mouth disease, avian influenza, African horse sickness and bluetongue; cooperation on testing regimes for TB and brucellosis in border areas; cooperation in relation to the exchange of data to facilitate trade in bovine animals, following the lifting of the BSE export ban; the development of a largely similar system of sheep identification; and the introduction of a BVD programme that will require herdkeepers to tag and test all new born calves for BVD in the North.

That will put herdkeepers here on an equal footing with those in the South, where a BVD eradication programme is already in place.

Officially brucellosis-free (OBF) status was approved by the EU Commission, which means that OBF status has been achieved in both jurisdictions. Attaining OBF status has allowed me to further relax our testing regime in the North.

All of those examples demonstrate that there are considerable benefits resulting from the strategy in animal health and welfare on the whole of the island. Those can help to protect us from disease outbreaks that may have

serious consequences for trade and public health. There is an ongoing and active work programme in place, supported by close cooperation from officials, to help ensure the delivery of the strategy.

Mr G Kelly: Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answer, which was very comprehensive. Will she elaborate on the ultimate aim of the strategy that she just outlined?

Mrs O'Neill: The ultimate aim of the strategy is to develop policies that will facilitate free movement of animals across this island. In implementing the strategy, both Administrations are guided by a number of key principles, including the achievement or maintenance of consistently high standards of animal health and welfare, improved public health and effective capacity to deal with emergencies within a policy framework. To work towards that aim, three key strategic areas have been identified: partnership; further cooperation on trade, animal identification and movement policies; and further cooperation on developing disease control and animal welfare policies.

Mr Irwin: The Minister talks about an all-Ireland animal health strategy. Does she accept that the Irish Republic has reduced TB to a much lower level than that in Northern Ireland through a badger cull and a deer cull? Have the Minister and her officials looked at how the Irish Republic has been able to reduce TB levels? Will she take the same action?

Mrs O'Neill: The levels in the South are different to our levels, but they are not consistent across the board so, depending on the area you are looking at, there might be higher or lower levels.

The Member knows that there is no simple solution to TB. There is no quick fix, because if there were I would have done it long before now. Looking towards all our neighbours and across Europe, nobody has a simple solution.

We are working our way through a number of areas of work, and you will be well aware of the work of the TB strategic partnership group, which is looking at TB in the round. It is looking at all the contributory factors, including the wildlife issue and the issue of compensation. That group will report to me; it has reported on an interim basis and it will report to me again in the next number of months in relation to a firm strategic approach.

We all share the same aim of eradicating the disease. We have been very successful with brucellosis, and I hope to get to the stage where we are as successful in relation to TB. The strategic approach that we are adopting as a result of the work of the partnership will be key to us being able to deliver.

Mrs McKeivitt: I thank the Minister for her answers thus far. In your answer to the substantive question, you said that the strategy is a fine example of what can be achieved by using a joint approach. What discussions are under way to merge other areas of agricultural policy on an all-island basis?

Mrs O'Neill: We have the North/South Ministerial Council, which recently met, and we look at a number of key areas where we can cooperate. Animal health and plant health are obviously key areas, and we also look at the implications for trade, our engagement with Europe and marketing. One of the new bodies being established under the Going for Growth strategy is the new marketing body, which will have very close links with Bord Bia to work together on getting what we have to offer into new markets. Whether a calf is born in Tyrone or Cork, it is a high-quality product that we can market across the world together.

There are quite a number of areas where that collaboration is ongoing, particularly in plant health in relation to some of the challenges that we have with plant disease. There is quite a broad range of work being done, and I want to continue working with the Department in the Twenty-six Counties to find new areas of cooperation. It is fair to say that we have very strong links. Particularly in relation to research, there are really good opportunities with the Agri-Food and Biosciences Institute (AFBI) and the College of Health and Agricultural Sciences in the Twenty-six Counties, which we are exploring.

Mr Lyttle: Will the Minister provide an update on the review of the Welfare of Animals Act?

Mrs O'Neill: That is not really relevant to the substantive question, but I can give the Member an update. As he will be aware, I have corresponded with Minister Ford on the sentencing issue. He has agreed to take that forward, so we are progressing some of the main asks from the review. A number of recommendations were put forward, and I think that we can deliver on all of those. It is important that we send the very strong message that we will not tolerate animal cruelty, that we have some of the strongest legislation

on these islands and that there are proper deterrents in place. I believe that the initiative that Mr Ford and I have taken will lead to that situation.

Rural Development Programme

6. **Mr Dunne** asked the Minister of Agriculture and Rural Development when the rural development programme will be open for applications. (AQO 9542/11-16)

Mrs O'Neill: The European Commission has approved our proposals for a rural development programme (RDP) worth up to £623 million. That is an increase in funding of almost 16% from the current programme and gives us our largest ever RDP.

We are rolling out the programme in a staged and coordinated way. Two months ago, I launched several major programmes within the RDP. The first phase of the farm business improvement scheme — the business development groups scheme — opened in November 2015. Over 3,000 applications were received. The farm business improvement scheme will be a package of measures aimed at knowledge transfer, cooperation, innovation and capital investment, and it will help to support sustainable growth in the sector. The first phase focuses on knowledge transfer. With a funding allocation of £28 million, it is intended to help farmers to identify their needs clearly ahead of any capital investment and to make informed decisions about developing their business.

The LEADER programme, which includes £70 million of funding to support rural communities, is also under way. Opening for applications under LEADER is a two-stage process. The first stage is for local action groups (LAG) to hold funding workshops. Those events have already started and will increase over the next month.

Up to £17.4 million has been allocated for forestry grant schemes, which I also launched last November.

I shall also make available £10 million for a rural tourism scheme. A business case for the scheme is under way, and we are working to ensure that we open our first call for applications in March or April. We are continuing to develop the business case for further schemes, including the capital investment schemes and the environmental farming scheme. I hope to announce the

timetable for opening further RDP schemes before the conclusion of the current mandate.

Mr Dunne: I thank the Minister for her answer and the information that she has given today. Does she recognise the need for prompt action on the programme, given that farmers who are desperate to gain financial support see it as an opportunity to diversify and, in many ways, develop their supporting business?

Mrs O'Neill: Yes, as I said in the conclusion of my answer, I have already launched a swathe of funding opportunities for the wider agrifood and rural sector, particularly the grants. The first phase of the farm business improvement scheme is under way, and I hope to be in a position to launch the scheme itself over the next short while. I know that farmers keenly await its launch, but it is not the only scheme. It is very important that we open up the LEADER scheme as well. I hope to be able to support the LAGS in opening their call for applications so that they can go live over the next number of weeks. We would certainly like all LAGS to have opened up for calls by mid-March.

Quite a large number of schemes have been opened. It is the most significant and largest rural development programme that we have ever achieved. My priority is making sure that we get the spend on the ground as quickly as possible.

Mr McCarthy: What provision has the Minister made for increasing the availability of shared space in the rural development programme?

Mrs O'Neill: There will be opportunities under the rural development programme through the LEADER approach. It will look at basic services and shared services, and at how those applications have a grass-roots, bottom-up approach. The Department does not tell communities what they need; the beauty of the rural development programme is that the community identifies a project or something that they want to take forward and applies to it. There will be lots of opportunities in all the measures within the programme for shared space projects to come forward.

Young Farmers' Scheme

7. **Mr Flanagan** asked the Minister of Agriculture and Rural Development for an update on the success of the young farmers' scheme. (AQO 9543/11-16)

Mrs O'Neill: The young farmers' payment is providing young farmers with a valuable incentive to take full responsibility for a farm business. In 2015, the number of applications received demonstrated the commitment of the sector to the regeneration and development of the local industry.

The young farmers' payment attracted 2,086 applications. I can confirm that 1,776 applications have been processed and decisions issued. Over 80% were successful. Applicants who were not successful can seek a review of the decision or make a fresh application this year. Approximately 500 young farmers are undertaking the level 2 qualification with the College of Agriculture, Food and Rural Enterprise (CAFRE), which shows that there is still significant interest in the young farmers' scheme going forward into next year, even for those who did not succeed this year.

3.15 pm

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answer. Can she elaborate on the comment she made about the review, which is open to appeal, and when it will conclude? Can she also provide an update on the processing of outstanding applications with regards to the discrepancies with active farmers?

Mrs O'Neill: Yes. With the review, young farmers have an opportunity to go through a two-stage appeal. They all take different lengths of time. I could not give a definitive length of time, but suffice it to say we know how important it is for their payments to be processed in as speedy a manner as possible.

Where active farmers are concerned, letters were issued to just over 3,000 businesses giving a deadline of 3 August last year to produce evidence, I suppose, to clarify that they were, in fact, active farmers. Two hundred and forty-nine businesses that did not respond to the active farmer letter were subsequently rejected for not providing any type of evidence of activity. Administrative and technical assessments of the responses are ongoing. All businesses that received a request for additional evidence must have submitted it by 29 January. We had a significant number of people do that by last week, and we hope to have those all turned around and payments made by March.

Mr Deputy Speaker (Mr Dallat): Order. Time is up for listed questions. We now move on to topical questions. Mr Edwin Poots is not in his place.

Rural Needs Bill

T2. **Ms Ruane** asked the Minister of Agriculture and Rural Development what difference her rural proofing Bill will make to our rural communities. (AQT 3432/11-16)

Mrs O'Neill: Absolutely, and I am so delighted that we will be able, hopefully, to get the Bill to Final Stage before the end of the mandate. It is a significant Bill, in that it aims to promote a fair and inclusive rural society by ensuring that the consideration of rural needs is embedded in government policymaking and service delivery. The Member will know that the legislation places a duty on public authorities to take into account rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services. Whilst I think that all Departments have been signed up to rural proofing since 2002, the Bill goes that stage further and makes sure that it compels all Departments to give due consideration to policy or strategic changes that will have an impact on the lives of people in rural areas. Going forward, we want to make sure that rural people can be assured that the Executive and Departments will prioritise and make sure that they take proper account of their needs. For me, this legislation has been a priority in safeguarding the rights of rural communities.

Ms Ruane: Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. Will she outline when she expects the Bill to have completed the legislative process?

Mrs O'Neill: Some considered amendments have been put forward by the Committee for Agriculture and Rural Development that further reaffirm the Bill's broad principles. I am seeking the Executive's support to include them in the legislation. With Consideration Stage and Further Consideration Stage being proposed for February, I expect that the Bill will complete its passage in the Assembly by the start of March. I am certainly looking forward to being able to say that we have delivered it to protect the rights of rural dwellers.

Mr Deputy Speaker (Mr Dallat): Question 3 has been withdrawn.

Rivers Agency Headquarters: Construction Progress

T4. **Mr I McCrea** asked the Minister of Agriculture and Rural Development for an update on progress on the Rivers Agency headquarters at Loughry, following her announcement in July 2015 that the contract had been awarded to QMAC Construction, with the hope that, as she has loads of notes and Post-its, she will have an answer to this constituency-based question. (AQT 3434/11-16)

Mrs O'Neill: I am delighted that the project is going full steam ahead. The old premises were demolished and building work is starting. It will deliver 80 public-sector jobs into the mid-Ulster area. It is obviously part of my wider project to decentralise the Department. That means the whole of the Department, with the headquarters going to Ballykelly, Forest Service going to Fermanagh, fisheries going to Down and Rivers Agency headquarters going to Loughry. I was delighted that, as a result of the tender process, a local company also achieved the work. That will create local employment and bring ongoing benefits, such as increased footfall in the Cookstown area. All those benefits, I think, are brilliant. It gives more people an opportunity to access a public-sector job, because we are taking a whole Department out of Belfast.

Mr I McCrea: Is the Minister therefore content that everything is going according to schedule and that there will not be any slippages? I had a conversation with her regarding Gas to the West. Has the Department or the construction company had any contact with either DETI or the people involved with the Gas to the West project to ensure that the heating system is up to standard when gas passes that way?

Mrs O'Neill: All those things are taken into consideration when you are designing a new build. I will confirm that for you in writing, but I am quite sure that it has been a factor. Gas to the West will benefit not just Rivers Agency headquarters but all businesses in the area that are struggling. The sooner we can get it, the better, but it is a number of years down the line. As with any new build, we will build in flexibility so that we are able to adjust when we have gas in the west.

Food Produce and Meat: All-island Label

T5. **Mr McElduff** asked the Minister of Agriculture and Rural Development whether we

are any closer to developing an all-island label for food produce and meat. (AQT 3435/11-16)

Mrs O'Neill: Yes. To set it out clearly, farmers across this island produce a product, and its quality, traceability and high standards are recognised worldwide. When we go out to seek new markets, we can always stand over that very high quality. The Member will remember the issue of nomadic cattle, which pointed out, in the first instance, the issue of labelling. I have focused on resolving that issue since EU country-of-origin labelling began to take effect on this island. That had a major implication for all-island trade of cattle, due to the penalties being imposed on beef processors in the North. Since then, the regulations have been extended to other produce, including lamb, pork and poultry, and that is having a specific impact on the North/South trade in lamb. I have met the marts, processors and farmers who have been impacted and have made representations to Minister Truss, the Minister for Environment, Food and Rural Affairs in London, Minister Coveney in Dublin and Commissioner Hogan in Brussels. Minister Truss and Commissioner Hogan recognise the impact that the regulations are having on the island of Ireland, due to the anomaly of partition, and have offered their support in us securing a resolution with our colleagues in the South by way of an island-of-Ireland food label.

Mr McElduff: I thank the Minister for her answer. How would she characterise Minister Coveney's attitude to the debate? Might the North/South Ministerial Council provide further opportunities to pursue the matter in the future?

Mrs O'Neill: Yes. It has been disappointing, to say the least, that we have not been able to resolve the issue more speedily. It certainly has not been for the want of trying by me. Given that we have DEFRA and the European Commissioner on board, it is unfortunate that Minister Coveney has not got on board and shown leadership with me in assisting the industry to deliver an all-island label. The island-of-Ireland food label that I referred to in the initial answer would solve the issue for the beef sector and other sectors that are impacted as a result of country-of-origin labelling. So I hope that Minister Coveney will join me in showing that leadership and in trying to resolve an issue that has had, and will have, an impact across all sectors.

We have a traditional trade pattern on this island, whether it be for beef, poultry, pork or dairy. All sectors have a traditional trade pattern. That has been going on for a

considerable time. It is important that we remove any barriers to trade, whether that be North/South or South/North. I hope that Minister Coveney will join me in accepting an invitation that we received recently from the South's key farming representatives — the marts, the processors and the farmers— because that will be an opportunity for us to jointly show leadership and to jointly press the need for the issue to be resolved. I believe that there is a solution to it. It is just about having other Ministers involved in taking it forward.

Transatlantic Trade and Investment Partnership

T6. **Mr Ó Muilleoir** asked the Minister of Agriculture and Rural Development to spell out the implications of the transatlantic trade and investment partnership (TTIP) to the agricultural industry across the island. (AQT 3436/11-16)

Mrs O'Neill: I have always said that I have grave concerns about how those negotiations have been advanced. They have been taken forward in a secret nature that runs contrary to democratic transparency. More importantly, there are potential threats to agriculture here and across Europe. The net impact of TTIP is likely to be in favour of US farmers, especially on beef, if tariffs are fully removed and if there are significant reductions in non-tariff barriers.

There are also anticipated risks for the pork and poultry sectors. Furthermore, TTIP has the potential to lower production standards. Some agricultural organisations have consulted their members on issues such as the use of chemical rinses and sprays in the decontamination of meat, which are currently banned in the EU.

That highlights the growing pressure that farmers feel to decimate their standards. Farmers fear that they will be backed into a corner — degrade their product now or risk being frozen out of the market later. Therefore, I have to question the potential impact of that trade deal on food safety and on the EU's quality From Farm to Fork policy. The first-class reputation that we have will be severely impacted on as a result of a TTIP negotiation, particularly one done in secret and not in a transparent manner.

Mr Ó Muilleoir: Go raibh maith agat. Mo bhuíochas fosta leis an Aire as an fhreagra sin. Minister, you have been a formidable advocate and battler for the fishing industry and the dairy industry, but what can you do to oppose the

Transatlantic Trade and Investment Partnership as a Minister in this small part of the world?

Mrs O'Neill: It is an issue that is regularly discussed with myself and other Ministers in these islands. I recently met Martina Anderson, our own MEP, to discuss her concerns on the significant impact that she and I believe TTIP would have if implemented. I also recently raised the issue with DEFRA and with Liz Truss, the agriculture Minister, to set out my concerns about TTIP. I took up the issue with Commissioner Phil Hogan to highlight the concerns that we have in relation to the environment, workers' rights, consumer confidence and public services.

Whilst it is unlikely that a TTIP deal will be concluded any time in the near future, we need to continue to monitor developments and exert our influence from an early stage and make sure that we use all avenues open to us to lobby on our behalf.

Beef Prices

T7. **Mr Beggs** asked the Minister of Agriculture and Rural Development, given that beef prices being offered to local farmers are considerably less than those being offered to farmers in Scotland, which is literally a few miles away across the Irish Sea, what actions she and her Department are taking to reduce that disparity and to improve the income of local farmers. (AQT 3437/11-16)

Mrs O'Neill: It is sometimes hard to compare the prices that our farmers receive with Scotland or even the South. That can be for a combination of reasons, such as exchange rate factors or supply and demand issues. A lot of those are outside my control in that they are commercial matters.

For my part, my role is to deliver where I can. That is making sure that we get single-farm payments out as quickly as possible and looking for new market opportunities, which we have been successful in doing over the last number of years. We will continue to do that because part of our strategy for the industry to be sustainable and grow is looking for new market opportunities. Price volatility will always be an issue. The most significant thing that the Executive can do to help the industry is to open markets, which creates more opportunities and guards against volatility.

Alongside that is to work with farmers on their individual efficiency. We have a farm business improvement scheme coming online, which will

help us to support farmers to become more efficient on-farm, thereby reducing their costs and, hopefully, adding to their profits. There is a combination of issues, and a combination of ways that we can help the industry, not just the beef sector but all the other sectors that are struggling.

Mr Beggs: One issue that I have heard referred to has been discontinuity of supply. Are the Minister and her Department talking with the farming industry and food processors so that there is a better supply chain to enable them to reach UK mainland prices, which have generally been the highest of this region, and that we do not just look South but where there is the highest return for local farmers?

Mrs O'Neill: I think that I just addressed the issues that you raise. It is about looking for new markets, helping people to be more efficient, and fairness in the supply chain, which is one of the issues that you touched on. I have been the champion of making sure that there is fairness in the supply chain. The cornerstone of the Going for Growth strategy to help the industry is recognition that there is only one supply chain. To that end, I established a supply chain forum, which is about challenging the relationships, forward thinking and planning, and communication from the farmer to the processor, the retailer and the big chains. Without that proper conversation and ongoing forward planning with farmers, we will always find ourselves in a challenging situation. Alongside opening up new markets, helping farmers to be efficient, providing advice, establishing business development groups and all our investments in rural communities, it is important that we continue to challenge that relationship and work with the industry — initially, it is an industry issue — on making the supply chain effective so that all its elements get to enjoy the risk and the benefits.

3.30 pm

Mr Deputy Speaker (Mr Dallat): I call Mr Chris Lyttle for a very short topical question.

Cairn Wood

T8. **Mr Lyttle** asked the Minister of Agriculture and Rural Development whether she would be willing to meet him to discuss the potential transfer of Cairn Wood to DARD's Forest Service. (AQT 3438/11-16)

Mr Deputy Speaker (Mr Dallat): Minister, can you make that equally short?

Mrs O'Neill: Yes.

Mr Deputy Speaker (Mr Dallat): Members, before we move on to the next item of business, you will want to take your ease while we change the top Table.

(Mr Speaker in the Chair)

Private Members' Business

Assembly and Executive Reform (Assembly Opposition) Bill: Consideration Stage

Mr Speaker: I inform the House that a valid petition of concern has been received in relation to clauses 13 and 21 and schedule 1. I must, therefore, advise the House that today's proceedings on the Bill will stop after the Question that clause 12 stand part.

The group 1 debate may proceed as normal, after which the Question on the amendments and the clauses stand part will be put until we reach clause 13. At that point, today's proceedings on the Bill will conclude.

Members will understand that there is clear procedural precedent for considering Bills in a strict sequential order. Tabling a petition of concern is a significant matter and has consequences if tabled on the day that a vote is scheduled to take place. I will therefore ask the Business Committee to reconvene at an appropriate opportunity to consider the scheduling of business as a consequence. I will move on.

Mr Allister: On a point of order, Mr Speaker. Can you clarify, in relation to the delay in the vote, which I understand is specified, whether 24 hours have to pass from the lodging of the petition until the vote takes place, or can it happen the next day, even though that is less than a 24-hour gap?

Mr Speaker: That is exactly the question that I asked as well. There is clear precedent for operating on the basis of the next day. The Business Committee can consider that in terms of how we proceed from this point onwards. So, it does not have to be 24 hours, and there is precedent in that respect.

We are at the Consideration Stage of the Assembly and Executive Reform (Assembly Opposition) Bill. I call the sponsor, Mr John McCallister, to move the Bill.

Moved. — [Mr McCallister.]

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list. There are two groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1 to 29 and on opposition to clauses 1 to 24 stand part, which deal with proposed arrangements for an opposition contained in the clauses of the Bill. The second debate will be on amendment Nos 30 to 40, which deal with the content of an Assembly and Executive reform motion contained in the schedule to the Bill.

I remind Members intending to speak that, during the debates on the two groups of amendments, they should address all the amendments in each group on which they wish to comment. Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question will be put on each without further debate. The Question on stand part will be taken at the appropriate points in the Bill. If all that is clear, we shall proceed.

Clause 1 (Purpose)

Mr Speaker: We now come to the first group of amendments for debate. Mr Raymond McCartney has signalled his intention to oppose the Question that clause 1 stand part of the Bill. With that Question, it will be convenient to debate amendment Nos 1 to 29 and the opposition to clauses 2 to 24 stand part. These amendments relate to the proposed arrangements for an opposition, opposition to an Assembly and Executive reform motion and a Budget Committee.

I point out that amendment No 1 is mutually exclusive with amendment Nos 2 and 3, amendment No 5 is mutually exclusive with amendment No 6, amendment No 14 is mutually exclusive with amendment No 15, amendment No 27 is mutually exclusive with amendment No 28, and amendment No 8 is mutually exclusive with clause 5 stand part. I will remind Members at that point.

Question proposed, That the clause stand part of the Bill.

The following amendments stood on the Marshalled List:

No 1: In page 1, line 16, leave out subsections (2) and (3) and insert

"(2) The Opposition may be formed by one or more qualifying parties,

(3) A qualifying party is a political party—

(a) whose members comprise 5% or more of the total number of members of the Assembly, and

(b) which does not contain a member who is a Minister."— [Mr McCallister.]

No 2: In page 1, line 17, leave out from second "or" to end of line 18.— [Ms P Bradley.]

No 3: In page 2, leave out lines 5 to 7.— [Ms P Bradley.]

No 4: In clause 3, page 2, line 11, leave out subsection (2).— [Mr McCallister.]

No 5: In clause 3, page 2, line 22, leave out subsection (3).— [Ms P Bradley.]

No 6: In clause 3, page 2, line 22, leave out

"by one or more technical groups".— [Mr McCallister.]

No 7: In clause 3, page 2, line 28, at end insert

"(4) The Opposition may also be formed within one month of this section coming into operation."— [Mr McCallister.]

No 8: After clause 5 insert

"Dissolution of the Opposition

6.—(1) Standing orders must make provision for the dissolution of the Opposition in accordance with this section.

(2) If all Ministers cease to hold office in accordance with section 18(1) of the Northern Ireland Act 1998, the Opposition is dissolved.

(3) Where the Opposition was formed by one qualifying party only, and that party subsequently contains a member who is a Minister, the Opposition is dissolved."— [Mr McCallister.]

No 9: In clause 6, page 3, line 6, leave out from "offices" to "Opposition" on line 7 and insert

"offices in the leadership of the Opposition".— [Mr McCallister.]

No 10: In clause 6, page 3, line 10, leave out "Opposition" and insert "Non-Executive Party".— *[Mr McCallister.]*

No 11: In clause 6, page 3, line 11, leave out "Opposition" and insert "Non-Executive Party".— *[Mr McCallister.]*

No 12: In clause 6, page 3, line 14, leave out "Opposition" and insert "Largest Non-Executive Party".— *[Mr McCallister.]*

No 13: In clause 6, page 3, line 16, leave out "Deputy Leader of the Opposition" and insert

"Leader of the Second-Largest Non-Executive Party".— [Mr McCallister.]

No 14: In clause 6, page 3, line 17, leave out subsections (4) and (5).— *[Ms P Bradley.]*

No 15: In clause 6, page 3, leave out from line 17 to "Opposition." on line 20.— *[Mr McCallister.]*

No 16: In clause 6, page 3, line 20, at end insert

"(5) Standing orders may provide for alternative names for the offices in the leadership of the Opposition."— [Mr McCallister.]

No 17: In clause 7, page 3, line 32, leave out "Leader and Deputy Leader of the Opposition" and insert "leadership of the Opposition".— *[Mr McCallister.]*

No 18: After clause 7 insert

"Speaking rights in the Assembly

8. Standing orders must make provision that speaking rights in the Assembly are allocated on the basis of party strength."— [Mr McCallister.]

No 19: In clause 8, page 3, line 38, leave out "15" and insert "10".— *[Ms P Bradley.]*

No 20: In clause 8, page 3, line 39, at end insert

"(3) After the formation of an Executive and an Opposition, enhanced speaking rights for the Opposition shall be calculated as rights enhanced by 20% at the expense of Executive speaking rights."— [Mr McCallister.]

No 21: In clause 9, page 4, line 5, leave out from "Leader" to "Opposition" on line 6 and insert

"Leader of the Non-Executive Party, Leader of the Largest Non-Executive Party".— [Mr McCallister.]

No 22: In clause 9, page 4, line 7, leave out from "Deputy" to "Opposition" on line 8 and insert

"Deputy Leader of the Non-Executive Party, Leader of the Second-Largest Non-Executive Party".— [Mr McCallister.]

No 23: In clause 16, page 5, line 15, leave out from "to" to end of line 19.— *[Mr McCallister.]*

No 24: In clause 17, page 5, line 21, leave out from ", where" to "parties," on line 22.— *[Mr McCallister.]*

No 25: In clause 18, page 5, line 31, leave out from "Leader" to "Opposition" on line 32 and insert "leadership of the Opposition".— *[Mr McCallister.]*

No 26: In clause 19, page 5, line 36, leave out from the beginning to "1998" on line 37 and insert "budget committee".— *[Mr McCallister.]*

No 27: In clause 19, page 5, line 37, at end insert

"(2) That committee may—

(a) scrutinise the draft budget laid before the Assembly under section 64 of the Northern Ireland Act 1998,

(b) review the delivery of the budget, for example by matching spending against outcomes,

(c) examine the financial memorandum of each Bill introduced into the Assembly,

(d) examine the implications of any changes to powers to raise taxes."— [Mr McCallister.]

No 28: In clause 19, page 5, line 37, at end insert

"(2) The Budget Committee will consider quarterly budget forecasts, reports estimates and oral evidence collated from all departments and presented by a bespoke unit in the Department for Finance and Personnel

dedicated to servicing the requirements/supporting the scrutiny work of the Committee."— [Mr Eastwood.]

No 29: In clause 22, page 6, line 28, leave out from "and" to end of line 29.— [Ms P Bradley.]

Mr Speaker: I call Caitríona Ruane to address opposition to clause 1, the amendments and the opposition to clauses 2 to 24 stand part of the Bill.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Sinn Féin believes that the Fresh Start Agreement, published on 16 November 2015, makes provision for parties elected to the Assembly to form an opposition. These provisions do not impinge upon the principles of equality, inclusiveness and representativeness underpinned in the Good Friday Agreement (GFA) and, subsequently, in the St Andrews and Hillsborough agreements.

The provisions for an opposition outlined in the Fresh Start Agreement do not require, in our view, any legislative change. We have heard in the media and will, no doubt, hear today from some parties that they want to be in opposition, yet they still have their seats in the Executive. Some would say that that is abdicating responsibility. Sometimes, the debate around the need for opposition is anchored or based in majority rule or majoritarianism. Any structure of governance depends on the circumstances. We have the arrangements in place that best suit our needs, and we are a society coming out of conflict. The safeguards in the Good Friday Agreement are there for very good reasons.

I believe that my colleague from South Down John McCallister came to this with good intention, but the outworking of his Bill could lead to majoritarianism and the potential undermining of the Good Friday Agreement. Sinn Féin would like to put on record that we have engaged with John at every step of the way. There are many things that we can support in his Bill, but we do not believe that we need legislation to do them. In fact, the vast majority can be done through Standing Orders. The Assembly Business Committee today agreed to put a motion from the Executive Committee for a statement from the Office of the First Minister and deputy First Minister of proposed entitlements of an official opposition. In the Assembly and Executive Review Committee, we listened to evidence from a wide range of sources, and many academics and experts queried and raised concerns about aspects of the Bill. I will use one example, and that is from Professor Coakley. In his evidence

to the Assembly and Executive Review Committee, he said:

"The result risks being some kind of Frankenstein's monster with key principles in the majoritarian model grafted onto a body that is essentially consensus based or consociational in conception."

To conclude, we believe that the Fresh Start provisions for an official opposition are the best and most appropriate approach on the issue. Sinn Féin, therefore, supports the provision for an official opposition, as set out in the Fresh Start Agreement.

In relation to the Assembly Opposition Bill, throughout Committee Stage, Sinn Féin outlined its concerns that aspects of the Bill can and do impact on the principles of equality, inclusiveness and representativeness, as set out in the GFA. As Sinn Féin supports the provisions for opposition in the Fresh Start Agreement, we do not support the Assembly Opposition Bill. We will vote against it, and, in particular, we have lodged petitions of concern, along with the SDLP, to clauses 13 to 21 and also the schedule, because of our view that they could undermine the principles of the Good Friday Agreement.

Ms P Bradley: I rise to speak initially on behalf of the Assembly and Executive Review Committee, and then I will make some remarks in my capacity as a member of my party. During Committee Stage, the Committee considered written evidence from 25 organisations, including the Secretary of State, political parties represented here in this Assembly, the Speaker of the Assembly, the Human Rights Commission, as well as a number of academics from the UK and Ireland.

The Committee undertook six oral briefings, and our deliberations were further informed by papers prepared by the Assembly Research and Information Service. I would like to take this opportunity to thank the stakeholders who provided written and oral evidence to the Committee. I assure all stakeholders that we studied their views and suggestions carefully and greatly valued their support at the Committee Stage. I also thank the Bill's sponsor, Mr John McCallister, for attending a number of oral sessions and for providing clarification and written responses to Committee queries on quite a tight timescale.

With your indulgence, Mr Speaker, before dealing with the amendments, I will make a few general remarks on a number of issues that arose during the Committee deliberations. As

highlighted in our report on the Bill, the Committee debated whether legislation was, indeed, required for the formation of an official opposition in the Assembly. In some cases, the Bill instructs that changes be made to Standing Orders, and, in others, the Bill allows for an Assembly and Executive reform motion to be submitted to the Secretary of State asking for changes to be made to the Northern Ireland Act 1998.

The fact that many provisions in the Bill could be introduced in the Assembly via means other than legislation was raised by a number of stakeholders in their responses to the Committee. The Committee considered the views of a number of academics on the matter and, in turn, considered the arguments for legislation put forward by the Bill's sponsor, Mr John McCallister.

The Committee also considered the concerns raised by a number of stakeholders regarding the legislative competence of certain provisions in the Bill and, in particular, the schedule.

The Committee sought and considered its own legal advice and was content that those concerns were unfounded.

Finally, the Committee considered the concerns raised by a number of stakeholders that certain provisions in the Bill and the schedule potentially depart from d'Hondt and the cross-community principles of the Belfast Agreement and its further iterations in subsequent negotiations. The Committee used its oral evidence sessions to explore those issues further with academics and the Bill sponsor.

3.45 pm

Group 1 covers a range of amendments, some of which were not considered by the Committee. I will confine my remarks to those amendments that the Committee considered either partially or in full.

The Committee had previously considered part of amendment No 1 that relates to the criteria for a qualifying party but not the amendment to exclude technical groups from forming the opposition. The Committee divided on the sponsor's amendment to the criteria for a qualifying party and agreed by vote that it did not support it.

The Committee did not have sight of the sponsor's proposal in amendment No 1 to exclude technical groups from forming an official opposition. However, it considered in

some detail the views of stakeholders who considered that the Bill's proposal for technical groups to be able to form an official opposition was disproportionate and ill-advised. The Committee recognised the role of technical groups in other Parliaments and examined, in particular, the operation of technical groups in the Dáil. The Committee heard that, whilst there may be merit in making provision for the formation of technical groups in the Assembly, it was not advisable to extend those arrangements to allow technical groups to form an official opposition.

I now turn to proposed amendments to clause 3, namely amendment Nos 4, 6 and 7, which relate to the timing of the formation of the opposition. The Committee divided on these amendments and agreed by a majority vote that it was not content that they be made.

Amendment No 8 proposes a new clause 5A that relates to the dissolution of the opposition. The Committee notes that the wording of that new clause is broadly similar to the wording of an amendment to clause 5 that was proposed by the sponsor. The Committee divided and agreed that it was not content with this amendment.

I now turn to the sponsor's 10 amendments that deal with alternative titles for the offices in the leadership of the opposition; in particular, amendment Nos 9 to 13, 16 and 17, and 21, 22 and 25. The Committee noted the comments made by a number of academics that the Scottish Parliament and Welsh Assembly do not have such formal titles but use the more flexible designation of leader of each party not in the Executive. The Committee noted the sponsor's explanation that these amendments are intended to address the concerns raised by the stakeholders and the Committee. The Committee divided on these amendments and agreed by a majority vote that it was not content for them to be made.

With respect to amendment Nos 17 and 20 concerning enhanced speaking rights, the Committee noted the views that were expressed by a number of stakeholders regarding the implications of these enhanced speaking rights for the operation of the Assembly and the speaking rights of Back-Benchers. The Committee divided on these amendments and agreed by vote that it was not content for them to be made.

Clause 19 provides for the establishment of a Budget Committee in the Assembly. Although the Committee did not have sight of amendment No 26, it considered amendment

No 27, and both amendments broadly reflect the views of the sponsor that were discussed during the Committee Stage of the Bill. The Committee noted the purpose of the proposed Budget Committee as set out by the sponsor but also noted the conclusions of an inquiry that was undertaken by the Committee for Finance and Personnel into the role of the Northern Ireland Assembly in scrutinising the Executive. The Committee noted the conclusions set out in the third report of that inquiry that the proposal to establish a centralised Budget Committee should be reconsidered in the future if the proposed reforms to processes and procedures fail to deliver. The Committee noted that work on a draft memorandum of understanding between the Assembly and the Executive to deliver those reforms is still ongoing. The Committee divided on the wording proposed in amendment No 27 and agreed by vote that it was not content for this amendment to be made.

Finally, I wish to address the opposition to the clauses in the Bill. The Committee divided and agreed that it was content with clause 1, which sets out the purpose of the Bill, but divided and was not content with clauses 2 to 24 as drafted.

I will make a few comments as a DUP member of the Committee. I personally thank Mr McCallister for all his labours and resilience in trying, at every stage, to find a suitable agreement within Committee. He has to be commended for that.

As you are aware, we tabled several amendments in group 1, and we will be opposing many of the other clauses. We will be supporting the first clause, because we believe in the general principles of the Bill and also, as set out in the Fresh Start Agreement, its proposals for an official opposition. That said, there are areas of the Bill we cannot agree with, one of which is technical groups. You will note that many of our amendments will remove them from the Bill. I know that, in amendment No 1, Mr McCallister has removed technical groups from clause 2, which is on the formation of the opposition, but we are still not entirely comfortable with the lower limit of 5% for a qualifying party to form an opposition. That could be something that the Member might wish to consider at Further Consideration Stage.

Mr McCallister: I thank Ms Bradley for taking an intervention. Would she and her party colleagues look at that more favourably if it were set slightly higher, at, say, 8%?

Ms P Bradley: Thank you, Mr McCallister. I cannot give you a definite answer, as I am not

here to make that decision on behalf of the party, but I think that would be more like what we have in mind.

Moving on to clause 5 and to amendment No 8, we are happy to support the amendments. I have got to the stage, Mr Speaker, where I cannot read my own writing. As I said on behalf of the Committee, there are several amendments in the group that look at the difference in the wording between the phrases "leader of the opposition" and "leader of the party in opposition". Those are amendment Nos 21, 22, 25 and amendment Nos 9 to 13. We do not have any major concern with any of those amendments. Amendment No 14, which is to clause 6, is on the removal of technical groups, which Mr McCallister addresses in amendment No 15. We support that clause if amended.

We also support clause 7 with amendment No 18. We cannot support Mr McCallister's amendment on speaking rights as set down in amendment No 19. We are happy to support clauses 9 through to 15, with the exception of clause 12. We will be opposing clauses 16 and 17, which, again, deal with technical groups. We will also be opposing clause 19, as well as all associated amendments. We will be opposing clause 20, and, as Members know, we have tabled a petition of concern to clause 20. We know that, earlier today, it was agreed that OFMDFM will be called the Executive Office.

In conclusion, we will be opposing clause 21 and supporting clauses 22 to 24. I know that other Members of my party will be speaking on this, and I will leave them to speak further on our amendments.

Mr Attwood: Thank you Mr Deputy Speaker. I intend to speak to amendment No 28 and to the other amendments in the group.

I share the comments made by others about Mr McCallister's work on this Bill, private Member's business and Bills in general. The range of his interest is demonstrated by the fact that, on one hand and extreme, he has sponsored and seen through a Bill on caravans, and on the other hand, he may, by the end of this mandate, have seen through another piece of legislation on opposition. So, from caravans to opposition, Mr McCallister has demonstrated the range of his interest and his contribution. If you look at Lord Morrow's Bill and other legislation before the Chamber, or historically that which has been sponsored by private Members and become law, you will see that it is a reflection of the person and the power of one. On the far side of

all that, good legislation is being achieved. For all those reasons, Mr McCallister deserves a lot of acknowledgement.

He has attempted to put into law that which now seems to have been accepted and practised by everybody and all parties over time. It bemuses me that, while so many of the structures and processes of the Assembly are established in law, we would not establish opposition in law. Putting things in law creates more certainty, avoids doubt and creates more authority, whatever the nature of the matter that is being put into law. It is inconsistent to rely on the words of a document — in this case, the 'Fresh Start' false start — and not elevate the issue to the point of putting into law the principle that is being accepted by all parties on opposition.

As was said in the debate earlier today on reducing the number of MLAs, the problem with government in Northern Ireland is not its structures and systems. That is not at the heart of the view of a growing number of people. Whether or not we like it — it is a comment on all of us — the problem is the politics, the parties and the persons rather than the processes that govern the conduct of government and the Assembly. Anybody who thinks that there is a fix to the public detachment from the Chamber or the doubts about the good authority of devolution should not consider that new systems, even a system of opposition, will somehow turn the corner on any of that.

Failure of government is in people's hearts and minds when it comes to their concerns and anxieties about whether this model of devolution is living up to people's ambitions and expectations. Whatever new management and engineering there might be for Departments, the number of Members, petitions of concern or the idea of opposition, the fundamentals will not be addressed. Ministers knowing the difference between being in government and being in power is not addressed by having an opposition. Ministers in all parties being fully committed to all the arrangements arising from the Good Friday Agreement and other agreements is not resolved by having an opposition. Living up to the values of equality, parity of esteem, reconciliation and healing is not addressed by having an opposition. Those issues are dealt with in the hearts and minds of parties, people and politicians, and will not be dealt with or properly addressed by a further re-engineering of the current structures and systems of government.

Since 2012, the SDLP has been on public record as saying that there should be legislative

provision for an opposition in the Assembly in the next mandate. In the summer of 2012, the then Secretary of State undertook a consultation that asked parties and people in the North what provisions should be included in a miscellaneous provisions Bill in Westminster on the governance of the Northern Ireland Assembly. People might have forgotten that, but, at that time, the questions covered the date for an Assembly election, the size of the Assembly, fixed terms and dual mandates. The Secretary of State consulted the parties on all those matters and on opposition. When the consultation document was published, the SDLP outlined its views on all those matters and on opposition. The SDLP made the following comments, which governed our thinking then and continue to do so now.

4.00 pm

These were the points that the SDLP made at that time to the British Government, which they chose to ignore. They took forward some of the issues on which they were consulted, but the British Government, at that time, chose to ignore the argument that the SDLP made about opposition. In making the argument, the SDLP said:

"Power-sharing, and its provisions, as an essential element of the Good Friday Agreement should endure. The analysis outlined in the SDLP document ... confirms why this approach is necessary and right in the current, more volatile environment. This means that FM/DFM are elected by cross-community vote".

I will come back to that point, because the SDLP — and I flag this up for Mr McCallister — might yet table amendments at Further Consideration Stage that revert to the pre-St Andrews Agreement process of election on this Floor of the First and deputy First Ministers, rather than the degradation of the Good Friday Agreement and the philosophy that informed it. It came through at St Andrews, was consented to by Sinn Féin, but pushed by the DUP that the process for appointing the First Minister and deputy First Minister should be by way of nomination rather than by election from the Floor.

In addition to the First Minister and deputy First Minister being elected by cross-community vote, ministerial offices are allocated on the basis of a democratic mandate and the principle of D'Hondt. We then argued:

"The creation of any structure, and material support for an opposition in this architecture of the Assembly is without prejudice to the existing entitlements of any party under D'Hondt, and the right of any party to claim that entitlement. "

Then, we concluded:

"It is in this context, the SDLP concludes that an opposition option should be built in to the structures of the Assembly in a future mandate. It would not be 'mandatory' that an opposition is formed. Parties would be guaranteed their D'Hondt entitlement under powersharing arrangements if a party chooses to claim that entitlement. FM/DFM would be elected by cross-community vote to ensure a government of the political traditions ... The SDLP believes that this approach ... both protect the architecture and requirements of the Agreement and enable the evolution of democratic politics in a balanced manner going forward."

That was our view in 2012, in writing, and those principles, and that view, informs our approach to the principles that underpin this Bill from Mr McCallister. For those reasons, whilst I will make comments about our own amendment, and other clauses and amendments to the Bill, we support the principle of this Bill, and we look to seeing it pass in this mandate and receive Royal Assent thereafter, subject to the comments and concerns that I am about to raise.

I will deal first with the substantive content of the Bill, with our amendment No 28 that deals with the proposal for a Budget Committee. The SDLP has long argued, and has probably produced proposals in this regard, that the budgetary arrangements for democratic oversight by the Assembly are lacking; they have been lacking for many's a long day. As far as I am aware, we are the only government institution in these islands that does not have an annual budgetary process. The option that is chosen here is for a Budget that is revised quarterly with monitoring returns. We believe that there should be an annual budgetary process with ongoing budgetary oversight by the Assembly. That informs amendment No 28.

The SDLP feels vindicated in that argument, because look at how the budgetary process has been handled for the 2016-17 Budget that will be debated in this Chamber over the next few weeks. Accelerated passage, on the one hand, with Ministers being given very little time to engage with DFP in bringing forward their

departmental spending proposals and ambitions.

The experience even of the last two months should warn us that, in future years, we should have a more rigorous budgetary process. We hope that, on the far side of this mandate, for example, in the negotiations around the Programme for Government, parties recognise that, as part of a Programme for Government, you should build into the architecture of government greater budgetary oversight in order to ensure that those matters are properly addressed.

That situation will be made more acute by the fact that we will have new Departments and the Statutory Committees of the Assembly will be stretched even more than they have been in this mandate. Therefore, in a situation where you have a smaller number of Departments, with a smaller number of scrutiny Committees but a wider range of functions to consider, when everybody has an ambition for better politics and good governance, it seems to us that we should build into the Assembly better budgetary oversight. There will be a need for it. Two of the mechanisms for doing that are in relation to the budget on welfare and the Budget generally. The Budget generally is the issue that we try to address in amendment No 28, where we call for a dedicated Budget Committee that would, as the amendment says:

"consider quarterly budget forecasts, reports, estimates"

and so on. We say that, given the change in the number of Departments and the additional pressures that may likely fall on the Committees of the House, having a Budget Committee, in the absence especially of an annual budgetary process, seems to us a sensible and wise arrangement.

We also made that argument in relation to the welfare issue. In this month last year, we tabled an amendment in the House that we should borrow from the example of the Scottish Parliament, which has a dedicated Welfare Reform Committee. It is separate from the other Committee oversights of the Departments of the Scottish Government and is dedicated to the oversight of welfare reform. Just last Friday, the SDLP held a welfare seminar for our staff on Eileen Evason's proposals for mitigation and the coming programmes of welfare reform. People from the welfare advice sector were making the argument that the Welfare Reform Committee in Scotland was more and more showing good authority on a cross-party basis in order to intervene in what was happening on

welfare reform. We should borrow from that experience. It is a matter that the SDLP intends to return to, given that in this House last year the proposal for a welfare reform Committee was voted down.

Mr McCallister: I am grateful to the Member for giving way. Does he also accept, in his support for improving our budgetary process, that this becomes even more important if we devolve the power to vary corporation tax? If we seek to follow other regions of the UK and have other tax-varying powers devolved, we really need to lift our skills in dealing with the Budget process.

Mr Attwood: Absolutely. If there is to be any enhanced function for the Northern Ireland Government and Assembly — in this case, two years away, when it comes to corporation tax — surely it follows that the responsibility falling to Members and parties in the House to have better democratic accountability and oversight is becoming more urgent.

There is a danger that, in the rush to devolve corporation tax, we are not working through the requirements of all our regions in order to benefit from a reduced corporation tax percentage. Working that through means working through the skills and infrastructure that are necessary in order to ensure that foreign direct investment is attracted to all regions of Northern Ireland. A situation may well arise over the next period where, because of the infrastructure and skills cluster around the greater Belfast area, FDI benefits the greater Belfast area. Whilst that would be welcome to all of us who live in Belfast, represent Belfast or look for work in Belfast, it does not benefit those outside the greater Belfast area. The experience of the Southern economy is that, while FDI is attracted by lower corporation tax, interest in investment has been sustained because of access to the European market, because of skills and because of the infrastructure. The Assembly should have a dedicated Budget Committee to, for example, interrogate the loss to the block grant of £300 million or more on the far side of the devolution of corporation tax. We could then see what that will mean for the overall Budget and what we do to deal with the FDI conundrum, which is that greater Belfast has the skills and infrastructure and other parts of the North, because of the failure of government, not least over the last 10 years, do not have sufficient of either. I therefore urge Members to consider that approach for the reasons I have outlined.

I will now comment on some other matters related to clauses 1 to 24, the subjects of this group of amendments, in no particular order —

in fact, probably starting at the end. First, I confirm that the SDLP will support clause 20, the renaming of the Office of the First Minister and deputy First Minister. It is a declaration of what is self-evident: it is an office of equal First Ministers, whatever their titles. It is curious that the petition of concern lodged by the DUP isolates the matter, as I understand it, and that Sinn Féin, while not petitioning it, intends to vote it down. I remember Sinn Féin Members in the Chamber openly referring to joint First Ministers — I think it was Ms Ruane who would, on occasion, proudly claim that it was an office of joint First Ministers.

Mr McCartney: Will the Member give way?

Mr Attwood: Yes, I will.

Mr McCartney: Just to inform the Member, we are standing in opposition to all the clauses. It is not that we are singling out one over another.

Mr Attwood: I accept that you are standing in opposition to all the clauses, but you are standing in opposition to something that your Member has declared to be her view, namely, that it is an office of joint First Ministers.

Mr Allister: Will the Member give way?

Mr Attwood: I will in a second.

If you claim that it is a self-evident truth, then, even if you oppose every other clause, you should not oppose this one. I will give way to the Member.

Mr Allister: Patently, it is a joint office. Even the deputy First Minister contradicted the opposition that his party has tabled by his utterances on television not so long ago, unless they were simply for the optics, when he said that he would offer to change the title of the positions to Joint First Minister. From one side of their mouth, Sinn Féin says that they are happy with the title of the office as it is in law and in fact — joint First Ministers — while, on the other hand, they come to the House to block that.

Mr Attwood: The Member, as is often the case, is accurate when he says that the inconsistency of Sinn Féin spokespersons extends from their Whip in the Chamber to the joint First Minister. That said —

Mr McCartney: Will the Member give way?

Mr Attwood: I will in a second.

That said, the contradiction that Mr Allister referred to does not surprise me. In this year, the 100th anniversary of the Easter rising, when people began to assert the independence of Ireland, the independence of this part of Ireland has been surrendered to the British Parliament by the surrender of welfare powers to a Tory austerity Government and all that will follow on the far side of the Welfare Reform and Work Bill that is going through the Chamber.

So, contradiction in what Sinn Féin says and does is everywhere to be seen, not least in relation to that matter. I give way to Mr McCartney.

4.15 pm

Mr McCartney: First, on the particular clauses that we oppose, I have already said that we are opposing all the clauses to be consistent in our approach. On contradictions, it is interesting that you use the 1916 rising, which was asserted in arms, because the SDLP is on record as saying that there is absolutely no justification for the use of arms. Where is the contradiction there?

Mr Attwood: I am very keen to answer that question, Mr Speaker, and, if you are not going to stop me, I intend to proceed.

Mr Speaker: Do not tempt me. *[Laughter.]*

Mr Attwood: I will not press you very far on this one, Mr Speaker. Let us be clear about it for Mr McCartney. Whatever circumstances arose in 1916 or with a war of independence that had a democratic endorsement and the support of the people of Ireland, that is a million miles — *[Interruption.]*

Mr Speaker: Order.

Mr Attwood: It is a million miles from what transpired in Northern Ireland for 30-odd years.

Mr McCartney: That is not the point. We are talking about the contradiction.

Mr Speaker: Order.

Mr Attwood: Let me explain. The difference is that, in 1916 —

Mr Speaker: You should return to the debate now, I think.

Mr Attwood: — the people of Ireland believed that they had no alternative but to revert to arms whereas, for 30 or 40 years in the North, difficult though it was, there was a constitutional and democratic way forward.

Mr Speaker: Please resume your seat for a second. He invited you to comment on that and I permitted you to comment on it, but I think that it is now time to return directly to the debate.

Mr Attwood: I agree, but, given that I was being interrupted from a seated position, I will say that the conditions were objectly different. There was a democratic alternative. Those who took up arms after 1968 and 1969 had a margin of support in the people of Ireland and so on and so forth.

Mr Speaker: Did you hear me?

Mr Attwood: I will defer to the Speaker in that regard.

I will deal now with clause 21, "Departments to be single legal entity". This is a clause that we have petitioned against. I think that Sinn Féin has petitioned against this clause as well. We have done that because, in the Good Friday arrangements, we negotiated the good authority of Ministers. This clause moves or adjusts the good authority of Ministers and the separate bodies corporate that currently exist, namely ministerial Departments, into a single body corporate stretching across all Departments. We believe that that compromises the authority of Ministers and, for that reason, we oppose that clause.

We will support clauses that give particular authority to those who might want to form an opposition. Whilst there are some issues to be determined in respect of the threshold for a qualifying party, we support proposals that there be a leader and deputy leader of an opposition made up of the qualifying parties. We support the proposals in respect of topical questions and enhanced speaking rights for an opposition. We very much support the proposal for an opposition's right to chair the Public Accounts Committee. Whilst experience in other democratic chambers in relation to who chairs a Public Accounts Committee is different, we believe that that is a good principle and one that has served the people of Ireland well in Dáil Éireann. We also support the proposal that the opposition should have a member on the Business Committee of the House.

We do not support the proposals for financial assistance and salaries for office holders of the

opposition. We think that that crosses a bridge that should not be crossed at this stage. However, in all other ways, if there is going to be an opposition, we believe that it should be subject to the threshold matter. We believe that it should have structures and substance to do the work that it will be expected to do. Save for those comments, we are prepared to see the Bill proceed, subject to those matters that we have indicated on record that we will oppose through a petition of concern, as well as other matters that we will oppose by way of vote only.

Mr Kennedy: I am pleased to speak on behalf of the Ulster Unionist Party on this private Member's Bill. I join with others in acknowledging the amount of work that the Member has put into the measure. He may well feel that some of that work is unravelling before his very eyes, but such is politics and such is the politics of the Assembly. I also thank the Chair and members of the Assembly and Executive Review Committee for their scrutiny of the Bill, and the present Clerk and her officials for their guidance.

From memory, I was a member of the original Assembly and Executive Review Committee charged with looking at these matters, but that was way back in a previous mandate, when the expectation was that the Executive would bring forward suitable legislation to improve the structures of the Assembly, including measures to provide for an opposition. Frankly, the more things change, the more they stay the same; we are some time away from that.

Given the significant number of amendments and proposed changes to the Bill at this stage, including petitions of concern, it is clear that the two largest parties in the House are not key supporters of the Bill and prefer to see limited changes being made using the mechanism of Standing Orders and other procedures of the House, as outlined in Fresh Start. That has become increasingly apparent, not only at the Committee but through the course of this debate.

Such are the changes to the Bill intended by the largest parties that they confirm my view that private Member's Bills have little or no chance of progressing to the statute book unless they are sponsored by Members of the two largest parties. That conclusion supports my view, and that of my party, that these changes would best be brought about by using Westminster legislation. What suits parties today to change by Standing Orders can easily be amended in the future by amending Standing Orders and, basically, allowing dominant parties, whoever

they may be, to dictate changes on their terms. Therefore, I am deeply —

Mr Campbell: I thank the Member for giving way. Is he seriously suggesting that some of us are not concerned about the mechanism by which we arrive at the destination, as long as we arrive there? Is he seriously suggesting that, if the Assembly and Executive arrived at a conclusion via Fresh Start, whatever he thinks about it, about establishing an opposition, then at some point beyond that the Executive parties, large or small, having established an opposition by whatever means, would then row back from that? Surely he is not suggesting that?

Mr Kennedy: I am grateful to the Member for his intervention. I am simply conveying to the House my view that the methodology being used by the two largest parties presently in the House is one that undoubtedly suits their requirements set out under Fresh Start. The other parties and Members are right to be cautious about accepting that wholesale change.

I am deeply disappointed to see that a petition of concern has been tabled against a clause of the Bill that could have made Westminster legislation a reality. I understand that there may have been concerns about proposals to remove community designation, but I think that, at this stage, the baby has been thrown out with the bathwater. I can only imagine the disappointment and concern of the sponsor of the Bill.

I see no party or individual in the House wanting to go back to majority-style rule when it comes to the structures of the House. Everyone has to be realistic about that and, in some cases, finally accept it. I say that particularly to the nationalist and republican parties in the House. I hear no one advocating such a position. I think that the concerns about community designation are something of a misrepresentation and are almost an invention by people who are trying to persuade themselves that there are parties here who want to do them down on traditional lines. There was an amendment tabled to remove that section that would have received the support of my party. It is frustrating that the debate has not really properly taken place, meaning that there has not been a proper chance for those fears to be allayed without the need for a petition of concern, which will remove the entire schedule.

We thought that amendment No 1 from Mr McCallister was pragmatic. We gave thought to the issue of whether the opposition should be available to those who are eligible for Ministries or whether it should include anyone who is not in government. To us, the amendment strikes a balance, providing for parties that are not in government and acknowledging the prospect of larger parties taking up places there. Given that the Assembly is evolving and should continue to do so, that proposal will go towards future-proofing any opposition arrangements. It potentially gives space for any future changes in the size or make-up of the Assembly. I heard the sponsor of the Bill saying that he is open to increasing the threshold, and we await developments on that issue at Further Consideration Stage.

We welcome the changes made on technical groups. We had been concerned because, although we were looking to create measures to enhance democracy in the Assembly, the prospect of a group of individuals being able to come together to gain the same rights as a party elected with a considerable mandate seemed to work against that aim. We heard the examples of the existence of technical groups in other Assemblies, Parliaments and legislatures, but we are concerned that we could be trying to run before we can walk. We are beginning to reshape structures that were set up to support a very fragile society, so it is important that we move at a pace that allows us to grow and evolve but does not undermine confidence.

We welcome the amendments regarding leaders of the non-Executive parties. We have never been convinced of the need for formal titles within the opposition and prefer that it be more relaxed. A more rigid set of titles does not necessarily work in an Assembly such as ours, and we point to the Scottish Parliament's use of titles as what we should aim for. The mix of identities and the nature of this Assembly mean that it would not necessarily be workable to have one leader of an opposition. We think that what is proposed in the amendments reflects that better.

We think that the proposals to afford enhanced speaking rights to the opposition strike a reasonable balance. Ultimately, we want to see a good, steady flow of legislation passing through the House rather than the endless motions that we too often see on the Floor. We think that giving a minimum of 15 business days to the opposition, taking into consideration its ability to be made up of more than party, does not hinder the legislative timetable and allows opposition parties a fair opportunity to have

their voice heard. The 20% enhancement for opposition speaking rights also seems pragmatic, given that it will be based on party strength.

4.30 pm

Mr Attwood's speech included discussion of a Budget Committee. If we are moving away from the coterminous model of Committees matching Departments, there could be other possibilities. There could, for example, be a Committee looking at our relationship with the European Union and how we benefit or could do better from that. Others in the House may have other ideas, and it is not hard to see how that could run on.

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

The other big factor for us is that the Fresh Start Agreement outlines that the Executive plan to establish an independent fiscal council for Northern Ireland. It is early days, but, given that we are told that the council will prepare annual assessments of the Executive's annual review streams and funding proposals as well as of the sustainability of the Executive's public finances and the effectiveness of long-term efficiency measures, we need to tease out what the proposed relationship would be between the two bodies.

We will oppose clause 12. We simply do not believe that it is appropriate that, a time when we are looking at how we can lessen the expense of the Assembly to the public purse, we should provide salaries for newly created positions, even within the opposition. You do not go into opposition for a salary; you are there to provide scrutiny of the Government and to offer yourselves as an alternative to the present Government. That is very much the view of the Ulster Unionist Party.

On balance, the sponsor, Mr McCallister, is entitled to feel disappointed by the amount of political manoeuvring that is now rife around his Bill. However, when the smoke clears and the Bill emerges from the various amendments, petitions of concern and Fresh Start proposals, we will look closely at the nature and shape of it. At that stage — the next stage of the Bill — we will give it further consideration.

Mr Lunn: I will start with the point that Mr Kennedy finished with: we will wait and see what happens after the various political machinations, manoeuvres, petitions of concern and people taking dogmatic opposition to the entire Bill. We will look, at Further

Consideration Stage, at what comes out of this wreckage, when we will have a clearer idea of what is being proposed.

The Bill represents an enormous amount of work by Mr McCallister and his team. It was a worthwhile attempt to upgrade, modernise and improve the structures and procedures of the Assembly. It is extremely disappointing that, after all that work, we find ourselves in the position that we now do. Mr McCallister must be almost in the position of somebody with an elderly relative who is very, very ill — still hoping that they will recover. To me, however, this has the look of a basket case, but we will see.

Sinn Féin indicated its intention to kill the Bill by opposing every clause at the AERC. The Acting Chair, Ms Bradley, said today that the Committee divided on this, and it did. The Committee divided on every clause, but only because I voted in favour of every clause. That is the AERC for you, frankly.

There are so many contradictions around what is going on here that you really have to smile.

Mr Attwood highlighted the position of Sinn Féin on the naming of the Office of the First Minister and deputy First Minister. He is absolutely right: senior members of Sinn Féin have supported that regularly, but now, because of their total opposition to the Bill, they have to oppose it. It is a difficult position to start from if you say that you will oppose every aspect of this by voting against every clause, even though there are bits of it that surely even Sinn Féin could support. It is a strange scenario that we find ourselves in.

The argument is, of course, that 'A Fresh Start' will take care of all this and we do not need the Bill. Frankly, you would need to have more confidence in 'A Fresh Start' than I have at this time. If it goes the way of other fresh start agreements that have been round this place since I came here in 2007, we will just have to wait and see. The jury is out on what is possible. Mr Campbell is smiling; he has heard me at this before. Really, time will tell.

I would have thought and I still hope that the better parts of the Bill, on which we could perhaps agree, will not be killed by Sinn Féin and that we may be able to produce something from the wreckage. Mr Campbell is indicating support. I hope that that is the case. I would say that the DUP abstained from the vote on just about every clause in the AERC.

Mr Campbell: Not them all.

Mr Lunn: I tell a lie: you did not abstain on every clause; you opposed some of them, along with Sinn Féin. I forgot about that.

We are glad that the Bill is receiving some sort of scrutiny today. We will see what arises from the ashes.

As far as the amendments and clauses are concerned, I will not comment on all of them. Sinn Féin has given notice of intention to oppose various clauses, which I understand to be 1, 2, 3, 6, 7, 8, 9, 10, 11, 13, 14, 15, 18, 20, 21, 22, 23 and 24. We will not support the Sinn Féin attitude to those clauses.

I will look at the other amendments very briefly. Amendment No 1 relates to the qualifying parties for opposition. The amendment mentions 5%. There is talk of a qualification level of 8%. Earlier, somebody behind me said, "Fix". Well, it is a political compromise. Either way, we would support that. We have no problem with amendment Nos 2, 3 and 4. We intend to oppose amendment No 5. I will not even bother giving reasons, Mr Speaker. We support amendment Nos 6, 7, 8, 9, 10, 11, 12 and 13. We oppose amendment No 14. We support amendment Nos 15, 16, 17, 18 and 19. As you can probably tell, our support for the Bill was actually quite wide-ranging, and it still is. I am sorry to the sponsor, but we intend to oppose amendment No 20.

Sorry about this, Mr Speaker. It is just as well that we are not time-limited. I will have to come back to one of them.

We are OK with amendment No 23. We will support amendment Nos 24 and 25. Amendment No 26, along with No 27 and the SDLP amendment, No 28, relates to the Budget Committee. Keen observers will probably remember that that is the one amendment that I voted against at the AERC. I am now persuaded to be a bit more open-minded about it. I have listened to Mr Attwood's explanation of what he would like to see and what happens in other jurisdictions, and I do not believe that we would oppose the amendment at this time.

I am really sorry about this, Mr Speaker; I have got my papers in the wrong order. Amendment Nos 2, 6, 14, 15 and 17 and clause 17 relate to the technical groups. We are happy with some of those proposals but are less keen on those that allow a technical group to enter opposition or the Executive. We think that this is a change, in principle, to the power-sharing arrangements, which specify that it should be done on the basis of party strength. While we might be prepared to see a technical group get

some speaking rights and, perhaps, Committee positions, we do not think that it should include entry into a formal opposition or into government. As I said earlier, frankly, we will wait to see what comes out of this. We will look at it at Further Consideration Stage and see where we are.

The petition of concern on clause 13 effectively renders the schedule meaningless, so we will probably have to talk about that at some stage. It does seem to be particularly perverse to render the entire schedule to the Bill meaningless at this stage. It took the support of some members of the SDLP to make that petition worthy. I do not understand why on earth the SDLP would support a petition that renders meaningless its own very worthy amendment — amendment No 30 — which is to do with petitions of concern and qualified majority voting. If Mr Attwood wants to intervene, I will be happy to let him. It seems particularly, to use the word again, perverse to deny a carefully thought-out amendment that we would have supported. I think we can still debate it at some stage, but it does not mean a thing because the petition that your guys signed has rendered it useless. Do you want to intervene?

Mr Attwood: I am not straying into the second debate, but the substantive issue is the content of the schedule, which introduces the concept of weighted majorities. That is the substantive point that we have difference with, in addition to a series of particulars in respect of the schedule. Clause 13 refers to that. There may be ways in which the schedule can be substantially reworked so that it is consistent with the Good Friday Agreement, in which case something more appropriate might be agreed. I am prepared to look at that, but that is the thinking. The schedule does violence to the agreement. Clause 13 is only consequential to that.

Mr Lunn: I thank Mr Attwood for that, and I wish him luck. If there is some way to bring the amendment to which I refer into the ambit of the Bill again before it is too late, we would certainly be inclined to support it. If it is along the lines of what is already written down, it looks good to us. I am not sure that it would receive the backing of the House because, frankly, it really does not matter what we do in these circumstances as the decisions will be made by the two larger parties. I will conclude here. We will see what comes out of the debate today and have another look at the issue in the cold light of day on a future date.

Mr Allister: Given that this institution parades itself as a democratic legislative Assembly, I still find it amazing that we are at the point of talking and dithering over whether this democratic institution should have an opposition.

Ask any class of 12-year-olds to identify three or four key components of a democratic legislature, and I guarantee that in the top three every time will be the existence of an opposition — it is so elementary. Yet, here, that basic proposition is provoking all the contortions of so many to try to deny the import of that.

We have one party that would just block, if it could, the entire Bill. Of course, we know that there is a tradition with some that the way to deal with opposition was a bullet in the back of the head, but this is supposed to be a democratic institution, and it beggars belief that within a democratic institution there should even be debate about whether you need, and should permit, an opposition. Yet that is the pitiful situation that the House, after all these years, is still in. What an indictment of this place that the matter still has to be debated and decided upon. It is so self-evidently an indictment of the House that, really, I find it staggering that it takes this debate to allow the subject even to be ventilated, never mind the intent of some to kill it off.

Of course, Mr McCallister, who has done a huge amount of work on this, has had all these supercilious compliments today from the very people who are about to kill his Bill, insofar as they can kill it. The reeking insincerity of some speaks for itself.

Mr McKay: Will the Member give way?

Mr Allister: I will, indeed.

Mr McKay: The Member's point about opposition suggests that we are in a unique position. However, in Scotland, there is no official opposition; in Wales, there is no official opposition. We are not in a unique position. This is the type of Assembly that we have. It is not a mini-Westminster.

Mr Allister: The Member deludes himself if he thinks that the Conservatives, for example, in Edinburgh are not in opposition, or that the Labour Party is not in opposition to the SNP Government. Of course they are, and of course they are facilitated and provided with time, proper respect and positions in order to facilitate that opposition. Of course all the other devolved institutions have an opposition.

The Member might aspire to a system that would operate in somewhere like North Korea, but, really, it is Northern Ireland, and quibbling over whether we should have an opposition is quite astounding. The answer of some — the answer of Sinn Féin and the rather more cloaked but probably similar answer of the DUP — is that we have the Fresh Start Agreement. Let us think about Fresh Start and its approach to opposition.

It took this Consideration Stage debate on the Bill to get the Executive into gear — yesterday — to produce a motion. It took two and a half months after Fresh Start supposedly embraced opposition for the Executive even to bring something to the House on that concept. I sit on the Committee on Procedures, and, at every meeting since Fresh Start, I have asked, "Is there any suggestion that maybe we, the Procedures Committee, should be looking at Standing Orders to facilitate the supposed commitment to Fresh Start?". No — nothing.

I seriously question the sincerity of the commitment in Fresh Start to an opposition, and, of course, no steps have been taken to lay the groundwork and prepare. Here we are within weeks of the end of this mandate, and there is not a cheep to the Committee on Procedures about drafting Standing Orders — not a cheep. The threshold that Fresh Start sets for opposition is pitched as high as they can pitch it: you get into opposition only if you have made the sacrifice of declining the offer to sit in government with those who will deign to give you the right to be in opposition. Only if you meet that threshold will they even contemplate for you lesser mortals the possibility of recognising an opposition.

Fresh Start is a poor and pitiful proffering in respect of opposition. What about 'A Fresh Start' and the sincerity of that document? Fresh Start has something to say about petitions of concern: it tells us that there is a new dawn for petitions of concern. They will be used only in — wait for it — "exceptional circumstances". When they are used, page 53 of 'A Fresh Start' solemnly states:

"where a Petition of Concern is tabled, this should state the ground or grounds upon which it is being tabled and the nature of the detriment which is perceived as arising from an affirmative vote on the matter".

That is the Fresh Start pledge. What did the people who made that pledge do today? They produced three petitions of concern. Not one of them sets out the grounds as to why a petition of concern is necessary. Not one of them says

what the nature of the detriment is that the petition is seeking to prevent. Even the signatories and those who laud Fresh Start, by their actions, depart from and ignore their Fresh Start commitments and give us three petitions of concern that defy the very content of Fresh Start on that subject. They give us three petitions that simply name the clause, with no explanation that they are going to petition and oppose. I seriously question the bona fides of those who tell us that, under Fresh Start, all these things will evolve and happen when, on the very day that it is first put to the test for petitions of concern, it distinguishes itself by defying those very tenets that are set forth.

We then have the idea that technical groups must be killed off. Sinn Féin is obviously determined to kill off the idea of technical groups. The DUP is determined to kill off the idea of technical groups, which is really rich coming from the DUP, given that, for 34 years — more than one third of a century — its MEP has sat as a member of a technical group in the European Parliament.

Yet, when it comes to this House, what is good for the DUP in Strasbourg is to be denounced in Stormont. It is not do as I do, it is do as I say, as far as the DUP is concerned. For 34 years, it has been the beneficiary of sitting in a technical group. Some of the benefits of that are, of course, that members of a technical group get a proportionate share of speaking time. Its MEP has only ever got to speak because she is a member of a technical group and gets a share of that speaking time.

(Mr Speaker in the Chair)

Mr Campbell: It is more than you did.

Mr Allister: I hear someone, from a sedentary position, who is still with us, apparently. I think that his party would like to know whether he is going or staying, but he seems to be with us still. He says that it is more than I did. I may not be very proud of it, but I would remind the Member that, for three years, I was that MEP in the technical group from the DUP. Yes, I did take advantage, and in the hundreds of times that I spoke in the European Parliament, I spoke on the basis of being a member of a technical group.

Mr Campbell: Bullseye.

Mr Allister: His party's current MEP can speak in the European Parliament only by virtue of being a member of a technical group.

It does something more: it gives you an input into the business committee of the legislature. In the European Parliament, they call it the Conference of Presidents. Mrs Dodds, by virtue of being a member of the technical group called the Non-Inscrips or the Non-Attached, was the technical group's representative on that business committee for a couple of years. Yet, the very thing that the DUP has been prepared to take advantage of — and is right to take advantage of, because it is right that it is there — is the very thing that it would now deny to the House. Such seems to be the paranoia about this short corner Bench that it is determined that it will cut off any oxygen that enables this Bench, lest it should be more effective. So there is gathering of vested interests to make sure that the idea of a technical group in the House is killed off.

I raised this as a member of the Committee on Procedures a couple of years ago. I pushed the proposal, and every one of the other Members from all the parties of the Executive voted it down. So it is quite clear that there is a calculated determination to extinguish the very idea of a technical group, which some parties take advantage of elsewhere. What are they scared of? What are the big parties of this House scared of from a technical group? My goodness, are Steven Agnew, John McCallister and the rest of us who sit here so terrifying that you cannot even have a technical group to give us the opportunity to dare, as six Members of the House — think of it — to have any input into the business of the House and to dare to have a representative sit on the Business Committee? To think of it: that these jumped-up individuals who are members of some technical group should dare to have a basis of equality with the rest of us — very important Members of very important parties. Who do these people think they are that we would allow them to have a technical group so that we would have to listen to them in the Business Committee — the Business Committee? Who do they think they are? That is the attitude, and it is one that speaks more about those who hold that attitude than it does about those they hold it about.

5.00 pm

Some of the practical consequences are that you cannot, in this corner of this Chamber, ever get an Adjournment debate in this House unless some of the bigger parties give away one of their places, because they are allocated only to those parties on the Business Committee. I might have the most pressing of constituency issues that would lend itself readily to an Adjournment debate, but it is not possible

because Members in this corner are treated as the second-class Members of this House. That is the way that the rest want it. That is why they do not want to afford the opportunity of a technical group that might be empowering for the collective influence of the six or whatever number it would be in the future who occupy these Benches. I really wonder what it is they fear. Obviously it is something sufficient to cause them to be prepared to suppress the very idea of a technical group in a House where the attitude seems to be that, if you are not in the Government, you do not count.

In fact, as Mr Maskey almost told us one day in this House, if you are not supporting the Government, you should not really be here. That seemed to be the attitude. I am sorry, but technical group or no technical group, there will be voices raised in opposition in this House. It is a matter for the greater number as to how they facilitate that. They can seek to suppress it as much as they like, but that voice will be heard. They should do the decent thing and allow a technical group. They should allow equality of opportunity, and they should allow parity of esteem in that regard.

To return to the DUP petition of concern, it is interesting and informative that it was used about the clause that would blow away the pretence that there really are two separate offices of First Minister and deputy First Minister. It was ordered to maintain their own self-delusion that, somehow, the First Minister is different from and better than, and has more powers than, the deputy First Minister. The DUP has tabled that petition of concern because it knows, but does not want the public to know, that, in law and in practice, it is one office politically joined at the hip — one unable to even sign a letter without the other. Of course it is a joint office, and it is a joint office by design. The DUP thinks that, if it can table a petition of concern, it will help to delude itself and conceal from the public the reality that it is a joint office when, every day of the week, it operates it as such.

Ms Ruane said that Sinn Féin was opposed to the Bill because it would allow the creation of a Frankenstein model. Has she ever looked at this House? Has she ever looked at what this House does, sucking the blood out of basic democratic principles by denying the —

Mr Kennedy: That is Dracula.

Mr Allister: A close relative of the same ilk — [*Laughter.*] — sucking the blood out of normal democratic practices by denying the people who are meant to matter — the voters — the

very fundamental democratic right to vote a party out of government, to change the Government and now to even have an opposition? The party that would do all that and does all that raises the spectre of creating a Frankenstein model. What do you think you have got? You have got a model that is held in increasing disdain by the general public because the consequence of its dysfunctional, unworkable nature is that it cannot, and will never, deliver good government in Northern Ireland.

That is why the barometer of public opinion is at an all-time low, and will continue to be there so long as the structures continue as they are.

Mr McCallister's Bill is not all that I would have wanted to see, but, my goodness, he has bent over backwards to get as much support as he can. All that he has got is a knife in the back from those who are going to try to kill his Bill. Even the modest component parts of the Bill are, it seems, too much for those with a vested interest, who are quite happy to carry on propping up the most dysfunctional, undemocratic, unworkable system of government anywhere in the western world. You had a chance with this Bill to be seen to do some tinkering to help, but it seems that the attitude of that vested interest is "not even that will we allow." Hence the conspiracy and desire to kill the Bill and to use petitions of concern where necessary. In itself, that is all a commentary on this House.

Mr Agnew: Our priority should be good governance. That is certainly what the electorate want. There has been debate in the Chamber today about the balance of power within the House and within our systems of government. We have done a lot of work collectively to improve delivery from the Assembly. I welcome the Departments Bill, which will reform the number of Departments, hopefully to make a more efficient system and get better joined working between Departments. The Children's Services Co-operation Bill, which was the result of my private Member's Bill, was very much about getting that joined-up working. The transition in the number of Departments, and that Bill, which will require Departments to work together for children, can help us change the culture of governance in Northern Ireland. Coming down the line, we will have a reduction in the number of MLAs. Collectively, those send out a message that we are looking to improve governance in Northern Ireland.

Mr Campbell: I thank the Member for giving way. He is alluding to the private Member's Bill that he introduced and, of course, there were other private Member's Bills that Members in that corner in particular were able to get, contrary to what we just heard in the rant from Mr Allister. He is now elaborating on some of the further progress that we need to make. Does he agree with me that, whatever about the degree and the rate of progress, we are going in the right direction — when some said that we would never get there?

Mr Agnew: I thank the Member for his intervention. I always articulate my view of how far we have come in Northern Ireland as being proud of how far we have come since 1998 and frustrated that we have not gone further faster. It is important to remember both aspects, but it is the frustration that drives me towards seeking change and improvement.

It is concerning that we may simply dismiss the Bill out of hand. It is important. It is a complex piece of work, and credit to Mr McCallister for tabling it. It is important that we have amendments and that, from people's different perspectives, serious attempts have been made to improve on it. To simply dismiss the Bill altogether and oppose all its clauses would be an opportunity wasted to really show that, collectively, we are working together to improve these institutions. The institutions have been effective in delivering peace. They have not been effective in delivering good governance, and, ultimately, that should be where we now seek to get to. If 1998 was about peace and stability, to a large extent that objective has been achieved, although of course there are still problems within many of our communities. In 2016, we need to look at good governance and good delivery for the people who elect us.

Moving away slightly from the power debate between opposition and the Executive, I think that one of the key clauses in this Bill is clause 21, which is about collective government. I am not in the Executive, but when the Executive lose credibility, people do not always make a distinction; for example, I get stopped in the street and asked, "What are youse doing up there?". So, when we have a situation in which one Government Minister takes another Government Minister to court, we do harm to all of these institutions and our governance.

It should not be a big ask that our Executive act as a single corporate entity. We have a coalition in Northern Ireland and have seen the difficulties faced by the Conservatives and Lib Dems. However, we saw both those parties stand up and speak in favour of things that,

privately and behind the scenes, they were not entirely happy with, but they spoke as one Government. We see it in the Republic of Ireland, which continuously has a coalition Government, where the Government speak as one and take the criticism as one.

Mr Allister is fond of saying that we have no opposition here. Sometimes my problem is not that we have no opposition but that everybody thinks they are in opposition. As soon as a decision is made that is unpopular, every party steps out and says, "That was not my party; it was them-uns. We stood up and argued". We are very fond of doing that in Northern Ireland politics.

Are you a Government? Are you an Executive? Are you a collective? Or are you just a collection of parties in the Executive? If we are to be taken seriously in Northern Ireland, and if we are serious about reforms towards good governance, it is essential that we have collective decision-making and corporate governance in the Executive. I cannot understand opposition to clause 21. I think it is fundamental in terms of the changes which should, in my view, lead to an improvement in the performance of the Executive and the accountability of Executive parties.

As regards membership of the opposition and who should be permitted to be in opposition, we are told that 'A Fresh Start' is the way forward. I remember reading 'A Fresh Start' with incredulity. I saw great provision for opposition. I thought that it was a step forward that had been agreed. Then I read the detail and saw that it effectively says that, in order to be a member of the opposition, you have to first be a member of the Government. I read it again because I thought that I had it wrong, but that is what it said: you must first qualify to be in government, then you can decide to be in opposition. So only the Government could be in opposition. I thought that, clearly, this was not a serious proposal and attempt to move towards an effective — sorry, I will not say effective, because I think we have an effective opposition — but to have a recognised and formal opposition in this Assembly.

Let us rewind back to when the Ulster Unionists took their seat in the Executive; that was a time when we had no opposition. It seems to me that, given our current circumstances, we can still have that situation.

We could still implement, through changes to Standing Orders, the rules to have an opposition, but the parties who qualify for government might say that they are happy

enough in government and do not need an opposition. They can continue suing each other, working together when it suits them and in opposition to each other at other times, but effectively they still take the ministerial portfolios. They can still say that they are in government when good decisions are being made, and when bad decisions are being made, they can blame the other parties.

5.15 pm

Amendment No 1, in Mr McCallister's name, sets a reasonable threshold. I do not hope for my party that it will forever have one MLA; I hope that, on the other side of May, we will be a stronger party, comprising more than 5% of the number of MLAs. That is something that we should campaign for and aspire to, so I think that it is reasonable to set a threshold. I do not think it should simply be a case of, "I'm here and I want". I have to grow my party if I want it to have increased influence in the Assembly. I have no problem with that but saying, "No, you must qualify for government but if you choose not to be in government then you can be in opposition" means that we can have a situation — I do not think it is good governance — where we move between having an opposition and not having an opposition, depending on the decisions of individual parties on whether to take ministerial seats.

The Fresh Start proposals on opposition are poor, and we have an opportunity here to have a credible and resourced opposition. I take the points on salaries. I have no problem with the leader of the opposition etc not being salaried differently from those of us on the Back Benches, but it is important that support resources and access to research and drafting are in place to ensure that the opposition can fulfil its functions as the opposition does in other chambers.

We on these Back Benches are often referred to as the "naughty corner". It is probably a badge that some of us wear with honour. Why are we tagged with that? We sit at the back of the class, and that is maybe part of the reason, but we cause trouble for the authority — the Executive — because we provide challenge. We do not accept what we are told, and we will not be talked down to. It is clear from the opposition that Mr McCallister has faced to his proposals that there are those who do not like that scrutiny or that challenge or the fact that, despite our small numbers, we make a big difference and a big noise in the Assembly. We should be confident in our democracy, and a confident Executive would welcome a well-resourced and formal opposition. The three of

us who are here right now have, through the private Members' Bills that we have brought in, made a contribution. We are not simply making up the numbers. We can make a difference, but it is important that we have provisions in place. At the moment, we do it in spite of the structures of the Assembly not because of them. In that regard, we should facilitate a stronger opposition to ultimately achieve that aim of better governance.

Mr McCallister: First, in responding to the debate, I thank the Committee for its report and all the parties, not only for contributing to today's debate but for their engagement over a number of months and maybe even longer than that. That engagement has been useful in developing the process and, in listening to that, it will not have been lost on many of you that some of the amendments that I have tabled have been very much a reflection of listening to what has been said in Committee and to some of the evidence from outside, shaping the thinking that we need to do.

What are the changes to opposition that I want to see? When you mention the word "opposition", many people think that it has to look like Westminster. We are different from Westminster, primarily because we use a different electoral system to Westminster. That is one of the key things, and it is a system that I think is good. It will give you a coalition Government no matter what. The Republic of Ireland uses the same electoral system, and I do not think they have had a majority Government since roughly 1977 — a long number of years. I do want to tackle one of the comments made at the outset by Caitríona Ruane on the move and the quote from Professor Coakley about majoritarianism.

In his evidence, Professor Coakley said that there were basically two types of parliamentary system. There is the majoritarian model of Westminster or the Dáil or the more consociational model like Belgium or Switzerland. Those are two examples that he gave. We do not have either. Professor Coakley said:

"It accepts that democracy requires rule by a majority, but it goes further in suggesting that democracy also needs to be inclusive"

The key line is:

"The logic of that system is based on the pursuit of compromise"

We are not good at pursuing compromise, particularly in this Executive. We stall everything. The fact is that, instead of seeking compromise, we use the petition of concern.

In response to a question from Mr Kennedy about whether he could think of another consensus-based model that had a mandatory coalition, Professor Coakley stated:

"I cannot immediately think of any examples of mandatory power-sharing. The closest might be Belgium, but it is not mandatory all-party power-sharing there. There is provision in the constitution that the Government must consist of an equal number of Dutch-speaking and French-speaking Ministers but the Dutch-speaking and French-speaking Ministers can be drawn from any of the three traditional political families".

We do not fall neatly into that. Our system here was designed to deal with and help us to address our historic divisions. What I have put forward in the Bill in no way damages how we might address those historic divisions. It does not move away from d'Hondt — much to the disappointment, I am sure, of others. It does not move away from that; it stays very firmly with it. In no way would it move us back. You have two safeguards there. D'Hondt cannot be changed, and there was no attempt to change it. D'Hondt is your key to government. Our electoral system — a proportional representation system — also means that you cannot change it.

I listened to the evidence at Committee Stage from academics who talked about needing to maintain stability. In the almost nine years that I have been a Member of the House, it has almost collapsed on numerous occasions. Virtually every year, we have a chat about there being an election before the autumn, before the spring or before the summer — every year. What do we have to do? This is where, I think, Mr Agnew nailed it: we have to get to the point where we deliver good governance.

People out there are crying out for good governance and leadership. Yes, they want safeguards, but neither the Bill nor any of the amendments does any damage to those safeguards and that protection. We should have the confidence, 18 years after the agreement, to move forward and change this.

People say that this is maybe moving too much, but do not forget that we put through a Departments Bill that reduces the number of Departments from 12 to nine. Nearly everyone

in the House welcomed it as a good thing, but that Bill changes the d'Hondt calculation slightly; that ups the bar for meeting the d'Hondt calculation. People seem to have missed that. When you reduce the number of Assembly Members from 108 to 90 — and, if during the next five years, we lose two Westminster seats and that reduces the number further to 80 — that changes the chances of some parties being included in the d'Hondt calculation. Those two things change that, and it is almost as though some of the debate and commentary around the Bill ignores that. Those changes are important, and I welcome them, but it is important to note that at no point has anyone suggested that we move away from this and towards some type of majoritarianism. Some of the commentary, certainly at the Committee Stage, was incredibly ill-informed on that, instead of people actually reading what the Bill said.

I turn to the groups of amendments. I accept that Sinn Féin Members oppose all the clauses, but I thank them for their engagement across the process. It now looks as though we will pass a Bill in some form, so that is why I am not incredibly downbeat today because we are going to get a Bill that, for the first time, puts opposition into primary legislation. I think that we will, over the next few stages, get a Bill that does that. I accept that we have a petition of concern to the schedule and to clause 13. That debate is for another occasion. It is slightly ironic that a petition of concern has been used to petition of concern changes to the petition of concern. I would like to have seen those changes.

Looking at what is left in the Bill, there are still significant opportunities in it to create space for an opposition. I welcome the possibility of going beyond just saying that it has to be a d'Hondt party that forms the opposition. I think that, otherwise, you lessen the chance of getting an opposition. Why would someone choose to go into opposition when they can have all the trappings of the Government? Mr Agnew made the point of asking this: why would you go into opposition when you can be the internal opposition in the Government? That is the problem. I said it at Second Stage, and I say it again: that has bedevilled us now for years. We have a Government and an opposition, but they are just all the one people. They are the same Members. Government and opposition need to be separate and distinct roles.

Look at the amendments that I have tabled on the changes of title. That was done in order to consociationalise much more the names of the

title. In response, Mr McKay made the point about Scotland and Wales in an intervention to Mr Allister. I would say on that subject that we should not confuse not having the title "leader of the opposition" with being in opposition. I do not think that Mr McKay's party colleague Mr Adams has the title "leader" or "deputy leader of the opposition", but I suggest that he considers himself very much in opposition in Dáil Éireann, and will possibly continue or might be in the Government in a few months. But those are changes.

5.30 pm

In the Scottish Parliament, as Mr Allister rightly pointed out, the Conservatives, Labour and the Lib Dems are all in opposition to the SNP Government. The Labour Government in the Welsh Assembly are opposed by the Welsh Conservatives, Plaid Cymru and the Lib Dems. So, do not make that mistake. That is why I listened to some of the evidence in Committee and said, "Look, I am prepared to move on these titles and to ask whether that is something that people might feel more comfortable with". I am perfectly comfortable with the titles "leader of the opposition" and "deputy leader of the opposition". I think they bring clarity, but if others were more comfortable with changing those to "leader of the largest non-Executive party", which would be more reflective of what happens in Scotland, I am comfortable with that. I have no doubt what it means.

Mr Agnew: Will the Member give way?

Mr McCallister: Certainly.

Mr Agnew: I appreciate the point he is making. I made reference in my speech to the lack of understanding that there perhaps is of the difference between our Executive and our Assembly. Surely the language of government and opposition is much more familiar to people.

Mr McCallister: I take Mr Agnew's point. It is much more familiar, and we are used to it. That is probably a simple reflection of our coverage of Westminster, and it gives that familiarity. If that is voted through when the Question on clause 6 standing part of the Bill is put, I will happily not move the amendments. By simply tabling them, I wanted to give the Assembly the opportunity to say that it preferred the other titles or, indeed, to make space and provision in Standing Orders for those other titles. I think that is something worth looking at.

Before turning to all the amendments, I will make a few key points. The first is on my amendment No 1, which will create qualifying parties. I think that is a very important amendment. I am prepared to not move it today but to come back at Further Consideration Stage with more or less the same amendment but with the figure changed to 8% from 5%. For that reason, I will not move amendment No 1, and I think that amendment No 3 is the other one that is linked to those changes.

Mr Allister: Will the Member give way?

Mr McCallister: Yes.

Mr Allister: I am sure the Member has considered all the ramifications. Could he advise the House what difference accepting 8%, which, I think, would equate to nine MLAs, is likely to make to the qualifying threshold for a place in government under d'Hondt?

Mr McCallister: I am grateful to the Member. D'Hondt is just a mathematical calculation, and it can depend, of course, on where all the parties are. For example, in 2011, had the Ulster Unionists one more Member, the Alliance Party would have been outside the d'Hondt process, and that would have knocked it about. My best guess is that you are probably looking at a d'Hondt calculation requirement of 12 or 13 MLAs for one Minister. It might reduce down to that somewhat, although it might be higher. Do not forget that there will be nine Departments, so that is why the number will be up slightly. But it again depends on where other parties come. This will reduce it and will give the option to smaller parties if they grow and are more successful. Indeed, the Alliance Party is currently very near that level; if they were to turn down the tempting offer of Justice, perhaps, in the next mandate.

That is why I think it is important. There are several things. It is not only about being a d'Hondt party but about asking parties to come out of government. I have concerns about the wording in Fresh Start that says that parties have to declare whether they are going into government before they are permitted to take part in the Programme for Government negotiations. That might cause some difficulties in how the process would be managed. That is what I propose to do with amendment No 1. I hope to get agreement from across the House when it comes back at Further Consideration Stage.

I turn to the broad issues of technical groups and the Budget Committee. As Mr Attwood said, the Budget process has been very unsatisfactory for a long time. A full five years ago, at the end of the last mandate, the Finance and Personnel Committee did its own report examining legislative provisions to allow for a Budget Committee to be established and whether an amendment to legislation is required, and considering the potential membership of a Budget Committee and whether there would be the possibility of a conflict of interest if you were to sit on it and on another Statutory Committee. There was also to be a memorandum of understanding signed between the Assembly and the Executive. I think that I am correct in saying that that has not been signed yet — a mere five years after the fact. I will quote from the Committee's conclusions:

"a scrutiny model which included a central budget committee warranted more consideration in the future, and stated 'In the longer term, there is a case for the Assembly considering how its financial scrutiny system, including committee structures, could be reformed for enhanced effectiveness' ... the idea of reforming the Assembly financial scrutiny system to establish a more powerful central budget committee should be reconsidered in the future, if the proposed reforms to processes and procedures that are set out in this Report fail to have the desired outcome."

It is fair to say that the desires of that report have not materialised, so it is now time that we look seriously at our Budget process. As I pointed out in an intervention to Mr Attwood, if we are serious about devolving more powers to this House and about being at the forefront of the larger conversation and debate that is going on across the UK about what powers devolved regions of our nation have, and, if some parties like Sinn Féin are serious that they want their hands on more of the fiscal levers that operate this — that is something that I am supportive of, but devolving corporation tax powers or certain income tax powers comes with its own difficulties — we need to lift our game significantly.

We would then become more than just an Assembly and Executive that spends money without thinking about the consequences for how you raise money or cuts corporation tax without thinking about how you fill the gap in skills funding. We would have to deal with all the questions that flow from that. We would need to look at our economic data. If we are getting the Northern Ireland fiscal affairs council

to tie in with that and have that scrutiny where it belongs in our representative democracy here in the Assembly, that is very much in need of reform. I encourage Members to support changing that. I hope that, even though Sinn Féin opposes the clauses, it will look at amendments like that and, even at this late stage, recognise that there is likely to be a Bill passed and try to shape some of it.

I accept that, during the work on the Committee report, the issue of technical groups vexed many Committee members. I can tell you that there was a look of fear when the very idea of Steven Agnew being some sort of leader of the opposition assisted by Jim Allister was mentioned; that was just too much to bear.

I accept, from the Committee report and process, that I have, through amendments, stripped technical groups of the right to form an opposition, but technical groups are very much in line with many other Parliaments that make up our United Kingdom and these islands. I gave some examples to the Committee. The European Parliament was mentioned by Mr Allister, who is a former Member of it. He took advantage of being in a technical group. Its threshold is 3.3% to qualify for a technical group. In Dáil Éireann, it is just over 4%. In the Scottish Parliament, it is five Members out of 129, which is 3.9%. That does not prevent other parties doing that. In the Republic of Ireland, there is a huge tradition of independents. I think that, as the research carried out during the Committee Stage showed, there were 21 members of the Dáil technical group. That is one more than the largest opposition party of Fianna Fáil, but the technical group does not get the rights; Fianna Fáil does. The technical group gets the speaking rights, which is right and proper. I was happy to concede that my original thinking of technical groups was that they could form an opposition if no one else was willing to step into that role.

Technical groups would make a useful addition. They would have very limited additional rights, but perhaps they could have the right to have a seat on the Business Committee. At the minute, we have no way of tabling motions. We cannot even table an Adjournment topic, as has been said before. The Democratic Unionist Party has eight Members, or 1.2% of the seats, in the House of Commons, and yet it is allocated some Opposition Day debates. Nigel Dodds, as DUP leader in Westminster, gets picked fairly regularly to ask a question to the Prime Minister. I am glad that it has the rights to do that. Let us have some rights for the affectionately named "naughty corner" here.

Over time, this corner has played an important role in bringing forward and pushing for legislation. Sometimes, it is almost like the children's fairy tale: somebody has to say that the emperor has no clothes in this place. The Government are not always right on things. They need to be told that and held to account, but that should not come from inside the Government; that makes our Government look, to use Peter Robinson's phrase, "dysfunctional". It means that we become a laughing stock outside. The case for technical groups — I accept that they are stripped of the right to form an opposition — is very strong. I encourage Members to support that proposition.

Some of the costs are very modest; there is actually a saving. We are about to get rid of three Departments. That means that we will go down by three Committees as well, which saves over £500,000. Even if we were to have a budget committee, we would still be about £300,000 better off. Even if we were to hold a review of financial assistance to political parties and give some more support to opposition, we would still be in a position to save money. If we looked beyond that, at why the Assembly pays all ministerial salaries, you could save more money from that as well. This Assembly's Budget is beholden to the Executive arm of government, which is a problem that needs to be addressed. So implementing all the changes could be cost-neutral because of the change in the Committee structure.

5.45 pm

Others have questioned the need for salaries. In Scotland and Wales, leaders of opposition or non-Government parties get a salary, regardless of whether they take it or use it to employ people. I am relatively relaxed about that. However, I made the point at the Committee that, when it comes to an opposition holding the Government to account, if you have even four parties in a coalition, you end up with nearly 100 Members from governing parties, with all the financial assistance that that brings. You end up with Departments that have a total of 25,000 civil servants working for them, and you end up with 18 or 19 SpAds. Yet, somehow, people are fearful of an opposition of nine or 10 Members or a technical group in the corner that does not get opposition rights but gets modest funding.

We want to get to a point where we have scrutiny, deliver good governance and deliver for the people who send us here to represent their interests. It is an enormous privilege to do that.

Before I go through the amendments, I will set some context by outlining what was said in the debate. Ms Ruane made a point about majoritarianism, and I nailed that myth: there was never — in any of my plans, in this Bill or in any of the amendments that have been tabled — any attempt to do that. I want to see, and I have always said this, genuine power-sharing and people working for the common good, not this shared-out power. That is worth looking at.

Ms Bradley talked about the technical groups, which I have dealt with.

If the Assembly votes to accept clause 6, which would create a leader and deputy leader of the opposition, the change of titles in amendment Nos 9, 10, 11, 12, 13, 17, 21, 22 and 25 would probably become unnecessary.

There are several points that I want to make in response to Mr Attwood. I agree with him that this is a chance to put this into law. There is a chance to do that, which will make it difficult for future Executives to take it away. That is a point that Mr Kennedy made at Second Stage: enshrining it in law was a good thing. He said:

"Our preferred option has also been to enshrine the right of the opposition in legislation because we believe that simply changing Standing Orders leaves the future existence of the opposition in the hands, potentially, of the largest parties in this or any future Assembly. Let us not forget that the Stormont House Agreement promised formal opposition structures by March 2015; here we are in October and still there are no opposition rights for parties that are not in the Executive." — [Official Report, Vol 108, No 3, p43, col 1].

Here we are in February — I almost said "January" — and still there are no opposition rights. I very much agree with Mr Kennedy's point.

Mr Attwood also talked about OFMDFM being elected. I warn him that petition-of-concerning clause 13 may leave it difficult for him to table the amendment on electing the Office of the First Minister and deputy First Minister. He could have petition-of-concerned the schedule and not clause 13 and still left such an amendment as a viable option. Clauses 13, 14, 15 and the schedule sought to trigger debate on issues that we could not deal with. The SDLP might have just killed that part of the Bill off.

There is one point on which I disagree with him strongly. He made a comment about the authority of Ministers and the rationale of

power-sharing. I take a contrary view, because, by doing it in the way that we do it, we end up, as Eoin O'Malley, who gave evidence to the Committee, said, with a situation in which:

"Northern Irish ministers and departments operate almost as dictators within their own portfolio, not subject to the requirement to have cross-community support in areas that don't require primary legislation. This seems at odds to the purpose of the institutional structures set up in the Belfast Agreement."

That is an important point. The thread throughout the Bill about the single unitary government, which Mr Agnew talked about, collective Cabinet government and agreeing a Programme for Government before you run d'Hondt — all those measures — have been seeking to drive us down a road where you are forced to build consensus and look like a Government that are going in the one direction and know roughly where they are going, instead of pulling in many different directions, with Ministers, as Dr O'Malley said, able to act like "dictators" in their own wee fiefdom. That seems very much at odds with the spirit and principle of the Good Friday Agreement.

Yes, Mr Kennedy seemed to be making the argument about legislation, but what he really meant was legislation at Westminster. I will point out what Lord Empey proposed to bring in the House of Lords. He wanted the opposition to have speaking rights; that is in my Bill. He wanted it to have supply days; that is in my Bill. He wanted it to have Chair and Deputy Chairperson of the Public Accounts Committee; that is in my Bill. He proposed that those be allocated in a manner that is appropriate to their status in the Assembly; that is in the Bill. He also proposed that the Speaker should determine what is proportionate, and that that be set out in Standing Orders. Again, it is in the Bill that we would work that. Furthermore, Westminster legislation would determine that we only change Standing Orders. That is exactly what this is doing. We have the competency to do it here; why would we not do it here? Why would we let Westminster do it? I also point out that Lord Empey set the number for opposition at the very low level of just one Member, which might be good news for colleagues in a party here.

Mr Kennedy: I am grateful to the Member for giving way. Mr McCallister's problem is that, whilst all of that is in the Bill at the moment, will it stay there? I think that events today, and the manoeuvrings that are ongoing, make that very uncertain. Hence, Westminster legislation gives better protections from the sheer political

ambitions of the big power blocks here at present.

Mr McCallister: I am grateful to Mr Kennedy, but he should consider that, since the Good Friday Agreement, Westminster has changed, at St Andrews, things like the way in which the First Minister and the deputy First Minister are elected or appointed, and the fact that we never formed an Ad Hoc Committee to look at the likes of petitions of concern. His party has probably suffered from the debate about the First Minister and the deputy First Minister situation. I warn him: he might want to be careful about what he wishes for from his friends in here, but maybe he should not get too excited about what he will get from his friends at Westminster. I agree that it is better to have it based in legislation, as you and Mr Attwood said. I think that it is important that it stays, and why the Bill is here.

I am not as downbeat about the Bill as Mr Kennedy or Mr Lunn are.

I think that there are still many measures in the Bill that we have the competence to deal with here. We can and should deal with them. People are debating the principle of having an opposition. The fact that the SDLP and others accept the principle of opposition — even Sinn Féin, while it wants to do it by a different way — is a huge advance from where we were three or four years ago. When I started this process and the debate about opposition, not many to my right would even have mentioned the word instead of making it up. It may have been longer ago for Mr Attwood; he is not as recent a convert.

I have dealt with the important issues around Mr Allister's points on the technical groups, from his experience both at the European Parliament and his time here, and the difficulties in doing that. I agree with him. I know that it has certainly been problematic. Sometimes, when you seek certain rights, it can be batted about between the Business Committee and the Committee on Procedures, with nobody quite wanting to make a decision. Again, that comes back to why the Bill is so important. Over the next few hours and possibly next Monday, Members have to make a decision on what they are voting for. That is why the Bill just cannot go the way of another report. You cannot just say, "Well done, everybody. That was a fascinating read". This has to be voted on. People have to say yes or no. They have to show the colour of their money. That is very important.

I just want to deal with a couple of Mr Agnew's points. I agree entirely with his point that we have been good at the peace process but we need more than government by peace process negotiation. We need to do better than to simply say, "We have hit a crisis so we'd better ring David and Enda to see if they can come and help us out", and then say to them, "Can you come and gently nudge us through? And don't forget to bring the chequebook with you". We need to do better than that — everyone here — as parties that are working and investing in actually developing the policies, ideas and politics of aspiration for the people we serve. Otherwise, why are we here? Why is this institution here? What are we seeking in politics?

I genuinely believe that most people come into politics to pursue noble causes and better the lives of the constituents in the areas that they live in and represent. I have no doubt about the motivations of most people in the Chamber, but you want to get on and deliver that. Sometimes, I see Ministers who want to get on and deliver some type of reform but cannot do it. We are four and a bit years into Transforming Your Care. How much of it have we delivered? I might not like the direction of travel of some Executive policies — that is fine — but if, at least, the Executive were agreed on them and were going in that direction, I could understand that and respect it. When the Executive hit a difficult decision and everyone runs for cover, it makes you look dysfunctional. It is not the way to conduct government.

It is about getting good governance that is held to account by an opposition that provides the voting public with an alternative at a future election. We are in the politics of zero consequences, politics where elections do not really matter that much. We might change a few faces here and there, but, overall, the same numbers will come back. Think how different it might have looked in the autumn, when we were in crisis, had there been a viable opposition challenging the lead parties in the Government. There might have been a real fear factor about having an election. It might have been a real motivator to sort out the problems. That is the difference. That is why we need to get that.

It is true that we all get tarred with the one brush. Many a time, I am asked, "What are youse all doing up there?". People do not see delivery. They see an economy languishing behind the rest of the UK, never mind behind the Republic of Ireland. They see hospitals and the health service in difficulty and do not see reform coming. They see limited reform on

education. We see all that right across government. The Bill is all about driving us to a point at which we build consensus between government parties and have negotiations and government parties then sort their internal problems behind closed doors, present a policy and a united front and stand by that policy rather than all heading for the hills when something gets slightly difficult and they are pushed to uncomfortable places. That is not what governing is or should be about. We all lose credibility.

6.00 pm

The Tories and Lib Dems were pushed to uncomfortable places: the Lib Dems over tuition fees and the Conservatives over House of Lords reform. We read bits and pieces about it, but the Government did not collapse. They did not need somebody to come in from Europe to sort out their problems or a former US senator to help them through the difficulties. Look at the difficult decisions that the Republic of Ireland has had to make over the last eight or nine years. That is why a single unitary Government and a collective Cabinet make such a difference to the way in which they do their business. That is why I put it in. You have the authority of Ministers acting here, but it is acting in a shared-out way and saying, "There is so much for you, and there is so much for you". We need government to act, speak and deliver as one unit. That is what I call genuine power-sharing. It is genuine power-sharing based firmly on the principles of the Good Friday Agreement and genuine power-sharing that will deliver for the people of Northern Ireland. On some of the amendments —

Mr Kennedy: Will the Member give way?

Mr McCallister: Certainly.

Mr Kennedy: I am interested in what the Member has just said, but quite profound ideological reasons have separated parties, even around the Executive table. His remarks do not seem to take full account of that.

Mr McCallister: I accept that there are ideological differences between parties, but it is up to them to agree what they can agree and to start to deliver. Our big difficulty is that they barely deliver even on the stuff that they agree on. That is the problem. That is probably difficult because you have five parties in government, and it is difficult to negotiate.

Mr Kennedy: Four.

Mr McCallister: Sorry, four parties now. It will probably be back to five after the election.

We are not the only place in western Europe that has to address these issues. We are not the only place in western Europe that uses a system of PR and has coalition Governments. Our ideological divides might be quite profound, but the Belgians can do it. In one case, they took a long time to get agreement on forming a Government, but they got agreement, formed a Government and governed, whereas we just use the system, get into government and then think about what we will do. We have to get beyond that, or the voting public will not be interested in coming out to support any of us, never mind with any enthusiasm. So many of our young people are now more interested in Westminster politics than in what happens here, even though the Assembly has huge powers over every aspect of their lives.

I will do a quick run-through on the amendments. I will not move amendment No 1 and will bring it back at Further Consideration Stage with the figure changed to 8%. Amendment Nos 2 and 3 are about taking technical groups out of the Bill. Amendment No 4 is probably unnecessary if others are made. Amendment Nos 5, 6 and 7 deal with technical groups.

I will probably not move some in that sequence, and the eight or nine amendments on changing titles. Amendment Nos 9, 10, 11, 12 and 13 are about changing titles, so I will wait and see what the House decides on that matter.

The next set of amendments removes technical groups. Amendment No 16 is important in that we should, at least, allow Standing Orders to provide for different names or titles — or, indeed, no title — for the equivalent of leaders of the opposition.

Amendment No 18 is important because it commits to speaking rights. Mr Kennedy and others alluded to it being important that that issue stayed. Amendment No 19 is, again, around speaking rights. Amendment No 20 states that after a Government is formed, speaking rights for the opposition will be enhanced by 20%: if we have an opposition.

Amendment Nos 21 and 22 are, again, about the names of opposition leaders or positions. My amendment Nos 23 and 24 relate to the right to allow a technical group. I appeal to Members to consider it. I have pared them way back to allow us just to have technical groups in here. It is a recognised right. It was a right used in the Dáil by Sinn Féin before they

exceeded the seven seat threshold. So, it is a right that they used, and we should have it here, if so desired. That technical group would also have access to the Business Committee.

Amendment No 25 is, again, about opposition names and may not be moved. Amendment Nos 26 and 27 are about the Budget Committee. These are hugely important amendments and add significantly to the Bill because of the way our Budget process has been handled. I do not think that anyone looks on the way that our Budget is done with a great sense of pride. We need a better system and we need to do it much better. Amendment No 28, from the SDLP, is about that issue. It might be worth looking to see whether the party would consider an independent fiscal council for Northern Ireland at Further Consideration Stage and if that would be a useful addition. I am supporting amendment No 29, which is a DUP amendment about the removal of technical groups.

That concludes my remarks at the end of the group 1 debate.

Some Members: Hear, hear.

Mr McCallister: Are you wanting more?
[Laughter.]

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Thank you very much, Mr Speaker.

I would like to put our position on the Bill on the record. It is founded on the fact that the Fresh Start Agreement of last November made provision for an official opposition to be put in place by administrative means and not requiring primary legislation because it is an excepted matter. We feel that that position is the way that can deliver the need and demand for opposition in the Assembly.

Today, as part of the commentary, we were accused of being inconsistent over a number of clauses. The clause that Members talked about most was clause 20, and that somehow because we might be in favour of it, that we were being inconsistent or, perhaps, that we should be voting for it. I would rather be here to defend a consistent position than one of inconsistency, because I can well imagine that if we had stood in opposition to all clauses except clause 20, then people would have been pointing out that inconsistency. So, that is the basis on which we have done this.

There is no doubt that the case for an opposition has been accepted. That is why it

has taken root in the Fresh Start Agreement. Members have talked about the slowness of bringing those proposals to the Assembly, and, yesterday, the motion was tabled, and I suppose that we are seeing some movement on that. Bear in mind that two other aspects of the Fresh Start Agreement on changing the architecture of the Assembly have already been put in place. Those are the Departments Bill and the Assembly Members (Reduction of Numbers) Bill. I think that we all accept that it will be a number of weeks before this Bill, which tries to set up an opposition, can get assent, so it not as if we need this Bill through to ensure that we have opposition next Monday or Tuesday. We are not getting that. Sometimes, the criticism of the Fresh Start is nearly because people are lukewarm about it, and that is fine. I think that most Members are suggesting that the need for an opposition is for the next mandate, and I have absolutely no doubt that it should be in place for that.

One thing that I suppose is common to a number of pieces of legislation is that, when you bring it into Committee Stage, you get a better sense of what people are trying to achieve. Other people, particularly experts and academics, come to the table and start to talk about this. One of the common features, which I accept was a bit of a surprise to me, is that a lot of oppositional models are not brought about by primary legislation. Indeed, the academic and research papers that we got at Committee Stage said that there is nearly an absence of legislation in setting up oppositional models in many parliamentary systems across the world. The route to it, in many ways, is by convention or, if you like, political maturity or political demand. I see Fresh Start as the way of doing that. Sometimes, when people speak about oppositional models, they feel that there is a perfect model. Sometimes they look to Westminster and try to create the image that somehow that is locked down in legislation and immutable.

Mr McCallister: I am grateful to the Member for giving way. Will he accept that Westminster is significantly older than this Assembly by a huge number of years? As I said in Committee, this Assembly is a creature of statute. It is set up by statute. Effectively, the 1998 Act is our constitution, and that is why I think that it was important to give confidence in doing that in Standing Orders. The debate that has resulted from the Bill having been tabled has literally all been done in public session. It has been good that that has been done, and people know exactly what they are signing up for. That is why I think that putting it in primary legislation is so important.

Mr McCartney: I understand the point that the Member is making, but what I am trying to say is that Fresh Start and most of the clauses in your Bill, particularly those dealing with this aspect of it, make a demand that this has to go through procedures and Standing Orders, so it shows that the Assembly can affirm it. That public debate, which obviously was part of the Committee Stage, can also take place in the Procedures Committee and allow us to do that.

I want to reflect back, because I think that we have to ask the question. We have certainly asked ourselves whether there is a need for legislation to bring about an opposition. I think that the answer is very clearly no. This can be done, and we have seen many models in many other different places. I have heard, maybe here in the Chamber but certainly in the public airwaves, the idea that it is somehow not democratic that the Chair of the Public Accounts Committee is from a party that is in the Executive and that the Chair must be a Member from a non-government party or, indeed, an opposition party. When the academics presented to the Committee, they took 21 examples from across the world. Personally, I was waiting for them to say it was 21 out of 21, because, let us face it, everybody told us that the perfect model was that the PAC Chair had to be in opposition. It was actually the opposite; it was only three out of 21. The idea that there is a perfect model that we have to follow blindly is, in my opinion, wrong. This Assembly came out of a particular set of circumstances, therefore we have to be mindful of that.

Many Members have talked about the need for an opposition. In fairness to Alex Attwood, he talked about the SDLP talking about it as far back as 2012, I think he said. However, there was not much talk about it in 1998.

From 1998 up to a few years ago, there was not much talk about opposition. You often wondered and asked yourself why that was case, and I think that people have to be honest about that.

6.15 pm

The way John McCallister has come at this has been informative. From his discussions with the Committee and with our party when we met him a number of times, nobody doubts the genuineness of what he is trying to do. However, when he talked today about other things, there was this idea that, if we had an opposition, all else would flow. I do not think that that is the case: that, all of a sudden,

whatever criticisms people have of the Assembly, whether it is dysfunctional or whether it does not work as well as it should, will be addressed. I think that Danny Kennedy was right when he pointed out that there are big differences across the Executive. It is right that those should come out and that, every now and again, there should be blocks to progress because there is an ideological difference. On the idea of opposition equalling perfection, equalling all our ills being cured, I think that, if you went to England, for example, people there would say the exact same thing: all that lot up there are useless. Sometimes, they will not make the distinction between people in Government and people in opposition. As a matter of fact, you have heard people talk time and again about the change in Government — Tweedledum to Tweedledee. So, again, this idea of the perfection of opposition can be overstated.

Jim Allister — I notice that he is not in his place — gave us a lecture about going into a classroom full of 12-year-olds who would tell you, "Here are the basic tenets of democracy: a democratic institution has to have the following or else they will not recognise it as a democratic institution." I do not know if that is true, but you could ask the same 12-year-olds this: is it right to have a one-party state; is it right to have gerrymandering; and is it right to skew elections and not give people equal franchise? I think that all those 12-year-olds would say no. That is one of the reasons why we have this model, why we are very guarded and why, in all our discussions here, at Committee and in private conversations with you, we have always pointed that out. We are not going to allow this House to slip or sleepwalk into the idea of majority rule being better or Westminster being better so let us try to creep towards that. That is not going to happen.

Jim Allister obviously misquoted Caitríona Ruane when he tried to give the idea that she said that what you are proposing is somehow "Frankenstein's monster". That came from one of the academics who very clearly said that, in his opinion, grafting one system onto the other is "Frankenstein's monster". I think that he has good credibility to say that. You can see the desire, and you can see where people are trying to do it with community designation, that it is well intentioned, but the reason why it is in is firmly rooted in the reason why the type of democratic institution that we have here is necessary. It is the same with weighted majorities.

On the issue of — I know that this is for the next set of amendments — petitions of concern and an Ad Hoc Committee, there was an Ad Hoc Committee on welfare reform. It was very clearly down on one particular position, but then there was a vote and the vote overturned the working out of the Committee. So the idea that you have a Committee that might scrutinise something, but if it comes down to weighted majorities, sometimes you can have the wrong result because people vote along party lines, political lines and ideological lines. That is why you have a weighted majority and the mechanisms to ensure that minorities are protected. In my opinion, anything that undermines that principle is —

Mr McCallister: I am grateful to Raymond for another intervention. There were a couple of things throughout his comments. First, the World Bank recommends that opposition parties chair a public accounts committee. Moreover, there is nothing in the Bill that points to a "Frankenstein's monster". Our electoral system and d'Hondt are all your guarantees into Government. On moving away from designation to a weighted majority, a weighted majority still protects people, and you can set it at whatever level you think appropriate. I agree that all those protections should be there.

However, you cannot then start to complain when others use the petition of concern. It is part of the system, and that takes away your right to complain when others use it against equal marriage, for example. It would have been a huge sacrifice by the DUP because it could have triggered a weighted majority vote. However, unless the DUP gets about 45 seats after an election, it does not have the numbers to block it.

Mr McCartney: Thank you for that point. I suppose that the discussion about the petition of concern is for the next stage.

I want to finish on this point: if, on behalf of Sinn Féin, I was making the case that this idea was like "Frankenstein's monster", I would understand why you said that. However, we did not say that; it was said by someone who had cast a cold eye on the Bill. They warned you, and cautioned us, not to do this because it tries to blend two different models, and one model, the one that we have here, was set up for particular reasons. Those reasons still exist, and any tampering with that model could lead to a slide. That is why we oppose this aspect of the Bill. We fully support opposition as designated by the Fresh Start Agreement.

Mr Speaker: Before I put the Question, I remind Members that we have debated Mr McCartney's opposition to clause 1, but the Question will be put in the positive as usual.

Question put, That the clause stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Allister and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2 (Formation of the Opposition)

Mr Speaker: Amendment No 1 has already been debated and is mutually exclusive with amendment Nos 2 and 3. I call Mr John McCallister to move formally amendment No 1.

Amendment No 1 not moved.

Amendment No 2 made:

In page 1, line 17, leave out from second "or" to end of line 18.— [*Ms P Bradley.*]

Amendment No 3 made:

In page 2, leave out lines 5 to 7.— [*Ms P Bradley.*]

Mr Speaker: Before I put the Question, I remind Members that we have debated Mr McCartney's opposition to clause 2, but the Question will be put in the positive as usual.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 (Timing of formation of the Opposition)

Amendment No 4 not moved.

Amendment No 5 made:

In page 2, line 22, leave out subsection (3).— [*Ms P Bradley.*]

Mr Speaker: I will not call amendment No 6 as it is mutually exclusive with amendment No 5, which has been made.

Amendment No 7 not moved.

Mr Speaker: Mr McCartney's opposition to clause 3 standing part has already been debated.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 60; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms

J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 disagreed to.

7.00 pm

Clause 5 ordered to stand part of the Bill.

Mr Speaker: I will not call amendment No 8 as it is mutually exclusive with clause 5, which stands part of the Bill.

Clause 6 (Leader and Deputy Leader of the Opposition)

Amendment No 9 made:

In page 3, line 6, leave out from "offices" to "Opposition" on line 7 and insert

"offices in the leadership of the Opposition".— [Mr McCallister.]

Amendment No 10 made:

In page 3, line 10, leave out "Opposition" and insert "Non-Executive Party".— [Mr McCallister.]

Amendment No 11 made:

In page 3, line 11, leave out "Opposition" and insert "Non-Executive Party".— [Mr McCallister.]

Amendment No 12 made:

In page 3, line 14, leave out "Opposition" and insert "Largest Non-Executive Party".— [Mr McCallister.]

Amendment No 13 made:

In page 3, line 16, leave out "Deputy Leader of the Opposition" and insert

"Leader of the Second-Largest Non-Executive Party".— [Mr McCallister.]

Mr Speaker: Amendment No 14 is mutually exclusive with amendment No 15.

Amendment No 14 made:

In page 3, line 17, leave out subsections (4) and (5).— [Ms P Bradley.]

Mr Speaker: I will not call amendment No 15 as it is mutually exclusive with amendment No 14, which has been made.

Amendment No 16 made:

In page 3, line 20, at end insert

"(5) Standing orders may provide for alternative names for the offices in the leadership of the Opposition."— [Mr McCallister.]

Mr Speaker: Mr McCartney's opposition to clause 6 stand part has been debated.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 60; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 (Topical questions from Leader and Deputy Leader of the Opposition)

Mr Speaker: I call Mr McCallister to move formally amendment No 17. Will Members sit down, please? *[Interruption.]* I do not know what you said. I call Mr McCallister. Order. I had to try to read your lips.

Amendment No 17 made:

In page 3, line 32, leave out "Leader and Deputy Leader of the Opposition" and insert "leadership of the Opposition".— *[Mr McCallister.]*

Mr Speaker: Mr McCartney's opposition to clause 7 stand part has already been debated.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 25.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Ford, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G

Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 7 ordered to stand part of the Bill.

New Clause

Amendment No 18 made:

No 18: After clause 7 insert

"Speaking rights in the Assembly

7A. Standing orders must make provision that speaking rights in the Assembly are allocated on the basis of party strength".— *[Mr McCallister.]*

New clause ordered to stand part of the Bill.

Clause 8 (Enhanced speaking rights for the Opposition)

Amendment No 19 made:

In clause 8, page 3, line 38, leave out "15" and insert "10".— *[Ms P Bradley.]*

Question, That amendment No 20 be made, put and negated.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 25.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Dr Farry, Mr Ford, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr McElduff and Mr McKay

Question accordingly agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clause 9 (Opposition right to chair Public Accounts Committee)

Amendment No 21 made:

In page 4, line 5, leave out from "Leader" to "Opposition" on line 6 and insert

"Leader of the Non-Executive Party, Leader of the Largest Non-Executive Party".— [Mr McCallister.]

Amendment No 22 made:

In page 4, line 7, leave out from "Deputy" to "Opposition" on line 8 and insert

"Deputy Leader of the Non-Executive Party, Leader of the Second-Largest Non-Executive Party".— [Mr McCallister.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 56; Noes 25.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr Boylan and Mr McKay

Question accordingly agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Question put, That clause 10 stand part of the Bill.

The Assembly divided:

Ayes 44; Noes 37.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Attwood, Mr Boylan, Mr Dallat, Mr Diver, Mr Durkan, Mr Eastwood, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr Boylan and Mr McKay

Question accordingly agreed to.

Clause 10 ordered to stand part of the Bill.

Clause 11 (Financial assistance for Opposition parties)

Mr Speaker: Mr McCartney's opposition to clause 11 has already been debated.

Question put, That the clause stand part of the Bill.

The Assembly divided:

Ayes 56; Noes 25.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy,

Ms Lo, Mr Lunn, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Patterson, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Agnew and Mr McCallister

NOES

Mr Boylan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

Tellers for the Noes: Mr Boylan and Mr McKay

Question accordingly agreed to.

Clause 11 ordered to stand part of the Bill.

Clause 12 (Salary for office holders of the Opposition)

Mr Speaker: The opposition of Mr McCartney, Ms Bradley and Mr Kennedy to clause 12 has already been debated.

Clause 12 disagreed to.

Mr Speaker: As I explained earlier, a valid petition of concern has been received in relation to clauses 13 and 21 and schedule 1. I must, therefore, advise the House that today's proceedings on the Bill will now stop. The Business Committee has scheduled the remaining part of the Consideration Stage for Monday 8 February.

The last item, and the most popular item of the day, is the adjournment.

Adjourned at 8.02 pm.

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